

BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING

September 24, 1997

9:00 p.m.

Togiak Senior Center
Togiak, Alaska

COUNCIL MEMBERS PRESENT:

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

Helga Eakon, Coordinator

0144

P R O C E E D I N G S

(On record - 9:05 a.m.)

CHAIRMAN O'HARA: We'll call the meeting to order. The first item of business we have today on your agenda is the task force -- yeah, the task force, Federal Subsistence Board restructure, and Peggy Fox is going to help us out with that. If you'd like to talk to us?

MS. FOX: Yes, thank you. Good morning. As indicated on your agenda, my purpose here today is to provide you a status report on efforts to develop a memorandum of agreement with the State Department of Fish & Game to improve working relations between the federal agencies and the Department of Fish & Game. That status has been provided to you in your council book, and I would refer you to tab H. So I'm just going to make this a very brief highlight, and then I would like to solicit any comments or suggestions from the council as to your further progress.

Last year the Commissioner of Fish & Game proposed the development of a memorandum of agreement with the Federal subsistence management agencies to improve working relationships between the Department of Fish & Game and the federal agencies. At a meeting in January, the Federal Subsistence Board expressed support for such an effort, believing that it would benefit the councils and subsistence users. Specifically, the Board expects to reduce confusion between the federal and state programs, to improve wildlife and fisheries information to the councils, and to improve proposal analyses. As a result, the Board directed staff to initiate discussions with representatives of Fish & Game.

A task force of representatives from the federal program, and from Fish & Game met in Juneau at the end of July, and identified several actions. Among those actions are closer alignment of state and federal proposal cycles to improve coordination, closer coordination of subsistence resource surveys and studies, and improved information exchange between the agencies, providing for fish and game advisory committee representation at regional council meetings, and vice versa, joint production of regulation booklets, and other public informational material, increased Fish & Game participation in the preparation and/or review of proposal analyses to ensure technical information is complete and appropriately presented, involvement of Fish & Game representatives in staff committee meetings to ensure information from the State used in analyses is complete and accurately characterized. And, finally, we're

50 considering development of a state/federal coordination plan

0145

1 that will guide joint subsistence management planning efforts.

2

3 Our next meeting is going to be the first week of
4 November, and we have several subcommittees of the larger group
5 of eight people focused on these specific proposals or ideas.
6 And so they're being analyzed at this time. But we do welcome
7 any comments or suggestions from the council as to things that
8 we should focus on or whatever you may have to offer would be
9 useful.

10

11 CHAIRMAN O'HARA: Any comments, council members? Yes,
12 Robert?

13

14 MR. HEYANO: Question. Who's there from the State
15 side?

16

17 MS. FOX: Elizabeth Andrews who is the subsistence
18 liaison, and let's see, Steve Peterson, Gary -- Sandy, what's
19 his name?

20

21 MR. RABINOWITCH: Summers?

22

23 MS. FOX: Gary Summers and.....

24

25 MR. RABINOWITCH: Paul Larson.

26

27 MS. FOX: And Paul Larson from the State.

28

29 MR. RABINOWITCH: It's Summers or Saunders.

30

31 MS. FOX: Saunders. Gary Saunders, sorry about that.
32 From the federal side, it's Sandy, myself, Greg Bos who is the
33 State liaison with the federal program, and Ken Thompson with
34 the Forest Service.

35

36 CHAIRMAN O'HARA: Ken Thompson with who?

37

38 MS. FOX: The Forest Service.

39

40 CHAIRMAN O'HARA: Oh, Forest Service. Okay. Any other
41 questions, council members? Are you done, Robert? Well, I --
42 excuse me. Go ahead.

43

44 MS. FOX: I was just going to say at the winter meeting
45 we will probably provide you the results of looking at these
46 specific actions. That's our plan.

47

48 CHAIRMAN O'HARA: Well, I just mentioned to you before
49 we started this morning, Peggy, that I thought it was a great

50 idea, and that it should be pursued. And I think this council

0146

1 should really support this memorandum of agreement if we can
2 possibly -- I think we can work it out. And I think our
3 council is probably a good place for it to start. I think that
4 the Bristol Bay Federal Subsistence Council which we sit on has
5 worked very closely with the State of Alaska on almost all of
6 the issues that we can. It's not a problem with me at all. In
7 fact I think it's a great idea. So if we could possibly.....

8
9 It sounds like there's an awful lot of things joining
10 together. When you started off, I had no idea there's that
11 many things that could be joined together, so that's good.

12
13 MS. FOX: Lots of room for improvement. Uh-hum.

14
15 CHAIRMAN O'HARA: Yeah. That's good. I agree with you
16 and encourage you to go ahead and do that, and support you all
17 we can. Good.

18
19 MS. FOX: Great. Thank you very much.

20
21 CHAIRMAN O'HARA: Any other questions?

22
23 MS. EAKON: You know, since you're going to be the
24 pivotal council, it might be nice to formalize this with a
25 motion.

26
27 CHAIRMAN O'HARA: Okay.

28
29 MR. ABRAHAM: Yeah, I'd like to -- excuse me. I notice
30 on Federal Board when I was there, I think Mitch was the only
31 native, wasn't he?

32
33 CHAIRMAN O'HARA: Yeah. Uh-hum.

34
35 MR. ABRAHAM: And then.....

36
37 MS. FOX: Well, Niles is.

38
39 CHAIRMAN O'HARA: What's that?

40
41 MS. FOX: Niles.

42
43 CHAIRMAN O'HARA: Oh, Niles is? Yeah, native American
44 from some place?

45
46 MS. FOX: Southeast.

47
48 CHAIRMAN O'HARA: Oh, Southeast? Oh, good.

49

MR. ABRAHAM: Yeah, okay. We need another voice for

0147

1 like Bristol Bay Region over here. You take Dan O'Hara over
2 there, he's a knowledgeable guy. He knows what's going on
3 around us over here. I just very much support that idea
4 myself.

5
6 MS. FOX: Okay.

7
8 CHAIRMAN O'HARA: Let's see. You're talking about the
9 memorandum of agreement, right?

10
11 MS. FOX: My subject is the memorandum of agreement,
12 right.

13
14 CHAIRMAN O'HARA: Yeah. Okay. The next thing we're
15 going to be talking about, the structuring of the Board.

16
17 MS. EAKON: Yeah.

18
19 CHAIRMAN O'HARA: That's another item. So that will be
20 next. How did we get ahead of the structure of the Board?

21
22 MS. EAKON: It's okay.

23
24 CHAIRMAN O'HARA: It's all right? Okay.

25
26 MS. EAKON: It's okay, yeah.

27
28 CHAIRMAN O'HARA: All right. That's okay?

29
30 MS. EAKON: That's okay.

31
32 CHAIRMAN O'HARA: Now, let's entertain a motion if you
33 think we would like to have this process continue of trying to
34 work closely with the State of Alaska if that's the wishes of
35 this council.

36
37 MR. HEYANO: So move, Mr. Chairman.

38
39 CHAIRMAN O'HARA: Second?

40
41 MR. BOSKOFKY: I'll second it.

42
43 CHAIRMAN O'HARA: Did you want to address your motion?

44
45 MR. HEYANO: No, I think, you know, your previous
46 statement addresses it. If you look at the land and the
47 ownership in the area we represent, it's a lot of federal and
48 state with no definite boundaries, and I think it's inherent
49 that for the protection of the resource and the -- and to

50 fulfill our obligation to the subsistence users, we need the

0148

1 close working relationship.

2

3 CHAIRMAN O'HARA: Yeah.

4

5 MR. HEYANO: The memorandum of agreement will go a long
6 ways to do that, which -- or maybe put on paper what's a
7 current practice in Bristol Bay already.

8

9 CHAIRMAN O'HARA: Uh-hum. Yeah. I think it would be
10 good for the Legislature to know that we don't have an issue
11 here like they do, and we're going to go ahead and work
12 together and do what has to be done, and if they want to sit in
13 Anchorage and complain about it, they can just go ahead and do
14 that, because we're going to go ahead with it.

15

16 MR. HEYANO: I've got one further question.

17

18 CHAIRMAN O'HARA: Sure.

19

20 MR. HEYANO: We'll be able to review this document in
21 the draft form when it's.....

22

23 MS. FOX: Yes. Uh-hum. Absolutely.

24

25 CHAIRMAN O'HARA: Call for the question?

26

27 MR. HEYANO: Question.

28

29 MR. ABRAHAM: 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 votes.)

38

39 CHAIRMAN O'HARA: The ayes have it. Thank you, Peggy.

40

41 MS. FOX: Thank you.

42

43 CHAIRMAN O'HARA: Helga, you're on for the next one?

44

45 MS. EAKON: Actually that's Tom Boyd's.

46

47 CHAIRMAN O'HARA: Tom Boyd, okay. Pardon me. Federal
48 Board restructuring there, Tom. And that's tab G.

49

MR. BOYD: Yes.

0149

1 CHAIRMAN O'HARA: Okay.

2
3 MR. BOYD: Tab G.

4
5 CHAIRMAN O'HARA: All right. You're on.

6
7 MR. BOYD: Okay. Chairman O'Hara and council, this
8 issue's been around for a little bit, probably ever since we
9 started the program. More recently I think in '95 in the
10 annual reports submitted by the Seward Peninsula Council and
11 the Northwest Arctic Council. They recommended that the Board
12 be restructured to be composed of the ten chairs of the
13 Regional Council. That was brought obviously to the attention
14 of the Board as a result of the annual reports, and the first
15 joint meeting between the chairs and the Board. And I think
16 that took place in '96. I may be wrong on these dates, but
17 nevertheless it's come before the Board a couple of times in
18 these meetings.

19
20 In the meeting that took place between the chairs and
21 the Board this past April, the chairs had met the day prior to
22 the Board meeting, to meeting with the Board, and recommended
23 that the Board be restructured essentially just to add one
24 member, one of the council chairs.

25
26 And I think what happened as a result of that
27 discussion was that the Board recognized a need to at least
28 review this issue, and they established -- we call it a task
29 force here, but a committee basically made up of Mitch
30 Demientieff, the Board chair, Bill Thomas, the chair of the
31 Southeast Regional Council, Jim Caplan, the Board member from
32 the Forest Service, and Dave Allen, the Board member from the
33 Fish & Wildlife Service. This committee met in June of this
34 year to explore options, and that was almost a full day meeting
35 they had. And they developed three different alternatives that
36 they wanted to bring back to all of the councils for
37 consideration and comment and thought, and they also recognized
38 that there was some, I'll call them legal obstacles or
39 constraints that you see in your -- on page -- the second page
40 of the briefing that you have before you. And let me just
41 touch on those right now.

42
43 The federal law, ANILCA, essentially conveys to the
44 Secretaries of Interior and Agriculture the authority to make
45 regulations concerning this program. That authority has been
46 delegated to the Board who are essentially federal employees.
47 So the first legal constraint here is that federal law
48 prohibits the delegation of regulatory authority to individuals
49 who are not federal employees, so that's something that you

50 need to keep in mind.

0150

1 The second constraint was that if you -- keep in mind
2 one of the scenarios is to establish a council made up of the
3 ten regional council chairs. If a council were established
4 based on that composition, another hindrance would be that
5 because delegation of authority would be prohibited to set
6 regulations to a group like this, in essence that group would
7 be considered an additional advisory committee. And there's
8 currently some guidelines issued in an executive order which is
9 listed in your handout that prohibit agencies from creating new
10 advisory committees unless they're required by statute or a
11 compelling national interest is involved.

12
13 And I'm only providing this as sort of advice to you.
14 We obviously -- if this were the -- you know, this could be
15 pursued, but these would be the obsta- -- these options could
16 be pursued, but this would be the obstacle that you would face
17 in trying to establish something along those lines.

18
19 The Board -- the committee, the task force if you will,
20 came up with three alternatives that they want you to review
21 and consider. The first is the status quo, or the existing
22 Board.

23
24 The second is the existing Board with at least one
25 regional council chair nominated by the regional council chairs
26 and appointed by the Secretary of Interior with concurrence by
27 the Secretary of Agriculture. And that was the recommendation
28 of the council chairs last April.

29
30 And the third was the existing Board plus one
31 subsistence user and one state representative nominated by the
32 Governor and appointed by the Secretaries.

33
34 So that's essentially the report. The committee again,
35 and the Board, would like the councils to review and comment on
36 these options, or come up with an additional option if you
37 desire.

38
39 CHAIRMAN O'HARA: Any questions on the restructuring of
40 the Federal Board, council members?

41
42 MR. HEYANO: Mr. Chairman?

43
44 CHAIRMAN O'HARA: Yeah, okay.

45
46 MR. HEYANO: I guess my preference would be the one
47 where you add a regional council chair person. The only
48 question I have is if you pick the chair and he obviously
49 represents a region, is there going to be a potential conflict

50 of time or -- you know, how does a regional chair represent the

0151

1 region and sit on the Federal Subsistence Board?

2

3 MR. BOYD: Well, I think you've probably touched on one
4 of the conflicts, or the issues that I think we'd have to deal
5 with if that were the case. I don't know how that will play
6 out. I personally haven't thought it through, but one possible
7 scenario is someone else could represent the council if that
8 person were sitting on the Board at that time, but I still
9 think it would be very difficult for that person to operate in
10 an unbiased or objective fashion if he's got an interest, you
11 know, that's before the Board. So I don't know how that would
12 play out. But that's a consideration that you -- something you
13 would want to think about as you make your comments and
14 recommendations.

15

16 MR. HEYANO: Well,.....

17

18 MR. BOYD: I think there's another important thing to
19 remember, and I want to come back to this idea of delegation of
20 authority, and I guess I want to be somewhat honest with you
21 about some of the concerns that were expressed by -- we had
22 Keith Goltz from our Solicitor's Office in the room for the
23 task force meeting, and that's where some of these concerns
24 were expressed. When Mitch was actually appointed to the
25 Board, there was some concern expressed, you know, in the
26 circle of attorneys that deal with subsistence issues about his
27 appointment, and about making him a federal employee, and about
28 potential for someone to say that there was an abuse of this
29 law prohibiting delegation of authority. So if we take it
30 another step and bring in another nonfederal employee on the
31 Board, it would sort of make the issue a little bit -- loom a
32 little bit larger. I think right now that the -- you know,
33 people are somewhat comfortable with what we're doing. These
34 are legally untested waters if you will, so we're just not sure
35 where this would go. But certainly the concerns expressed by
36 the council with regard to having someone on the council that
37 understands subsistence and understands what goes on, you know,
38 in the real world is an important consideration, and that's
39 what they're trying to explore and trying to accommodate. But
40 your comments and your thoughts and your recommendations, you
41 know, once -- if they get elevated beyond the Board even to
42 recommend a broader council with additional members, you know,
43 might run into these obstacles. And I'm just trying to advise
44 you right now what some of those are.

45

46 MR. HEYANO: I guess my concern wasn't that.
47 Hypothetically Dan -- well, not hypothetically, Dan represents
48 this council, and if we -- if the option went through, a
49 regional council chair was picked, and it was him, my concern

50 wasn't the conflict he might have in voting on Bristol Bay

0152

1 issues. Mine was pretty selfish. The reason I support that as
2 a chairman is because in my opinion he's the best person
3 sitting up here to represent this council and is real
4 effective. So being selfish, I don't want him to be spending
5 his time representing the Federal Subsistence Board, taking
6 away his efforts and time representing the regional council.
7 That's the kind of conflict I was.....

8
9 MR. BOYD: I see.

10
11 MR. HEYANO:getting at. Conflict of time
12 allocation.

13
14 MR. ABRAHAM: Mr. Chairman?

15
16 CHAIRMAN O'HARA: Yep?

17
18 MR. ABRAHAM: Robert, well, you pick any knowledgeable
19 native person from any -- I mean from this region over here
20 that knows about subsistence actually, you know, maybe 99
21 percent of the native people knows about subsistence way of
22 life over here. If you pick any knowledgeable person, Togiak,
23 anywhere, Manokotak, it would be effective, because somebody --
24 I would like to see somebody on the Federal Board to represent
25 Bristol Bay region over here. A lot of times I'll read in the
26 paper stuff like that, be Washington, D.C., anywhere, that
27 representation we have is in a piece of paper, and the people
28 out there have never been in rural areas or participate in
29 hunting or whatnot. So it's very important to have
30 representation over here. It doesn't have to be Dan O'Hara
31 himself. It could be anybody that's knowledgeable with in
32 effect education, not -- maybe not even education, because you
33 take subsistence user, even he doesn't speak English, well,
34 he's more knowledgeable than you and I, because that's his way
35 of life. Thank you.

36
37 CHAIRMAN O'HARA: Any other comments, council members?
38 This is a pretty important issue when we're dealing with our
39 regulations, our proposals that come before the Federal Board.

40
41 I think one of the concerns that -- one of the
42 questions I have, Tom, then I'll make a comment. If a council
43 chair were to become part of the Board, would that council
44 chair become an employee of the Federal Government like Mitch
45 is? Have you talked with the counsel about -- your legal
46 department about that?

47
48 MR. BOYD: I'm not sure that I can answer your
49 question. I presume that that alternative -- well, that would

50 be something we would have to face and deal with. But

0153

1 certainly -- I think that's built into this option that while
2 that person is operating as a member of the Board, he would
3 become -- he or she would become a federal employee if you
4 will, in order to have the authority to delegate -- or to
5 participate in the making of regulations. However, that's
6 where one of the constraints comes in to play. And I'm not
7 sure how that's going to play out. That particular option sort
8 of faces an uncertain future as to what -- how far we can go
9 with taking someone that's on the council and making them a
10 federal employee.

11
12 CHAIRMAN O'HARA: Yeah. Well, I think what -- I think
13 Pete brought up a good point in that we often use this
14 expression, I don't know if everyone here knows where McKenzie
15 Point is at in Anchorage, you know, right across Cook Inlet.
16 You can throw a rock across Cook Inlet, hit McKenzie Point, and
17 from that point on, the urban people haven't a clue what goes
18 on in rural Alaska. I mean, you come to Togiak and you've been
19 more informed now, but there's no Federal Board members
20 here.....

21
22 MR. BOYD: Right.

23
24 CHAIRMAN O'HARA:to talk about the issues that we
25 live and die with every day. And I think that's one of the
26 reasons why -- it's immaterial to me whether it's a council
27 member. I would prefer a council member, because the council
28 member sits there through all -- I sit there through everybody
29 else's regulations, too. I mean, I sit there when all the
30 other regions come in. And, you know, I put my hand up when it
31 comes to the call of the council chairs, and I say I support
32 that region's proposal, because this is how we understand it.
33 We've been there.

34
35 But I understand that you're tied to a law also, so it
36 may not be that easy.

37
38 Yeah, Robert?

39
40 MR. HEYANO: I guess, Mr. Chairman, listening to Tom's
41 presentation and some of the concerns involved with a person
42 that's not a federal employee on it, it seems to me the success
43 rate we have with the Federal Subsistence Board is as close to
44 100 percent,.....

45
46 CHAIRMAN O'HARA: It is very good.

47
48 MR. HEYANO:you know, I think it's probably 99.5
49 percent maybe. One or two proposals. And part of those

50 reasons are because there wasn't a strong recommendation from

0154

1 this council.

2
3 CHAIRMAN O'HARA: Uh-hum.

4
5 MR. HEYANO: So how would the council feel based on our
6 track record with the Federal Subsistence Board and some of the
7 concerns that Tom has laid out if.....

8
9 CHAIRMAN O'HARA: Leave it like it is?

10
11 MR. HEYANO: Leave it as it is, and if other regional
12 councils obviously have a strong position one way or the other,
13 they'd be the ones to move forward. And I guess at that time
14 we'd have a second chance to review the recommendations.

15
16 MR. BOYD: I'm not sure what would happen beyond this
17 opportunity for the council to comment. I don't want to
18 mislead you. There may not be another opportunity for you to
19 comment on this. The Board may take this -- the committee will
20 make a recommendation to the Board. The committee's made up of
21 at least three Board members anyway. And they may decide to
22 take it another step, take it to the next step fairly soon. I
23 don't know if they'll come back to the councils or not at this
24 point. So I.....

25
26 CHAIRMAN O'HARA: It may be a one-shot deal?

27
28 MR. BOYD: This is your best shot, I would take it now.

29
30 CHAIRMAN O'HARA: Any other comments? Do you want to
31 leave the status quo or do you feel.....

32
33 MR. HEYANO: We do that in the form of a motion?

34
35 CHAIRMAN O'HARA: Yeah.

36
37 MR. HEYANO: Mr. Chairman?

38
39 CHAIRMAN O'HARA: Yes.

40
41 MR. HEYANO: I guess I'm prepared to make a motion that
42 we go on record supporting the alternative one, the existing
43 Board.

44
45 CHAIRMAN O'HARA: Uh-hum. Is there a second to the
46 motion?

47
48 MR. BALLUTA: Second the motion.

49

CHAIRMAN O'HARA: Okay. Discussion? Would you like to

0155

1 address the motion?

2

3 MR. HEYANO: Yes, Mr. Chairman, I guess listening to
4 some of the concerns that could arise and probably will arise,
5 if a nonfederal employee is appointed to the Board, I weigh
6 that with the success rate that the Bristol Bay Regional
7 Council has with the Federal Board and their response to our
8 concerns and efforts to correct problems. And, you know, as I
9 stated earlier, that in my opinion that's been a 99 percent
10 success rate, or close to that number in my opinion. And I
11 guess to me if it's working for us, why do we need to attempt
12 to go and fix it with the potential of creating a lot of
13 problems? We may be putting the system that works so well for
14 us in a legal limbo for a period of time. So with that, I'll
15 support the existing Board make up.

16

17 CHAIRMAN O'HARA: Okay. Council members, we have a
18 motion on the floor that says that we have three options:
19 leave the Board as it, the Federal as it is with us going to
20 the Federal Board; putting a council chair on the Board is the
21 second option; or the third option would be a State
22 representative with a subsistence user. Is that right, Tom?

23

24 MR. BOYD: Yes.

25

26 CHAIRMAN O'HARA: That's a third option. Our motion
27 is.....

28

29 MR. BOYD: And one representative of the State is
30 what.....

31

32 CHAIRMAN O'HARA: One representative of the State.

33

34 MR. BOYD:this is what the committee is putting
35 to you.

36

37 CHAIRMAN O'HARA: Yeah. That's the three options we
38 have before us today. We have a motion on the floor to leave
39 the Federal Board exactly like it is. Any other comments?
40 Question? Oh, Pete?

41

42 MR. ABRAHAM: Well, I think it's important to have
43 somebody from the rural areas to have on the Federal Board.
44 Like I said, you know, Mitch -- there is -- he's from a rural
45 area, but that's from -- he's from different region. I'd sure
46 like to see somebody from Bristol Bay Region over here to be on
47 there, because I think we need more voice on the Federal Board
48 from our region over here.

49

CHAIRMAN O'HARA: So you're not supporting the motion?

0156

1 MR. ABRAHAM: Humm?

2

3 CHAIRMAN O'HARA: You're not supporting the motion
4 then?

5

6 MR. ABRAHAM: No. Unh-unh.

7

8 CHAIRMAN O'HARA: Okay. Any other comments, council
9 members? Let's do a roll call vote.

10

11 MS. EAKON: Roll call vote. Andrew Balluta?

12

13 MR. BALLUTA: Yes.

14

15 MS. EAKON: Tim Enright?

16

17 MR. ENRIGHT: Yes.

18

19 MS. EAKON: Alvin Boskofsky?

20

21 MR. BOSKOFSKY: No.

22

23 MS. EAKON: Pete Abraham?

24

25 MR. ABRAHAM: No.

26

27 MS. EAKON: Dan O'Hara?

28

29 CHAIRMAN O'HARA: Yes.

30

31 MS. EAKON: Robert Heyano?

32

33 MR. HEYANO: Yes.

34

35 CHAIRMAN O'HARA: Okay. There needs to be a minority
36 report to the Federal Board then when we go.

37

38 MS. EAKON: Yes.

39

40 CHAIRMAN O'HARA: Okay.

41

42 MS. EAKON: The minutes will so reflect a minority
43 report.

44

45 CHAIRMAN O'HARA: There will be a minority report also
46 stating those who said they would prefer something other than
47 the motion that was passed today, so you'll be represented at
48 the Board level.

49

Okay. Thank you, Council, that's good. See, you don't

0157

1 have a rubber stamp board after all.

2

3 (Laughter)

4

5 CHAIRMAN O'HARA: It seemed like a copy with all eyes.
6 That's the way we like it. Where are we at here now? Thanks,
7 Tom.

8

9 MS. EAKON: We are at new business, call for proposals.

10

11 CHAIRMAN O'HARA: Call for proposals.

12

13 MR. HEYANO: We don't do e and f?

14

15 MS. EAKON: I thought we had disposed of them,
16 unless.....

17

18 MR. HEYANO: Okay. No, that's fine.

19

20 CHAIRMAN O'HARA: Well, let's see. Wait a minute. We
21 need to deal -- need to ask Pete.

22

23 MS. EAKON: Oh, yeah, we need to ask Pete regarding
24 special action 97-03A Unit 17 moose. This was a one-time only.

25

26 CHAIRMAN O'HARA: Yeah.

27

28 MS. EAKON: One time only season.

29

30 CHAIRMAN O'HARA: And we have until the 24th of
31 October, Pete, to make a proposal. So what we were going to
32 ask you is did we want the ten moose or the 12 -- how did we
33 end up with 12 moose?

34

35 MS. EAKON: No, it's ten.

36

37 CHAIRMAN O'HARA: Ten moose, yeah.

38

39 MR. ABRAHAM: Ten.

40

41 CHAIRMAN O'HARA: Did you want to do the ten again,
42 or.....

43

44 MR. ABRAHAM: Well, like I said before, it was -- this
45 was a trial, and what's happening. I think it went very well,
46 this fall for the moose hunt.

47

48 CHAIRMAN O'HARA: Uh-hum.

49

MR. ABRAHAM: I cannot say anything right now until we

0158

1 have a count this winter, what effect, how is it affected by
2 this hunt, season. I think I'd leave it as it is right now
3 until we have another regional board meeting when we get report
4 from ADF&G and Andy Letterman -- I mean, Aderman. And from
5 there on, we can decide which way to go.

6

7 CHAIRMAN O'HARA: Helga, that would come under
8 emergency order then if that were the case? Because proposal
9 time is over with on October 24th.

10

11 MS. EAKON: Yeah, it would have to be another special
12 action. In fact, your winter council meeting, you look at the
13 survey data and say we can have another season.

14

15 CHAIRMAN O'HARA: Sure.

16

17 MS. EAKON: You do it at -- since it's out of cycle, we
18 would have to do another special action.

19

20 MR. ABRAHAM: Yeah, that's what I mean. You know, we
21 need.....

22

23 CHAIRMAN O'HARA: Okay.

24

25 MR. ABRAHAM:we need to know the numbers before
26 we take any action again.

27

28 CHAIRMAN O'HARA: Robert, did you have a comment?

29

30 MR. HEYANO: Yes. Helga, is the recommendation to wait
31 and do it through special action or to put a proposal in?
32 Because we could put a proposal in, and then that would go.....

33

34 MS. EAKON: That would be analyzed and.....

35

36 MR. HEYANO: Every year. And then I think.....

37

38 MS. EAKON: Uh-hum.

39

40 MR. HEYANO:the way I'm thinking is that if there
41 is a -- if the numbers are too high, or there's a high winter
42 harvest, at a later date we always have the opportunity as a
43 council to vote against that proposal.

44

45 CHAIRMAN O'HARA: Yeah, we don't need to put it
46 through, but if we have it in the paper, if we have it in mill
47 already.....

48

49 MS. EAKON: If you have it in the mill, the biologists

50 are going to analyze it. You're going to consider it at your

0159

1 winter meetings.

2

3 CHAIRMAN O'HARA: Uh-hum. But we don't necessarily
4 have to support it.

5

6 MS. EAKON: Exactly.

7

8 MR. ABRAHAM: Yeah. We need to know the number first.

9

10 CHAIRMAN O'HARA: Well, we want to make a proposal, but
11 if we get the numbers back and they don't -- and they're better
12 than we think, we can just do away with the proposal.

13

14 MR. ABRAHAM: Can we leave it open, the way it is right
15 now?

16

17 CHAIRMAN O'HARA: That's up to the council.

18

19 MS. EAKON: It's up to the council.

20

21 MR. ABRAHAM: Yeah.

22

23 CHAIRMAN O'HARA: This is.....

24

25 MR. HEYANO: I guess, Mr. -- yes.

26

27 CHAIRMAN O'HARA: Go ahead.

28

29 MR. HEYANO: If Pete's preference is to do it
30 through.....

31

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

33

34 MR. HEYANO:a special action, I don't have any
35 problem with that.

36

37 CHAIRMAN O'HARA: That's good. We'll go through that
38 -- we need to do it?

39

40 MS. EAKON: What did he say? David, our biologist has
41 something.

42

43 MR. FISHER: The season closed on September 15th. If
44 you want another season, then you're going to have to have
45 another special action, or you're going to have to have a --
46 create a proposal for next year.

47

48 CHAIRMAN O'HARA: Which is the most expedient?

49

MR. FISHER: Well,.....

0160

1 CHAIRMAN O'HARA: Would you make a recommendation of
2 how you feel.....

3
4 MR. ABRAHAM: Not next year, this winter.

5
6 CHAIRMAN O'HARA: Next -- well, '98. Fall of '98.

7
8 MR. FISHER: '98.

9
10 MR. ABRAHAM: Yeah.

11
12 MR. FISHER: I'm talking the fall of '98. I may need
13 to defer to Helga on that. It's probably -- I don't think it
14 really makes too much difference, does it?

15
16 MS. EAKON: I need some.....

17
18 MR. FISHER: If you do a proposal, then.....

19
20 MS. EAKON: I feel we need guidance from Tom Boyd.

21
22 MR. FISHER:you can modify that proposal at our
23 next meeting after we take a look at it and come back and
24 present what our rec- -- what the staff recommendation was at
25 our February or -- I think we're meeting in February, aren't
26 we, Helga?

27
28 MS. EAKON: Yeah, some time this winter.

29
30 MR. FISHER: And then at that time we may have some
31 biological data from the refuge and Fish & Game and see what
32 they recommend and discuss it then and then modify or leave
33 that proposal as is. Tom,.....

34
35 MR. BOYD: You know, I'm.....

36
37 CHAIRMAN O'HARA: Tom, did you want to make a comment
38 there?

39
40 MR. BOYD: I wanted -- I think we're talking about a
41 process question right now first, and I don't have near enough
42 head knowledge of the resource issue to address that. But I
43 want -- I walked back to the back of the room right as this
44 discussion started, so I'm not sure what the question is?
45 And.....

46
47 CHAIRMAN O'HARA: The question is do we want to -- the
48 ten moose that we worked out this program with?

49

MR. BOYD: Right.

0161

1 CHAIRMAN O'HARA: We have until the 24th of October to
2 put a proposal in. Does this council want to put another
3 proposal in for '98 for ten more moose? Yeah.

4
5 MR. HEYANO: I guess, Mr. Chair, just to back up, this
6 -- the action that allowed this hunt was a special action,
7 there it dies. It's a.....

8
9 MR. BOYD: That's right.

10
11 MR. HEYANO:one-year thing. The question is, if
12 we want to -- after we see the harvest numbers, and if there's
13 any legal harvest this winter, we might want to have a say --
14 have a hunt next fall again.

15
16 MR. BOYD: I see.

17
18 MR. HEYANO: Is the preferred option to just to wait
19 and do it through a special action, or to submit the proposal
20 now before the 24th deadline, and at the winter meeting modify
21 it or vote it up or down?

22
23 MR. BOYD: I think you could go either way. That's the
24 point. But I think -- you know, I think a preferred route
25 might be a proposal now, and that would keep the issue active
26 and alive, plus a proposal, once they're acted on, they become
27 permanent regula- -- well, as permanent as any regulation is
28 until they're changed, whereas a special action is.....

29
30 MR. FISHER: One time.

31
32 MR. BOYD:usually for one time, one season. So
33 if you waited until next year and put in a special action, it
34 would again be for the one season, and you would have to redo
35 it then. So I would recommend to you to deal with it as a
36 proposal. But again, that's up to you. It depends on how
37 careful you want to be with this particular hunt and that sort
38 of thing. If you want it to recur and continue to come back
39 for you, and if that's, you know, if that's your concern so you
40 can continue to monitor it, then perhaps you might want to
41 consider a special action.

42
43 CHAIRMAN O'HARA: Okay. We need to make a decision
44 here now. Either we're going to just let it go and bring it up
45 as a special action in February or whatever time we meet this
46 winter, or we make a motion now to address this issue of Unit
47 17A on the moose season. What's the wish of the Council? We
48 need to make a decision. Yes, Robert?

49

MR. HEYANO: Mr. Chair? I guess after Tom's

0162

1 presentation, I would prefer a special action.

2
3 CHAIRMAN O'HARA: We need a motion.

4
5 MR. HEYANO: So move.

6
7 CHAIRMAN O'HARA: Second?

8
9 MR. BOSKOFISKY: I'd second.

10
11 CHAIRMAN O'HARA: Okay. Discussion?

12
13 MS. DOWNING: Who seconded it?

14
15 CHAIRMAN O'HARA: Andy seconded it.

16
17 MS. DOWNING: Thank you.

18
19 MR. ABRAHAM: I think, Mr. Chairman, the way Tom was
20 having it right now, I'd like to keep it alive, so I guess I'll
21 have to say I oppose Robert's.

22
23 CHAIRMAN O'HARA: Okay.

24
25 MR. ABRAHAM: Because I want to keep it alive, because
26 there will some expectations from the village over here to have
27 it go. Because I'd like it to very much stay alive.

28
29 CHAIRMAN O'HARA: See, I don't understand what you're
30 talking about, Pete. Robert said let's put this in the form of
31 a proposal so that we can have ten moose represented again this
32 coming year,.....

33
34 MR. HEYANO: No.

35
36 CHAIRMAN O'HARA: '98. Is that what you said?

37
38 MR. HEYANO: No.

39
40 CHAIRMAN O'HARA: What was your motion?

41
42 MR. HEYANO: My motion was to do the special action
43 request.

44
45 CHAIRMAN O'HARA: Oh, that's the thing that Pete wanted
46 earlier. Okay. Yeah.

47
48 MR. HEYANO: Well, that's what I thought Pete wanted
49 earlier.

0163

1 CHAIRMAN O'HARA: Yeah. That is. Okay. You put it --
2 all right.

3
4 MR. HEYANO: That's what I thought you wanted.

5
6 MR. BOSKOFISKY: Mr. Chairman?

7
8 CHAIRMAN O'HARA: Yeah?

9
10 MR. BOSKOFISKY: When we.....

11
12 CHAIRMAN O'HARA: I'm sorry, I misunderstood that
13 totally.

14
15 MR. BOSKOFISKY: When we made this special action, it
16 was at a one time basis until we received all figures of what
17 the hunt was like.

18
19 CHAIRMAN O'HARA: All right.

20
21 MR. BOSKOFISKY: And I think at the time it was
22 expressed that once that was done, that if there was to be any
23 more, then, you know, it would go at special action again.

24
25 CHAIRMAN O'HARA: Okay. Any further discussion,
26 council members? Question?

27
28 MR. HEYANO: Question.

29
30 CHAIRMAN O'HARA: All those in favor say aye?

31
32 MEMBERS: Aye.

33
34 CHAIRMAN O'HARA: Opposed?

35
36 MR. ABRAHAM: Aye.

37
38 CHAIRMAN O'HARA: The ayes have it. Okay. Thank you.
39 Okay. We're finished with -- all the way down to new business
40 now, Helga?

41
42 MS. EAKON: Yes.

43
44 CHAIRMAN O'HARA: Call for proposals. Council members,
45 do you have any proposals to bring before the membership today?

46
47 MS. EAKON: Before we do that, Mr. Chair?

48
49 CHAIRMAN O'HARA: Yeah?

0164

1 MS. EAKON: May we go through these just 3.a, b, c,
2 because Ms. McClenahan does have some information regarding
3 your c&t backlog, and she wanted to do the information on the
4 proposals that you had deferred?

5
6 CHAIRMAN O'HARA: Okay.

7
8 MS. EAKON: Is that okay?

9
10 CHAIRMAN O'HARA: Which one is first?

11
12 MS. EAKON: Ms. McClenahan.

13
14 CHAIRMAN O'HARA: Okay. Pat?

15
16 MS. EAKON: C&T backlog.

17
18 CHAIRMAN O'HARA: All right. Are you all prepared and
19 ready to go?

20
21 MS. McCLENAHAN: Ready to go.

22
23 CHAIRMAN O'HARA: Okay.

24
25 MS. McCLENAHAN: It's a very easy report. First of
26 all, I'm happy to announce that except for fresh water fin
27 fish, we have no more backlogged c&t proposals. Helga and
28 Mr. Chair, if it's okay with you, I'll skip ahead a little bit
29 and talk about the situation with the fresh water fin fish
30 right now. That's under 9.c.1.c.

31
32 CHAIRMAN O'HARA: What tab?

33
34 MS. McCLENAHAN: Tab M. But I think the only comment I
35 have about the fresh water fin fish is that as you know, we had
36 the moratorium so I've been unable to develop that analysis,
37 and it won't be presented until there's no more moratorium.
38 And then at that time we'll have to figure out a schedule under
39 which we can address that particular issue. As I understand
40 it, the council still holds it in very high priority, is that
41 correct?

42
43 CHAIRMAN O'HARA: Uh-hum.

44
45 MS. McCLENAHAN: Regarding deferred proposals 38, 41A
46 and 49. Proposal 97-38 addressed brown bear in Units 9(A),
47 9(C) and 9(D). We're waiting for the most recent information
48 from the BBNA work this summer, and then that analysis will be
49 presented at the winter meetings.

0165

1 The deferred Proposal 97-41A for Unit 9D, beaver, is
2 being taken over -- lead is being taken by Rachel Mason, the
3 staff anthropologist for Region 3. And Region 3 will be lead
4 for that. And that also will be presented at the winter
5 meetings by me.

6
7 Deferred Proposal 97-49, Unit 17(B) moose for the Unit
8 18 rural residents of Akiak and Akiachak will await further
9 formal studies before it's presented.

10
11 There are several other backlogged c&t from Region 5
12 that address caribou, moose, and brown bear for multiple
13 regions, including Unit 17(A) and 17(B) that I'll be working on
14 this year.

15
16 And I think that concludes my report on c&t.

17
18 I'd like to encourage anyone who puts forward c&t
19 proposals this year to provide me with a contact, who would be
20 ready to discuss use areas and draw maps for me. That would be
21 very helpful.

22
23 Did you have any questions?

24
25 CHAIRMAN O'HARA: Any questions, council members?
26 Backlogged c&ts? You have given us -- you said we have taken
27 care of the backlog?

28
29 MS. McCLENAHAN: Yes, except for fresh water fin fish.

30
31 CHAIRMAN O'HARA: But we still don't have the final
32 report until the -- on brown bear and moose, other.....

33
34 MS. McCLENAHAN: Those.....

35
36 CHAIRMAN O'HARA:until wintertime?

37
38 MS. McCLENAHAN: Those are pending and will be
39 presented at the winter meeting.

40
41 CHAIRMAN O'HARA: Do you think they'll be presented to
42 us to be able to finish off completely and say this is behind
43 us now? Is that.....

44
45 MS. McCLENAHAN: Yes.

46
47 CHAIRMAN O'HARA:what you're saying? Okay.

48
49 MS. McCLENAHAN: We hope that we can conclude that.

0166

1 CHAIRMAN O'HARA: Uh-hum. Okay. Since you are doing
2 c&ts, we talked yesterday about, and Sandy will probably be
3 involved in this, c&t findings for ATVs in Katmai National Park
4 and Preserve -- or Preserve I should say I guess.

5
6 MS. McCLENAHAN: I think that they are going to be
7 working on an analysis.

8
9 CHAIRMAN O'HARA: Okay.

10
11 MS. McCLENAHAN: The Park Service, and certainly I will
12 assist if they need some assistance.

13
14 CHAIRMAN O'HARA: Yeah. We can put something in motion
15 today so that we're in the time frame so that we can have that
16 in the time frame dealing with the Katmai National Preserve.

17
18 MS. McCLENAHAN: Is there already a formal proposal?

19
20 CHAIRMAN O'HARA: I don't know.

21
22 MS. McCLENAHAN: There is a formal proposal?

23
24 CHAIRMAN O'HARA: No. No, we'll do that.

25
26 MS. EAKON: No, there is no formal proposal.

27
28 MS. McCLENAHAN: Okay.

29
30 CHAIRMAN O'HARA: I'll have a motion ready for that
31 today.

32
33 MS. McCLENAHAN: Please, if I can help, let me know.

34
35 MS. EAKON: For ATVs in Katmai?

36
37 CHAIRMAN O'HARA: Uh-hum. That's a c&t.

38
39 MS. EAKON: No, there is not one.

40
41 CHAIRMAN O'HARA: No. And that -- and plus the Branch,
42 the Alagnak situation which probably doesn't pertain to you,
43 but we'd like to look at it.

44
45 MS. McCLENAHAN: Okay.

46
47 CHAIRMAN O'HARA: Any other questions, council members?
48 Well, thank you very much. We appreciate the hard work on
49 that.

0167

1 MS. McCLENAHAN: Okay.

2
3 CHAIRMAN O'HARA: That, and it's kind of nice to get
4 caught up on those items.

5
6 MS. McCLENAHAN: It is good, yes.

7
8 CHAIRMAN O'HARA: Yeah. All right.

9
10 MS. McCLENAHAN: Thank you.

11
12 CHAIRMAN O'HARA: The next one, Helga?

13
14 MS. EAKON: Okay. For your easy referral, under your
15 tab K I had reproduced the federal, the existing federal
16 regulations, Unit 9 and Unit 17, followed by the state
17 regulations, so if there are any regulations that you want to
18 put before you. Dave was going to address that, but -- the
19 review of regs? I don't know, it's up to you.

20
21 MR. FISHER: Yes, Mr. Chairman, I guess my main concern
22 was the special action on the 17A moose. We've got that -- the
23 council took care of that. I really don't have any other real
24 pressing problems. I think the people in King Salmon may want
25 to make an amendment to one of the regulations, but we can --
26 they'll address that. Other than that, I really don't have
27 anything that needs to be handled. Thank you.

28
29 MS. EAKON: Okay.

30
31 CHAIRMAN O'HARA: Okay. Any questions? Thank you,
32 Dave. Deferred proposals, we've done that one.

33
34 MS. EAKON: Uh-hum.

35
36 CHAIRMAN O'HARA: Okay. And for the.....

37
38 MS. EAKON: The next page, Unit 9(B) sheep, John
39 Branson.

40
41 CHAIRMAN O'HARA: John Branson, we'd like to have you
42 come talk to us about sheep.

43
44 MR. BRANSON: My name's John Branson, and I'm
45 representing Lake Clark National Park and Preserve. I'm
46 pleased to have the opportunity to speak before the Council
47 regarding our research in to the possibility of subsistence
48 sheep hunting conducted in the Park by residence of Kakhonak
49 and Igiugig. At the behest of Chairman O'Hara, he had directed

50 the staff to do some research into the possibility of c&t

0168

1 determination for Kakhonak and Igiugig residents with regard to
2 sheep hunting. And in the past I've spoken to Gary Nealson of
3 Kakhonak a few years ago on this subject, and then last Sunday
4 I spoke to him again, and I also spoke to Randy Alvarez of
5 Igiugig about his sheep hunting.

6
7 And I know from personal experience in the early 1980s,
8 I was living on the north side of Lake Clark, and Randy
9 Alvarez, Georgie Wilson of Kakhonak -- of Igiugig came by my
10 place and they were accompanied by George Kaktoash of
11 Nondalton, and he took them up into I believe it was Sheep
12 Canyon for sheep hunting in what's now Lake Clark National Park
13 and Preserve, and it was a park at that time. And they didn't
14 get a sheep then.

15
16 In the past -- also, Randy has told me that he has come
17 into Lake Clark on another occasion, he and Georgie Wilson,
18 hunting, but they weren't successful. They have flown into
19 Telaquana, which is north of Lake Clark, hunting, and they
20 weren't successful there. And they've flown into Tazimina to
21 hunt sheep, and they weren't successful there. And to my
22 knowledge, they are the only residents of Igiugig who have come
23 up into the park to subsistence hunt.

24
25 Speaking with Gary Nealson, he himself has never hunted
26 sheep; however, many of his ancestors were active sheep
27 hunters. They were residents of Kvichak or Nondalton or
28 Telaquana (ph) and they would come down into the Lake Clark
29 area to hunt. And he says that there are many people in the
30 past -- not many, but there are some elders that are now
31 deceased that have told him that people from Kakhonak did hunt
32 sheep in what now is Lake Clark National Park and Preserve, but
33 he has no documentation on that, just what they told him, and
34 they're gone now.

35
36 So that is what I have found out. And Pat McClenahan
37 has conducted telephone interviews, a pretty extensive one with
38 Gary Nealson, and.....

39
40 CHAIRMAN O'HARA: Is that the extent of your report,
41 John?

42
43 MR. BRANSON: That is -- I've got a few other things as
44 to some options you folks have. You could leave.....

45
46 Well, one thing to keep in mind is the subsistence
47 resource council in the past has not found sufficient evidence
48 to warrant customary and traditional determination for Kakhonak
49 and Igiugig regarding subsistence sheep hunting.

0169

1 CHAIRMAN O'HARA: In Lake Clark National Park?

2

3 MR. BRANSON: Yeah, within Lake Clark National Park and
4 preserve.

5
6 CHAIRMAN O'HARA: Okay.

7

8 MR. BRANSON: And if you wanted to have the staff
9 conduct further research that could be done, I think all the
10 villages around Iliamna and Lake Clark, or most of them, it
11 seemed to me have extensive family ties, so I know that there
12 are other people besides the Nealson family in Kakhonak that
13 have ties to the Dena'ina/Athabaskan people that resided on
14 Lake Clark that hunted sheep actively. Whether there are any
15 family direct ties at Igiugig, I'm not sure, but all the
16 villages there in my opinion, besides -- other than Kok- --
17 Igiugig have those ties, so -- that there were ancestors of
18 people that are residing now in Kakhonak, Newhalen, and Pedro
19 Bay, obviously Nondalton and -- that hunted sheep in the past.
20 And there might be some in Igiugig. I just don't know. But
21 there are two residents residing there that certainly did hunt
22 sheep.

23

24 CHAIRMAN O'HARA: Tom, you can correct me if I'm wrong,
25 but the other day we mentioned that what they do in Denver is
26 totally different than what we do in Alaska. And when we talk
27 about this issue, and I brought this issue up, to the extent
28 Kakhonak and Igiugig as part of the people who would be doing
29 subsistence in Katmai National Park. And the only reason that
30 we would have this, unless I'm wrong, is ANILCA says that the
31 Park Service in Alaska would be different then probably because
32 of that legislative action is that right? Probably?

33

34 MR. BOYD: I'm not sure I understand the question.

35

36 CHAIRMAN O'HARA: Okay. Well, in other words, people
37 in Denver are not hunting sheep in their mountains. Everybody
38 who lives in Denver is not hunting sheep in their mountains,
39 but the five, Pedro Bay, Newhalen, Iliamna, Nondalton and Port
40 Alsworth,.....

41

42 MR. BRANSON: Yeah.

43

44 CHAIRMAN O'HARA:have unquestionable -- there's
45 no doubt about them going up into mountains and hunting the
46 sheep. What we said is we thought -- what I asked for was that
47 Kakhonak and Igiugig might have had people who have come there
48 who might have customary and traditionally hunted in that park
49 for sheep years ago. But what John is telling us is that their

50 council, or your advisory council?

0170

1 MR. BRANSON: Uh-hum. SRC has not found that
2 apparently.

3
4 CHAIRMAN O'HARA: SRC. Yeah. So we -- yeah. So they
5 don't recommend to us that those two village become a part of
6 that subsistence system, is that right?

7
8 MR. BRANSON: That's right. But.....

9
10 CHAIRMAN O'HARA: Okay. So the thing we need to decide
11 this morning is do we want further information from the staff
12 to give to that advisory council up there, or do you want to
13 act on it today to bring Kakhonak and Igiugig into the fold,
14 and then go to the Federal Board would be the next step I
15 think. So what's the wish of the council? That's what we're
16 dealing with. It would be my recommendation to go to the next
17 level, to the staff and see if there really is -- do a little
18 more work on it, unless we're tied to a time frame.

19
20 Yes, Robert? Did you want to say something?

21
22 MR. HEYANO: Yeah, I'm thinking.

23
24 CHAIRMAN O'HARA: Okay. You're on. Okay.

25
26 MR. HEYANO: Okay. I guess, Mr. Chairman, my
27 preference to handle this particular issue is if it came from
28 Kakhonak and Igiugig in the form of a written request, I think,
29 and then once that's happened, then we can bring in all the
30 support to the issue to determine if there is a customary and
31 traditional of sheep in Lake Clark Park. I guess I'm a little
32 uncomfortable knowing that the Lake Clark Subsistence, S-.....

33
34 MS. EAKON: Resource Commission.

35
36 MR. BRANSON: SRC.

37
38 CHAIRMAN O'HARA: SRC.

39
40 MR. HEYANO: Whatever it is. Doesn't find it, you
41 know. And John's report to us, it appears that there could be,
42 that there's possible information that hasn't been brought to
43 the surface yet that would make them qualify. But in order
44 maybe not to be cross-side with the other folks up there in
45 Lake Clark Subsistence Council, you know, I think if those
46 village councils, or whatever the entity is, requested we do
47 that, I would sure feel more comfortable in pursuing it.

48
49 CHAIRMAN O'HARA: Would that be okay with the Council,

50 to go ahead and -- yeah, Andy, that's your country.

0171

1 MR. BALLUTA: Yeah, for sheep hunting, yeah, Kakhonak
2 and Igiugig, I have never seen hardly anyone that come up and
3 sheep hunt up there, or you know, participated in hunting up
4 there, or any kind of hunting. I agree with Robert. I have a
5 written recommendation to call it a subsistence (ph).
6

7 CHAIRMAN O'HARA: Would that be okay with the Council
8 members? That's a good step. Thank you very much. John?
9

10 MR. BRANSON: May I make a comment?
11

12 CHAIRMAN O'HARA: Sure.
13

14 MR. BRANSON: I think in this instance there's some
15 ambiguity or fogginess as to what is actually a subsistence
16 hunt and what is a sport hunt. I think that's true at Port
17 Alsworth. And I won't go beyond that, but it's a fine line
18 because it requires an extraordinary amount of energy and time
19 to go up after sheep. You have to leave your boat and climb up
20 1,000 feet through alders and then most times the sheep are
21 3,500 to 4,000 feet above sea level. So it's.....
22

23 MR. BOSKOFISKY: Mr. Chairman?
24

25 CHAIRMAN O'HARA: Yes, go ahead.
26

27 MR. BOSKOFISKY: I was explaining to Ted earlier.
28 There's -- on this c&t findings I think there's a -- a lot of
29 the people are afraid to really speak out because of the
30 different people coming in from Federal. And they're afraid to
31 come out and say exactly, you know, a lot of the things that
32 were taken and when and so forth. They're uncomfortable with
33 the people that come in and to get these c&ts. So a lot of the
34 stuff, I think is held back. And I feel that, you know, they
35 need to have somebody in that's known and explain to them, you
36 know, how they can benefit from it and to continue their
37 lifestyles, so I've seen it happen in like down in our place.
38 People withhold evidence because they're afraid to speak out or
39 afraid they're going to get, you know, prosecuted for it or
40 something.

41 CHAIRMAN O'HARA: I think this would be a good place,
42 John, to address what it represents to do a subsistence hunt.
43 Yesterday our Council Member, Andy Balluta, brought up what we
44 should be considering in the way of going up and getting a
45 sheep by method of subsistence. And I asked him yesterday if
46 he would maybe talk to us a little bit about since you live in
47 the community and you alluded to a little bit this morning
48 about if you're going to go get a sheep it may take several
49 days to do that, rather than just flying up there and looking

50 around and going the next day and getting an animal. Do you

0172

1 feel free to kind of address that a little bit, kind of help
2 the Council out?

3

4 MR. BRANSON: Sure. First, I'd just like to say that
5 in the early '80s I, myself, was a member of the SRC in Lake
6 Clark before I went to work for the Park Service. And I was
7 appointed by the Secretary of the Interior Watt. I think it
8 was '83 or '84, so I know a little about this subject from both
9 sides of the table.

10

11 And so far this summer we've had -- or this fall we've
12 had three known sheep taken in the Park, and they were all by
13 people from Port Alsworth. We haven't had any applications
14 from anyone from Nondalton and Newhalen or Iliamna. And the
15 three that were taken from Port Alsworth were in each instance
16 the hunter had gone up and spotted the sheep and then come
17 back, landed, and then the next day gone up after the sheep.
18 And that's typical of what goes on there anymore.

19

20 And part of the reason is that everyone -- or most of
21 the people that live there have some kind of employment where
22 they have a short time period to devote to sheep hunting or
23 anything else. So they need to take as short a time as
24 possible to -- and therefore, you get to the point, again, of
25 the blending of the ambiguity, is it sport hunting or it is
26 really subsistence. And that's a real consideration because it
27 does take, it seems to me, three to four days minimally to
28 conduct a sheep hunt if you're just going up without looking
29 beforehand from an airplane.

30

31 CHAIRMAN O'HARA: Okay. Does that, Andy, kind of
32 clarify some of the things you talked about yesterday?

33

34 MR. BALLUTA: Yes. That clarifies it. A lot of the
35 hunters to me from Port Alsworth is mostly sport hunting to me.
36 All their animals that ever come to Port Alsworth is going on
37 the wall. It's not for meat hunting or anything like that. I
38 think that clarifies it.

39

40 CHAIRMAN O'HARA: John? I think they put a lot of meat
41 in their freezers, too, though.

42

43 MR. BALLUTA: Yeah.

44

45 CHAIRMAN O'HARA: I don't want to read in the minutes
46 that they hang them on the wall and not eat them. I think
47 they, you know,.....

48

49 MR. BALLUTA: Well, for example, bear. Bear hunting.

50 They do some bear hunting in Port Alsworth and that's the same

0173

1 thing.

2
3 CHAIRMAN O'HARA: Yeah.

4
5 MR. BALLUTA: We say let -- I'm going to go bear
6 hunting maybe this fall for subsistence, I mean for meat. But
7 a lot of those bear hunting up there are probably.....

8
9 CHAIRMAN O'HARA: Put them on the wall?

10
11 MR. BALLUTA: Yeah. And that's not meat.

12
13 CHAIRMAN O'HARA: Okay. That's a point well received.
14 All right. Okay. Anything else, John?

15
16 MR. BRANSON: Nothing else. Just what are you
17 directions for us?

18
19 CHAIRMAN O'HARA: The direction on the sheep issue is
20 we're going to have written requests coming back from both
21 those communities if they want to continue on with this.....

22
23 MR. BRANSON: Okay.

24
25 CHAIRMAN O'HARA:since we have not had any
26 direction in the -- from your council, your advisory council
27 there, SRC. And on the sheep issue if the Council here wants
28 to look at whether you can go up and look for a sheep with an
29 airplane and come back, we'd have to address that in the fall
30 or winter. If we'd like to make it an agenda item for the next
31 time, Andy, since you're the representative for the area, would
32 that be okay, Helga?

33
34 MS. EAKON: Sure. And the issue would be airplane
35 spotting of sheep.....

36
37 MR. BALLUTA: Yeah.

38
39 MS. EAKON:in the Lake Clark National Park.

40
41 MR. BALLUTA: Uh-hum.

42
43 MS. EAKON: Yes.

44
45 CHAIRMAN O'HARA: That will be an interesting agenda
46 item. It should bring somebody out of the woodwork.

47
48 MS. EAKON: As you wish.

49

CHAIRMAN O'HARA: Anything else, John? Thank you very

0174

1 kindly.

2

3 MR. HEYANO: One point of clarification. John, are you
4 going to write a letter to Kakhonak and Igiugig giving them a
5 little historical background and maybe a brief report on what
6 you found. And then, you know, with a request that if they
7 want to explore it further they need to address it?

8

9 MR. BRANSON: If you'd like I would certainly.

10

11 CHAIRMAN O'HARA: Ida, do you have a burning issue that
12 you want to deal with there? Do you want to come up as a
13 member of the public and make comment? John will move over
14 there and you can talk if you like. We may have further
15 questions of John before he leaves.

16

17 MS. HILDEBRAND: My name is Ida Hildebrand. I'm staff
18 committee member for the Bureau of Indian Affairs. And I'm
19 making this comment as a staff committee member.

20

21 You raised yesterday and today again what was the
22 difference between hunting in the parks in Alaska as opposed to
23 anywhere else in the United States. And my comment on that is
24 the difference is ANILCA. ANILCA provides for hunting in the
25 parks unless the Act itself specifically restricts subsistence
26 hunting in the park. And it would mean those parks in which it
27 was restricted.

28

29 CHAIRMAN O'HARA: The parks were named?

30

31 MS. HILDEBRAND: Yes.

32

33 CHAIRMAN O'HARA: They didn't name Katmai National
34 Park?

35

36 MR. HILDEBRAND: I don't know that off the top of my
37 head, but I'm sure some park person will.....

38

39 CHAIRMAN O'HARA: No, they did not. They did not. I
40 just wanted to see what Karen was going to do back there.

41

42 MS. GUSTIN: Nothing.

43

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

45

46 MS. HILDEBRAND: Thank you.

47

48 CHAIRMAN O'HARA: Peggy, did we have a group of
49 students come in today?

0175

1 MS. FOX: Yes, we did. Perhaps we could ask the school
2 teacher to introduce her class.

3
4 CHAIRMAN O'HARA: We're delighted to have you with us
5 today.....

6
7 MS. HOUGHTON: Thank you.

8
9 CHAIRMAN O'HARA:and we'd like to have you
10 introduce yourself and your students. We're glad that you
11 could be here.

12
13 COURT REPORTER: Ma'am, could you come up here so we
14 could hear you on the tape.

15
16 MS. HOUGHTON: Okay.

17
18 COURT REPORTER: Thank you.

19
20 CHAIRMAN O'HARA: Now you're on record.

21
22 MS. HOUGHTON: For the record, we're having a hard time
23 hearing you all in the back of the room.

24
25 CHAIRMAN O'HARA: Yes. Unfortunately, we don't have a
26 PA system here. We apologize for that, but we'll speak loudly
27 if we can.

28
29 MS. HOUGHTON: Okay. And it may also help us if your
30 name tags were turned around because we're trying to find out
31 who's here.

32
33 CHAIRMAN O'HARA: Some of these guys are trying to.....

34
35 MS. HOUGHTON: Hide.

36
37 CHAIRMAN O'HARA:hide themselves. Alvin there,
38 he's.....

39
40 MS. HOUGHTON: Thank you. We're just beginning to
41 speculate and wonder -- oh, there's Helga. I've been trying to
42 reach Helga on the telephone.

43
44 My name is Hilary Houghton and I'm a new teacher in
45 Togiak charged with the responsibility of teaching Alaska
46 studies to a group of students. This first trimester I have
47 mostly ninth graders, about 21 of them. I brought 10 now.
48 I'll bring 10 more in a few minutes. And we are not -- we
49 didn't know until recently that you all were going to be here

50 and ended up sort of changing our lesson a little bit to

0176

1 accommodate you. We didn't expect to be talking about
2 subsistence so early in the year, but we are. And I'm learning
3 from them what it means to them, and bringing to them my
4 understanding maybe of the agencies and they're bringing to me,
5 the students, their understanding of the local issues. And so
6 it's been a very interesting conversation we've been having.

7
8 CHAIRMAN O'HARA: Well, thank you very much. I just
9 might mention to the students and the Council can correct me if
10 they would like, we appreciate the fact that you've come and at
11 least see that we do exist. And this is the Federal side of
12 subsistence.

13
14 MS. HOUGHTON: Uh-hum.

15
16 CHAIRMAN O'HARA: And I might mention to the students
17 that in 1980 when ANILCA, a national land issue, came before
18 Congress it was just before Christmas and you know that
19 politicians don't want to deal with a lot of issues just before
20 Christmas. And they have in ANILCA this special provision that
21 said that Alaska would have a rural preference on subsistence.
22 And whoever was leading Congress at that time, I don't remember
23 whether it was the House or the Senate, but it did happen
24 because I know it's on record, whoever was the Speaker of the
25 House or President of the Senate, Students, said that you can
26 either vote for this or against it but there's no discussion
27 going to take place. Vote it up or vote it down. And they
28 voted that they would give Alaska a rural preference on
29 subsistence. And that's why you have the Federal Council
30 existing today.

31
32 Now, I may go to jail for these things, but hey, we all
33 need time off so what difference does it make.

34
35 And so, this is a very important issue to you students
36 here today that one of these days you're going to be occupying
37 a seat up here if it continues on. And we're going to continue
38 on with subsistence regardless of what the Federal Government
39 says or the State of Alaska. And you keep that in mind, too.
40 And it'll continue on. We're not going to fail at the issue
41 (ph). And that's just a little sidelight from our agenda this
42 morning.

43
44 MS. HOUGHTON: Well, we're realizing, too, that it's a
45 very complex issue.

46
47 CHAIRMAN O'HARA: It is very complex.

48
49 MS. HOUGHTON: And it is not essentially thumbs up or

50 thumbs down. It's much more complicated than that. And we're

0177

1 just beginning to explore it, so we may be back here in a
2 couple of years either in the audience again or up at the front
3 with questions, maybe even a few answers.

4
5 CHAIRMAN O'HARA: We'd prefer you be at the front.

6
7 MS. HOUGHTON: Okay.

8
9 CHAIRMAN O'HARA: Thanks very much. We appreciate
10 your.....

11
12 MR. ABRAHAM: Mr. Chairman?

13
14 CHAIRMAN O'HARA: Yes.

15
16 MR. ABRAHAM: As for the council, you know, this is
17 mainly for the students over here.

18
19 MS. HOUGHTON: Uh-hum.

20
21 MR. ABRAHAM: The Regional Council over here, each
22 person over here represents their region. For me I represent
23 this side of Togiak -- this side of Bristol Bay, mainly Togiak.
24 We talk about issues on subsistence. The concerns of local
25 people not just Togiak people, but every region. Iliamna,
26 Manokotak, Naknek,.....

27
28 UNIDENTIFIED VOICE: Chignik.

29
30 MR. ABRAHAM:Chignik. Yeah. They bring up their
31 concerns and then we talk about these things, if it's right or
32 wrong or how to go about it although everything the people ask
33 for don't turn out the way they want it to. But then, we try
34 to help each village with their needs. That's what this
35 Regional Board is about, but we have higher people up there
36 called the Federal Board that makes those decisions for us.

37
38 CHAIRMAN O'HARA: Talk to them.....

39
40 MR. ABRAHAM: (In Yup'ik) They understand English very
41 well.

42
43 CHAIRMAN O'HARA: Yeah, but Yup'ik, too?

44
45 MR. ABRAHAM: Huh?

46
47 CHAIRMAN O'HARA: Yup'ik, too?

48
49 MR. ABRAHAM: Yeah. Uh-hum.

0178

1 MS. HOUGHTON: I was going to say, too, many of our
2 students are bilingual so if you all need to speak in Yup'ik
3 that's fine. They can translate for me. If you're more
4 comfortable in English that's fine, too, because we've got a
5 lot of talent in this group.

6
7 MR. ABRAHAM: (In Yup'ik)

8
9 MS. HOUGHTON: Thank you very much.

10
11 CHAIRMAN O'HARA: Thank you very much. Helga, do you
12 have an announcement before we take a break?

13
14 MS. EAKON: Yes. For those people traveling on Penair
15 today please indicate what your flight schedule is on the table
16 by the door. Penair needs to schedule several planes to take
17 everyone to Dillingham this afternoon, and we will need to
18 organize who goes when to allow people to travel to make
19 connections in Dillingham. Thank you.

20
21 MR. KNUTSEN: One other announcement, too. George
22 called me awhile ago and said that the group that came over on
23 the plane from King Salmon direct to here that we're ready to
24 go between 1:00 and 1:30. That same plane will come and pick
25 us up and take us directly back to King Salmon.

26
27 CHAIRMAN O'HARA: They'll be ready to go. Let's take
28 a 10 minute break and only 10 minutes.

29
30 (Off record)

31
32 (On record)

33
34 CHAIRMAN O'HARA: We will call the meeting back to
35 order. If we could have everyone sit down and be quiet,
36 please.

37
38 Members of the public, we have called the meeting back
39 to order. And we would like to work into the agenda a little
40 bit and then if the school teacher who brought her children,
41 young people with her today, Hilary, if you wouldn't mind we
42 would -- Hilary, can you hear me back there?

43
44 MS. HOUGHTON: Yeah. I can hear now.

45
46 CHAIRMAN O'HARA: Okay. And if we could work into the
47 agenda a little bit so the students will get an idea of what
48 we're talking about and then we would like to address the
49 students again if we could.

0179

1 MS. HOUGHTON: That'd be extremely helpful.

2
3 CHAIRMAN O'HARA: Thank you. We appreciate you coming
4 and we'll address the students here again if you don't mind,
5 but just give them a little idea on what procedure we follow
6 here on the Council. Where are we at, Helga?

7
8 MS. EAKON: Regional Council proposals.

9
10 CHAIRMAN O'HARA: Okay. Do we hear from the public
11 first or.....

12
13 MS. EAKON: Public then agencies then Council.

14
15 CHAIRMAN O'HARA: Okay. There was one member of the
16 public who was interested in talking to us about the procedures
17 on a proposal. Is Tommy here or gone? Yes. Would you like to
18 come up and address us, Tom?

19
20 MR. EWAN: Yes. Thank you.

21
22 CHAIRMAN O'HARA: Give us your name if you would,
23 please, and speak loudly so the students in the back can hear.
24 Okay.

25
26 MR. EWAN: My name is Tom Ewan. And I would like to
27 submit a proposal if I may. And this is under the methods and
28 means of taking wildlife. In reference to rather using the
29 Subsistence Management Regulations book, first of all, I'd like
30 to quote, if I may, on page 12 it says when taking wildlife for
31 subsistence purposes you may not take wildlife from a motorized
32 vehicle when that vehicle is in motion or from a motor driven
33 boat when the boat's progress and the motor's power has not
34 ceased except caribou may be taken from a boat under power in
35 Units so and so forth.

36
37 Question 2 from the proposal form which states, what
38 Federal Subsistence Management regulations do you wish to
39 change? It says include management unit numbers and species.
40 It says as I quoted, you may not take wildlife from a motorized
41 vehicle when that vehicle is in motion.

42
43 And continue on to question 3, what change do you
44 propose? I wrote except caribou may be taken from a snow
45 machine while it is in motion in Unit 17(A) and part of (C).

46
47 Continue on to 4 question; why should this regulation
48 be changed? Because snow machines are used as a means to hunt
49 for subsistence of the species. We don't use dog teams any

50 more. We don't run after them. And most often caribou run

0180

1 away and they don't stand still meaning that we have to give
2 chase whether we like it or not. And they do run fast.

3
4 When we finally come to a stop because they are fast
5 runners they can gain quite a distance. And believe it or not
6 there are some, quote, poor shooters out there. And when they
7 do shoot them they can wound them and not kill them causing
8 undue suffering and pain for the wounded as they are running
9 far away and some may escape.

10
11 Continue on to 5, provide any information you have
12 about wildlife populations that will assist the Federal
13 Subsistence Board in reviewing your proposal.

14
15 Like I mentioned caribou do not stand around waiting
16 for you to get them for this subsistence purpose. They're
17 going to run. They will run away. I've seen it many times and
18 I'd like to assume that I'm also speaking for other hunters.
19 They also know that they do run away. Sometimes we may have to
20 give chase for quite some distance depending on the snow
21 conditions, the terrain conditions. Sometimes it's pretty
22 rough. Sometimes it's pretty smooth so maybe we can catch up
23 to them right away. We don't have no other alternative in many
24 cases. And if you don't kill them with the first couple shots
25 or so they will get away. They will suffer needlessly. I
26 don't think anybody here would like to see get -- get shot at
27 and run away, you know, and escape. It's undue (ph). It's not
28 good.

29
30 Number 6, how will this change affect subsistence
31 users?

32
33 Greater possibility that we will kill them easier and
34 waste not. In essence, the closer we are to them the less
35 chance of hits that would just cause them to suffer as they get
36 away.

37
38 And on page 95, I believe it is, there's a pink colored
39 section which shows the area. In specific this area that we
40 hunt for caribou. And my experience is mainly in the Cape
41 Constantine area when it is open. It's also colored in pink, so
42 that is under the Togiak NWR.

43
44 CHAIRMAN O'HARA: Tom, what point did you want to make
45 here?

46
47 MR. EWAN: I'd like to make a point that we need to
48 include or make some sort of regulation that snow machines as
49 it being a motorized vehicle.

0181

1 CHAIRMAN O'HARA: You want to use that to hunt caribou
2 with?

3
4 MR. EWAN: Yes. And that we cannot, in essence, come
5 to a complete stop as they're running.

6
7 CHAIRMAN O'HARA: Oh.

8
9 MR. EWAN: Sometimes we're chasing, we let go of the
10 throttle and we shoot.

11
12 CHAIRMAN O'HARA: Oh, okay. That's a point

13
14 MR. EWAN: That's in motion right there. The vehicle
15 is in motion.

16
17 CHAIRMAN O'HARA: That's a point. Are you going to put
18 in a proposal on that?

19
20 MR. EWAN: Pardon me?

21
22 CHAIRMAN O'HARA: Are you going to put in a proposal on
23 that?

24
25 MR. EWAN: I would.....

26
27 CHAIRMAN O'HARA: All right.

28
29 MR. EWAN:like to if I may.

30
31 CHAIRMAN O'HARA: Yes. You have until October the 24th
32 to put that in.

33
34 MS. EAKON: I think he already wrote it out.

35
36 CHAIRMAN O'HARA: Oh, okay. Would you like to submit
37 that at this time?

38
39 MR. EWAN: This is sort of a rough draft if I may
40 present it to you.

41
42 CHAIRMAN O'HARA: Okay. That's good. That's exactly
43 where we're at right now. Anything else?

44
45 MR. EWAN: No, sir.

46
47 CHAIRMAN O'HARA: Thank you, Tom.

48
49 MR. EWAN: Thank you very much.

0182

1 CHAIRMAN O'HARA: We appreciate you talking to us
2 today.

3
4 Any other member of the public that wanted to comment
5 on the proposal process? All right. Counsel members -- oh,
6 pardon me. Yes. Come on up here and give us your name. Talk
7 to the microphone, Ken.

8
9 MR. NALIK: Thank you, Mr. Chairman. This is Kenneth
10 Nalik (ph) from Togiak. Can I have a clarification concerning
11 the proposal section for A(1)? Is this for the subsistence
12 take and use?

13
14 MR. EWAN: Proposal what?

15
16 MR. NALIK: Are we on the new business,.....

17
18 CHAIRMAN O'HARA: Yeah.

19
20 MR. NALIK:that's where I'm confused. Is this
21 where it calls for proposals.....

22
23 MS. EAKON: Yes.

24
25 CHAIRMAN O'HARA: Yes. That's where we're at. Yeah.
26 Uh-hum.

27
28 MR. NALIK: This is for the subsistence take and use?

29
30 CHAIRMAN O'HARA: What do you mean by that, subsistence
31 take and use?

32
33 MR. NALIK: Apparently when somebody made the agenda
34 they said something for -- call for proposals, Tab K. And
35 other than in the absence of any notes of what it is for I
36 certainly would like to know.

37
38 MS. EAKON: If you want to change any of the
39 regulations in the blue book there, back -- Peggy Fox has these
40 kinds of ones.....

41
42 CHAIRMAN O'HARA: Oh, very good.

43
44 MS. EAKON: Uh-huh.

45
46 MR. NALIK: Thank you.

47
48 MS. EAKON: And you can submit it. You have until
49 October 24.

0183

1 MR. NALIK: I just wanted a clarification. Thank you.

2

3 CHAIRMAN O'HARA: You bet. Thank you. Appreciate it.
4 Any other comments this afternoon -- this morning before we
5 take the Council proposals? Okay. Council Members, if you'd
6 like to at this time address proposals. What is the wish of
7 the Council for proposals?

8

9 MR. BOSKOFISKY: Mr. Chairman, I will put in the form of
10 a proposal, but there was concerns down (indiscernible -
11 background sneezing, coughing) protection of sea lion rookeries
12 not being -- Fish & Game not abiding by regulations of the
13 three mile zone in the rookeries. They're fishing right off
14 'em. And ADF&G will not do anything about that.

15

16 MS. EAKON: If I may address.....

17

18 CHAIRMAN O'HARA: Yes, go ahead.

19

20 MS. EAKON:Alvin's point. Alvin, you probably
21 have not received a copy of the letter, but I did respond to
22 your inquiry on that point. And I wrote to (indiscernible)
23 Briggs (ph) National Marine Fisheries in Juneau regarding
24 this. So when you get back home you should have in your
25 mailbox a copy of the letter that I wrote. And I did ask her
26 to send both you and me a copy of this particular map because
27 if it is listed in their regulations they do have the authority
28 to enforce that restriction against commercial fishing against
29 a protected sea lion rookery. And from there we can go to law
30 enforcement issue. So the ball is rolling.

31

32 MR. BOSKOFISKY: I talked with the guy that runs the
33 weir there and he specifically told me that they didn't know of
34 any regulation.....

35

36 MS. EAKON: There is a regulation.

37

38 MR. BOSKOFISKY:stating that and not enforce it.
39 Because their concerns are their subsistence fishery.

40

41 CHAIRMAN O'HARA: Sure.

42

43 MR. BOSKOFISKY: They have streams that have gone dry
44 and haven't been able to get anything.

45

46 CHAIRMAN O'HARA: Is that the Marine Mammal Act, Tom?

47

48 MR. BOYD: Sea lions, that's correct.

49

CHAIRMAN O'HARA: Does that not come under our

0184

1 jurisdiction?

2

3 MR. BOYD: No, it does not.

4

5 CHAIRMAN O'HARA: Okay. So what pressure can we put on
6 to help Alvin? This Council needs to address it, to write a
7 letter to somebody or jack somebody up or do something. Yep.

8

9 MR. BOYD: I'll speak in general. I think what we do
10 with issues like this when it comes from the Council is if we
11 try to refer them to the appropriate agency that does have the
12 authority. And we've done that in the past with a number of
13 issues. Obviously we have no authority to deal with this
14 particular issue. It's beyond our jurisdiction both in law and
15 in space, if you will, or geography.

16

17 Helga, it sounds like, has taken the appropriate action
18 with regard to referring that issue to the National Marine
19 Fisheries Service. Beyond that I think that's the extent of
20 our authority.

21

22 CHAIRMAN O'HARA: The reason I ask you, Tom and Alvin,
23 is because Forrest Kozbruck (ph) approached me at the AFN -- or
24 the Summit Subsistence Conference in Anchorage. And said that
25 the fishing is coming right up to these rookeries and running
26 the animals off and they're not reproducing and the numbers of
27 declining and the food chain is being interrupted and we need
28 to send a message to somebody to either get in line or do
29 something along that line. Thank you very much. Appreciate
30 that.

31

32 I might just mention, Hilary, I'm -- the school
33 teacher? Hilary, I'm sorry, I did not get your last name.

34

35 MS. HOUGHTON: My name?

36

37 CHAIRMAN O'HARA: Yes.

38

39 MS. HOUGHTON; Houghton.

40

41 CHAIRMAN O'HARA: Houghton. Okay.

42

43 MS. HOUGHTON: H-o-u-g-h-t-o-n.

44

45 CHAIRMAN O'HARA: Sorry to call you by your first name
46 there.

47

48 MS. HOUGHTON: That's all right.....

49

CHAIRMAN O'HARA: School master. We appreciate your

0185

1 students coming here today and we're going to continue on with
2 our proposals, but we just might take a moment to address the
3 students again, and we'd be very brief. We appreciate you
4 coming and listening to the Federal Subsistence Council. And I
5 might mention to you students like I did the last group of
6 young people that came over, in 1980 ANILCA was passed giving a
7 rural preference on subsistence. And just for your information
8 our Congressman Don Young and our Senator Murkowski and Stevens
9 did not support this rural preference that we have. They voted
10 against it in Congress. But the rest of the Congress and the
11 Senate passed it. And we have a special provision under Title
12 VIII of ANILCA that gives us this first right of refusal on
13 subsistence when the resource drops down to a certain level.
14 And as you go along in your studies we'd like you to one of
15 these days be up here dealing with these subsistence issues.
16 So we appreciate very much that you would take the interest
17 today to come and listen to the Council. And I'd like to have
18 Pete address you at this time. He's your Council
19 representative from here. If you'd like to talk in English and
20 your language, and then we'll continue on.

21
22 MR. ABRAHAM: The reason Council represents the region
23 here. For me, I represent this side of Bristol Bay, the Togiak
24 area. And each of these councils over here they represent
25 their area. Like, for instance, Iliamna, Chignik Lake, Naknek
26 area. Each of these Councils represent their area. The -- we
27 talk about issues on subsistence. That's mainly what we do all
28 the time. The needs of and the concerns of local people, not
29 just Togiak but various villages have their own concerns
30 different from us because their way of life is different. But,
31 the concerns of the people don't turn out the way they want it
32 to. Like, for instance, us, just today I declined on a vote.
33 Even though I wanted it I was out-voted by Regional Council.
34 Same thing happens in everywhere. But mainly what we do is we
35 talk about the subsistence. (In Yup'ik)

36
37 CHAIRMAN O'HARA: Thank you very much. We appreciate
38 you. Stay as long as you like and we'll carry on.

39
40 MS. HOUGHTON: Thank you. I'd like to say that we do
41 meet every morning for many (ph) hours in my classroom. If any
42 of you are still town tomorrow morning you're welcome to stop
43 by. I realize probably most of you are leaving this evening,
44 but we welcome visitors to the community or from the state or
45 the Federal Government, whenever you're in town. In the
46 morning next door.

47
48 CHAIRMAN O'HARA: You bet. Thank you for the invite.
49 We appreciate it.

0186

1 MS. HOUGHTON: Thank you.

2

3 CHAIRMAN O'HARA: Proposals, Council Members? At this
4 time just to speed things along I'd like to put into the
5 millwork, I guess so to speak, from this body we need to take
6 into consideration we don't have the numbers -- well, in fact,
7 did I see Mac Minard here?

8

9 UNIDENTIFIED VOICE: Uh-hum.

10

11 CHAIRMAN O'HARA: Oh, Mac, hey. Before we start
12 talking about the Alagnak Branch would the Council Members be
13 okay if we had Mac talk to us? Yes? Okay. Would you like to
14 address us. Did you have anything formally you wanted to give
15 to us?

16

17 MR. MINARD: Sure.

18

19 CHAIRMAN O'HARA: We're going to be dealing with some
20 of those issues up there in the Branch and other things you
21 might mention to us, Mac, we'd appreciate.....

22

23 MR. MINARD: Okay.

24

25 CHAIRMAN O'HARA:you coming up and giving us your
26 name.

27

28 MR. MINARD: I'll need an overhead projector if I
29 could, if possible.

30

31 MS. EAKON: We have one right here.

32

33 MR. MINARD: Okay. Council Members might want to
34 move over or something.

35

36 (General conversation)

37

38 MR. MINARD: Mr. Chairman and Members, I was asked to
39 put together a stock status report for rainbow trout on the
40 Alagnak River, the Alakanuk River. I did a little research as
41 to why you call that the Alakanuk. And I actually did a little
42 homework.

43

44 CHAIRMAN O'HARA: You didn't?

45

46 MR. MINARD: Yes, I did. And I found out why. And I
47 found out that Alakanuk is a lot like Alagnak and which is a
48 lot like Aleknagik, which has to do not so much with the place
49 name but it has to do -- Smiley, tell me if I'm wrong on this

50 because I'm walking on thin ice, but it has a lot to do with

0187

1 the condition and circumstance of a smaller river coming into a
2 big river. And it might be a place that you make a wrong turn.
3 And that's very true with Aleknagik. And it may have possibly
4 been true with the Kvichak and the Alakanuk.

5
6 CHAIRMAN O'HARA: We've all made that wrong turn.

7
8 MR. MINARD: So anyway, it's kind of like oh, darn in
9 Yup'ik as long as you're on the river. Is that about right?

10
11 CHAIRMAN O'HARA: That sounds good to me. That's the
12 best I've heard.

13
14 MR. MINARD: Anyway I - Joe helped me with that. He on
15 the other part, that synopsis was mine.

16
17 Okay. Well, anyway, I prepared some overheads. This
18 is probably a little bit too long. I will try to -- as I put
19 the data up for you, I will try to describe what these graphs
20 mean so we don't leave people behind, and then we'll summarize
21 the stuff.

22
23 Generally speaking, we -- our management area is quite
24 large. The Alagnak is part of it. And -- is this a little bit
25 off?

26
27 CHAIRMAN O'HARA: Yeah, a little bit off.

28
29 MR. MINARD: Okay. Thanks, Dan. And as everyone
30 probably knows the Alagnak comes in here on the Kvichak River
31 and drains out of Nonvianuk and Kukaklek Lakes. It's -- the
32 headwaters of it are up in the Katmai National Park and
33 Preserve, and it's been deemed a nav- -- wild and scenic, I
34 think, and it's also navigable.

35
36 CHAIRMAN O'HARA: Uh-hum. Yes.

37
38 MR. MINARD: Effort on the Alagnak River -- oh, I
39 should back up. We divide the management area up into four
40 sections. And the Alagnak falls into our eastern section,
41 which includes the water shed of the Iliamna, Naknek, Becharof,
42 that sort of stuff. And we do that simply for management
43 purposes. But in the eastern section the Alagnak contributes a
44 substantial amount of sport fishing effort. If you can see
45 this overhead well enough, it contributes about 9 percent of
46 the overall area's effort. The entire area, the area that we
47 manage is about the size of the state of Washington. In that
48 area alone the Alagnak contributes about 9 percent of the sport
49 fishing effort. So it's not small.

0188

1 The remaining part of the eastern section contributes
2 almost 50 percent, so fisheries in Iliamna, Naknek, Alagnak
3 contribute almost 60 percent of our effort, and the Alagnak is
4 a significant part of that.

5
6 Some of this stuff you people already know but we'll
7 just establish a record on it. Looking just at the eastern
8 section now, the Alagnak is 16 percent of that part. So it's
9 -- my point simply is that it's a large portion of the sport
10 fishing effort that occurs in the management areas in Southwest
11 Alaska. Okay? Compared to Naknek which is 22 percent.

12
13 The Alagnak is our second largest -- or second most
14 popular sport fishing destination, if you wanted to call it
15 that.

16
17 CHAIRMAN O'HARA: On the east side?

18
19 MR. MINARD: Actually in the area.

20
21 CHAIRMAN O'HARA: Oh, the whole area?

22
23 MR. MINARD: Uh-hum. (Affirmative)

24
25 CHAIRMAN O'HARA: Oh, really.

26
27 MR. MINARD: This is a graph of sport fishing effort on
28 the Alagnak and you can see that it's very stair-stepped. We
29 only had data that go back to 1981 for sport fishing effort.
30 This effort is put in terms of angler-days. And an angler-day
31 would be when one person fished for any part of a day. It's
32 not a very precise estimate, but it keeps things in general for
33 us, and kind of shows us some trends. And, again, when I look
34 at this stuff I'm not looking to hammer this thing, whether
35 it's 620 angler-days or 22,005, it's a general thing. It's
36 either in the low hundreds or it's in the thousands.

37
38 And what we find here is that we went along from about
39 '81 through about '91 at an average of about 4,000 angler-days
40 a year. It was not a particularly big fishery. And then
41 overnight in '92 effort jumped to 12,300, 12,400 angler-days on
42 average. And my experience in managing fisheries, sport
43 fisheries in the area is that when those kinds of change happen
44 that fast it generally triggers some type of biological
45 problem, but it definitely triggers social problems. It
46 heightens people's awareness. It generates a sense of concern
47 and worry. And in this case we had essentially a three to four
48 fold increase in effort in a year.

49

It was about in 1992 or '93 that the first reports came

0189

1 in that well, maybe this rainbow trout stock isn't doing quite
2 as well as it should be. And I mean like any other manager the
3 phone test is a very important thing. When people start
4 calling up and complaining and saying, you know, this thing has
5 gone bad or it's not working out right or what have you, we
6 take that pretty seriously. And it obviously takes us time to
7 get through the process, but it was about 1993 that I first
8 started getting the calls that things were changing over there.

9
10 So the points I've made so far are that what I want to
11 leave you with, the impression is that the Alagnak recently
12 contributes a very significant part of the sport fishing effort
13 in the area and that angling effort has jumped substantially in
14 recent years and now averages about 12,000 angler-days, 12,400
15 days a year, which puts it at the second largest sport fishery
16 in Southwest Alaska. Okay?

17
18 Now, that effort applies to all species. The Alagnak
19 is a very popular king salmon and coho salmon fishery. And
20 that occurs -- generally speaking, it occurs down here in the
21 lower reaches of the river basically from tidewater on up to a
22 place where Tony Sarpe (ph) has his camp is generally speaking
23 the area where we harvest king salmon and coho salmon. In the
24 upper reaches it's a very popular rainbow trout fishery and a
25 late season coho salmon fishery, but the effort that I've
26 described for you, the 12,400 angler-days is spread among a
27 whole bunch of species.

28
29 And one of the things that you need to try to grapple
30 with is what directed effort or what effort has actual
31 increased on rainbow trout versus the effort that was with king
32 salmon. But the upshot of it is, the thing I'm leaving you
33 with on this one is that you've got a variety of species that
34 are present there and that effort's spread among it, but
35 geographically it's kind of -- it's distributed a little bit.
36 Salmon in the lower end, rainbow trout in the middle and upper
37 sections.

38
39 Am I doing okay here? Is this what you want?

40
41 CHAIRMAN O'HARA: Yeah.

42
43 MR. MINARD: So to summarize then, chinook and coho
44 fisheries occur in the lower river, rainbow trout, char and
45 grayling fisheries are in the mid to upper section of the
46 river. The middle section of the river, for the people that
47 aren't familiar, is a braided section. And it's very important
48 for salmon spawning habitat. It's kings, it's cohos, it's
49 reds, it's very important. And it draws these resident species

50 in there.

0190

1 The outlets at Kukaklek and Nonvianuk Lakes are the
2 most popular areas within the drainage for resident species
3 fishing for rainbow trout.

4
5 This gives you some idea of what the catch and harvest
6 is. In sports fisheries management catch is defined
7 differently than it is in commercial fisheries because in
8 commercial fisheries catch simply means what did you harvest,
9 what did you kill. In sports fisheries there is a component of
10 catch and release going on, so we want to know how many fish
11 are we catching and we also want to know how many fish are we
12 harvesting, how many are we killing. So we look at catch,
13 which is the total number of fish landed, and then harvest
14 which is the part that people killed and kept.

15
16 Now, the thing that jumps out at you here and this is
17 important, is that the rainbow trout catch, this bar right
18 here, is about 20,000 fish annually. 20,000 rainbow trout.
19 That makes it the most popular rainbow trout fishing
20 destination in Southwest Alaska, bar none. We land more
21 rainbow trout in the Alagnak than we land anywhere else. We
22 kill a very small segment of them in a directed harvest. You
23 know, the notion -- basically what's happened in Southwest
24 Alaska the bag limits there allow a harvest of one fish, no
25 size limit. There's a large degree of self-imposed catch and
26 release going on here. Of the fish that are harvested only a
27 small -- or of the fish that are caught only a small fraction
28 of them are harvested.

29
30 King salmon, we generally rattle around 6,000 kings
31 caught a year with about two or 3,000 harvested. Sockeye
32 salmon we land somewhere around 8,000, with somewhere in the
33 neighborhood of another two or 3,000 harvested. So in terms of
34 harvest the fishery is really not a very large one, but the
35 thing that I want to leave you with here is that there are a
36 variety of species available, and overwhelmingly with regard to
37 the rainbow trout it's a very popular rainbow trout fishery.

38
39 And these data are the '91 to '95 averages, so it's a
40 fairly current assessment. I mean it didn't look like that
41 before but this is -- this was coincident.

42
43 Now, one of the things that I have concluded in looking
44 at some of the data is that when effort took off in '91, '92 so
45 did our rainbow trout catch. But what didn't really take off
46 real strongly was the king harvest. See, that effort could
47 have simply been direct to the kings.

48
49 Now, this is a fairly complicated graphic and all I'm

50 trying to show is that the bars show sport fishing effort

0191

1 across the vertical bars. And you can see that here we've got
2 our jump in about 1992. This line here shows the king salmon
3 harvest. And you can't really call this king salmon harvest
4 stable, but it certainly doesn't follow the same trend that
5 effort did. What I was looking for here was if king salmon
6 were the reason that all the effort was increasing we'd have
7 seen a significant increase in kings with an increase in
8 effort.

9
10 And basically what you have is a king salmon harvest
11 that's rattled around from 1986, has just kind of rattled
12 around the level of about 12 or 1,300 kings. So the conclusion
13 I'm making on this data and the data on having to do with the
14 species catch is that we had a significant increase in effort
15 in the latter -- since the early '90s. A lot of it is probably
16 being directed at rainbow trout, a resident species. I don't
17 think you can say that it's simply king salmon effort. I think
18 it's effort occurring in other places, too.

19
20 Well, as a result there were a number projects that
21 were of concerns, you know, on the phone test people concerned
22 about it, complaining, this body. Also looking at the data
23 whenever you get a three or four fold increase in effort and
24 you're landing 20,000 rainbow trout a year it's probably a good
25 idea to get out there and start to do some work on the river.
26 We work with National Park Service -- let me back up. Our data
27 base for the Alagnak is not very strong. It is not like going
28 to the Naknek where you've got data on size and age composition
29 for rainbow trout that dates back to the '60s. It doesn't
30 exist here. The earliest data I think we have is 1986. And so
31 we're starting off in what potentially could be a depressed
32 state. And I don't have a lot of good data, biological data on
33 rainbow trout to compare it to, to see and look for a change.
34 Okay?

35
36 What I do have is a bunch of people that's saying it's
37 gone bad and I've got the conditions that I've just described;
38 high levels of effort, high levels of catch and probably
39 directed at rainbow trout.

40
41 So we put together a creel survey at Nonvianuk River
42 outlet, which is one of the more popular areas in June of '96,
43 and the upper Alagnak River at the outlet at Kukaklek Lake,
44 which is another popular place. And we did this in conjunction
45 with National Park Service, Katmai National Park and Preserve.
46 Basically we helped design the creel survey, wrote the
47 operational plans, helped trained some field staff. National
48 Park Service staff went into the field and collected all the
49 data. They did the tagging, they did the interviews, the

50 pulled together all of the field data. We brought it back in.

0192

1 We're now in the process of writing up data from the-- the
2 Nonvianuk stuff is pretty well done. Of the Kukaklek they got
3 which just finished at the end of June is being processed and
4 analyzed now. Okay?

5
6 The other thing that's happening on the Alagnak is that
7 sampling along the upper 50 miles of the Alagnak, which is
8 basically almost down to tide water is being conducted by NPS.
9 And I have to apologize, it's BRD which is the Biological
10 Research Division. Basically the combination of -- the old
11 school was Fish & Wildlife Service and National Park Service,
12 if you don't mind, is that okay? And basically the guys have
13 gone in the field with a very large scale biological sampling
14 program. And they are in the first year of a multiple year
15 study. And this is primarily a Federal program. We have some
16 communication going back and forth just because management
17 staff and research staff work together, but basically it's
18 spear-headed by the Feds. So those are the two programs that
19 have been -- actually three programs that have been in place in
20 '96 and '97.

21
22 During the creel survey part of this, this graphic
23 won't do much for you and I'll put it in terms of a pie chart
24 for you here in a minute. But one of the things you have the
25 opportunity to do when you do a creel survey, and that's a
26 survey where we go out in the field and we -- Ted just got done
27 fishing for the day, and we have an opportunity to talk to him.
28 Okay, Ted, how did it go? How long did you fish? How many
29 fish did you catch? How many did you kill? Can I sample the
30 fish that you killed? The other thing you have the opportunity
31 to do is you have the opportunity to ask Ted, say, have you
32 ever fished here before? And Ted will say either yes or no.
33 And if he says yes, you now have the opportunity to interview
34 and collect opinions about the condition of the fishery
35 compared to his previous experiences.

36
37 Now, the only things that we really have any semblance
38 of control over is the catch rate, you know, the number of fish
39 and the size composition of those fish. I really don't want to
40 know how his trip compared to last time when he fell off the
41 float and got soaked and today is a nice, bright sunny day. So
42 what we did is we asked individuals if they had been there
43 before? If you have been there before, how did you trip
44 compare to previous years in terms of catch rate, how many fish
45 did you catch and size composition of this fish. Anglers care
46 very much about how many fish are they catching and what's the
47 size composition of that catch. That's important to them.

48
49 And what this table shows is that in the Nonvianuk area

50 we talked to 155 people, and at the outlet of Kukaklek we

0193

1 talked to 143 people. Sample sizes are relatively small.
2 There was only 34 people who had fished there before. And
3 there was only 17 people who had fished at the Kukaklek Lake
4 outlet.

5
6 I really don't want to lose anybody on this 'cause it's kind of
7 important.

8
9 Now, let me put it up graphically.

10
11 CHAIRMAN O'HARA: How many fish did they keep, did you
12 ask them that?

13
14 MR. MINARD: Yeah, I did, but.....

15
16 CHAIRMAN O'HARA: Okay. We'll get it later.

17
18 MR. MINARD:I'm focusing on the angler opinion.

19
20 CHAIRMAN O'HARA: Okay.

21
22 MR. MINARD: And so this -- these graphs represent the
23 responses of people like Ted who we said, Ted, did you fish
24 here before? He said, yes. How was it compared to your
25 previous experience with regard to the catch rate? Well, with
26 regard to catch rate on the upper Nonvianuk, which is the
27 outlet of the Kukaklek -- or Nonvianuk Lake, most people said,
28 they were 82 percent of the people said it was the same as what
29 we've seen in the past. 18 percent of the people said they
30 were less abundant. Nobody said they were more abundant.
31 Again, it's a relatively small sample, but the gist of it is
32 the little meter, the little barometer says it's either as good
33 or worse. I mean it kind of leans towards about the same or
34 worse, okay? So you take that way. That's the angler opinion.

35
36 With respect to Kukaklek Lake outlet, again small
37 sample sizes, but basically the barometer tends to be split.
38 There really is no hard and fast angler opinion, last year's
39 sample of a handful of people that said my God, this is just
40 dismal, it's so horrible. I can't believe how bad it is.
41 That's not what they're saying. What they're saying on these
42 people that we interviewed on these two fisheries is that with
43 respect to the abundance of fish it's about the same or maybe
44 not quite as good. With respect to the outlet at Kukaklek Lake
45 there was split opinion. Some people had had better
46 experiences, some people had had worse.

47
48 So with respect to the size composition, in other
49 words, how big were the fish that you were catching, basically

50 the results were real similar. The folks who fished at the

0194

1 outlet of Nonvianuk Lake said that it was either the same or
2 worse, and that attendancy was a larger percentage of them said
3 it was a little worse. So basically the conclusion, I think,
4 at the outlet of the Nonvianuk fishery is that, you know, there
5 probably aren't quite as many fish there as there were before
6 and they probably aren't quite as big as people had expected.
7 But it is not a wholesale, my God, everybody saying it. It's a
8 portion of the people that we sampled.

9
10 At the outlet at Kukaklek Lake, again, it's kind of
11 split, but the tendency seems to be towards a few smaller fish.
12 Okay?

13
14 So when I step back from this, the phone test that I'm
15 getting, it's kind of telling me that, you know, I got a lot of
16 effort, I got a lot of catch going on. The people that are
17 fishing it are of a somewhat split opinion. The barometer kind
18 of leans toward maybe not as many fish and maybe not as big a
19 fish, but it isn't the wholesale fall over the edge thing that
20 it was on the Naknek, Lower Talarik and some of the other
21 fisheries we've looked at this stuff on.

22
23 Now, these graphics -- I'm going to put up some size
24 information. And my intention here is not to confuse the issue
25 with a bunch of pictures, but my intention is two fold to
26 describe to you the conditions that I look for in a healthy
27 rainbow trout stock and the conditions that we think are
28 present in the Alagnak stocks. Okay? So we'll walk through
29 this slowly.

30
31 These bars -- when you go out in the field and you
32 sample rainbow trout, you catch them or someone catches them,
33 maybe a fisherman does or some of our guys do or the Park
34 Service does. You measure them for length. And one of the
35 things you want to look at -- and it's just like people in this
36 room, there's a whole different size range of people. Here
37 we've got short ones, we've got tall ones, you know. And we
38 want to know what the length distribution is or what the
39 frequency of size is within our rainbow trout population. And
40 one of the things that I look for in a healthy rainbow trout
41 stock is a tendency for those size distributions to be -- they
42 call it bell-shaped, but it would be sort of an upside down U.
43 And as long as it is normally distributed or bell-shaped or has
44 the configuration of an upside down U, then it says we've got a
45 few little fish, we've got some medium size fish and we've got
46 a few big fish. So in terms of size frequency data this
47 represents not an unreasonable distribution for spawning
48 rainbow trout in the Nonvianuk area. This is at the outlet of
49 the Nonvianuk, a very popular spawning area. These data were

50 collected in this year by the BRD folks. They went in and

0195

1 sampled spawning rainbow trout between 28 April and 7 May.

2
3 CHAIRMAN O'HARA: The BRD?

4
5 MR. MINARD: The Feds, Biological.....

6
7 CHAIRMAN O'HARA: We don't understand initials, so.....

8
9 MR. MINARD: Well, neither do I.

10
11 CHAIRMAN O'HARA: Okay. Well then, we don't -- none of

12 us do.

13
14 MR. MINARD: What I remember is U.S. Fish & Wildlife
15 Service, and they merged and now -- they used to be a different
16 group and I'm.....

17
18 MR. BOYD: They used to be the National Biological
19 Survey and.....

20
21 MR. MINARD: Yeah. Basically it's their biological
22 expert. Okay? And -- but the folks are -- what their sample
23 showed was a slight tendency, perhaps, to be -- to miss some
24 bigger fish but, in fact, the size composition, that is not
25 particularly alarming to me.

26
27 When you look at the catchable population in 1996, in
28 other words, the fish that anglers caught between June ;8th and
29 June 30th in the Nonvianuk section of the Alagnak very skewed.
30 It's very skewed to the left. Skewed means that it isn't nice
31 and normal like this but, in fact, it builds up rapidly and
32 then tails off for a long time. That is a condition that you
33 see in a depressed rainbow trout stock. And it's generally a
34 condition that's created by a selective harvest of larger,
35 older fish. We have dealt with that condition of the Agulowak
36 River. We dealt with it in the Naknek River. We've dealt with
37 it Lower Talarik Creek. Okay? So 1996 samples.

38
39 Now, what I want you to do is walk through this with me
40 through the -- we've got some additional data, so let's get
41 oriented again. Geographically we're talking about the outlet
42 of Nonvianuk Lake, okay? And we're talking about spawning
43 samples, and then we've got some catchable samples here.
44 Catchable being what the sport fishermen caught during the
45 sport fishery in June. Am I doing okay or am I losing it?

46
47 CHAIRMAN O'HARA: Good.

48
49 MR. MINARD: Okay. Okay. Yes, Johnny?

0196

1 MR. EWAN: That last part, you said catchable
2 population, are you talking about the size or.....

3
4 MR. MILLARD: I'm talking about the size class. I'm
5 talking about the sizes of fish available in the river for Ted
6 and I and anybody else who goes there and goes fishing. You
7 know, that's the size range that you can expect to have caught.
8 And in the observation of this data -- now again, it's 200 and
9 something samples, so it's not an unreasonable sample size.
10 It's not huge, but it's not great. The conclusion of that is
11 that it's skewed to the left. And when I see that and I see it
12 accompanied with an age structure that is something other than
13 what we see as desirable you begin to think this is a depressed
14 stock. Okay? But I would not be particularly concerned about
15 the spawning stock right now. At least the size composition
16 doesn't look particularly bad.

17
18 Okay. Now, here we have the Alagnak proper. And these
19 data -- I ought to leave this one off here for just a minute.
20 These data cause me -- these data -- again, I told you the
21 earlier data I think we had, I said '86, it's actually '89. We
22 had 150 samples taken from the Alagnak River, basically the
23 mainstem of the Alagnak. And in '89 those samples showed a
24 skewed size frequency distribution to the left indicating a
25 possible depressed stock condition that is created by a
26 selective harvest of larger older fish.

27
28 We sampled again in '96. This is also -- I think this
29 is a combination of the two agencies' samples, but the upshot
30 of it is we got 255 samples in '96. Again, a skewed size
31 frequency distribution. Again, indicating possibly a depressed
32 stock condition due to selective harvest. This is the one that
33 blows me away just a little bit. This is a fairly large sample
34 collected in 1997 by the Federal folks who are now engaged in a
35 very -- you know, pretty high level program. They'll be there
36 for at least two or three, four years, perhaps. And they have
37 a large sample in this same section of river, but now the
38 sample begins to show the tendency we're looking for. We're
39 looking for a more normally shaped, bell shaped upside down U
40 distribution of sizes. It's very different than this one, and
41 it's very different than this one.

42 If this sample had been collected three or four years
43 later, you know, I'd probably say, you know, shoot, I guess the
44 regulation changes we put in place are probably working. I
45 can't really explain to you why this sample doesn't show the
46 depressed stock condition that these other ones did. The dates
47 of the sample, July 12th to August 12th up there, June 2nd to
48 July 24th, June 19th. It's not a spawning ground sampling.
49 It's not just adult fish. I wouldn't worry too much about

50 that, but suffice to say, that there are some tendencies in

0197

1 this data to show a depressed stock condition. There's some
2 tendencies in the angler interviews to say it may be slightly
3 depressed, but there is no data in here that says wholesale
4 this thing has gone belly up. Okay? Not yet.

5
6 Here's the age data. Along with size information the
7 other thing that, I think, is very important to look at with
8 rainbow trout is the age composition. Now, this is derived
9 from samples. These are not absolute ages. These are
10 estimated ages. And what we try to do at the scale sampling is
11 simply get a consistent estimate of age composition. What I
12 like -- you know, the experience over the years has told us if
13 we have a normal shape, an upside down U size frequency
14 distribution and we have ages that are primarily fives and
15 sixes, fives and sixes in the catchable population, then you've
16 got a relatively healthy stock. If you have a skewed size
17 frequency distribution to smaller fish and you have ages that
18 are primarily threes and fours you have a depressed stock
19 condition. So again, looking at the '96 samples from the upper
20 Nonvianuk, this is at the outlet of the lake, 166 aged samples.
21 The dominant ages were fours and fives. I'd like to see them
22 as fives and sixes. This is exactly the condition we saw on
23 the Agulowak when we worked with after the advisory committee
24 process. It's exactly the condition we saw on the Naknek.

25
26 Over on the Alagnak, you know, the mainstem of the
27 Alagnak in '89 some of our earlier age sampling information,
28 again dominant age classes were threes and fours. Again, it's
29 not the size frequency distribution we'd like -- or the age
30 frequency distribution we'd like to see. This is showing a
31 tendency for a depressed stock condition.

32
33 Then you look at the Alagnak River mainstem in '96 and
34 the dominant age classes here are fours and fives. So, again,
35 I'd like to see that as fives and sixes, okay? So age data
36 that we have through '96 shows the similar pattern that we have
37 for size frequency data for the same years. I don't have the
38 age data for '97 yet. I'm going to be very, very interested to
39 know what the age frequency distribution is on the '97 sample.
40 They did collect the data, it's just these are very expensive
41 to process. They take a tremendous amount of time. The other
42 one that is going to be of interest to us is the age frequency
43 distribution of the spawning population.

44
45 A spawning stock would be considered healthy if it were
46 primarily ages sixes and sevens, usually one year older.
47 You're looking at mature fish. Rainbow trout mature and spawn
48 first usually about age five.

49

Okay. Well, I'm giving you way more than you probably

0198

1 really want, but I'm trying to walk through this stuff for you.
2 You asked to kind of get updated on it.

3
4 To try to summarize this stuff, sport fish effort on
5 the Alagnak River has increased very significantly since 1991.
6 No question about it. The Alagnak River is the most popular
7 rainbow trout fishery in Southwest Alaska. No question about
8 it. Rainbow trout stocks in the Alagnak appear to be somewhat
9 stable. And the reason I say they're stable is because the
10 1989 data is similar in character to the '96 data, but may be
11 at a depressed level. We've got a skewed size frequency
12 distribution and we have a skewed age composition. They enter
13 in the '97 data which we've not fully processed yet and all of
14 a sudden it tempers your overall concern a little bit. Okay?
15 I'm not saying it's not an issue. I'm just saying it's maybe
16 not as dramatic as people want to present it to be.

17
18 We've taken some actions in this fishery. In 1996 and
19 again in 1997 I issued emergency order pre-season going to
20 catch and release. We eliminated the opportunity to harvest
21 rainbow trout during the open water season in the Alagnak River
22 Drainage both in '96 and '97. I did that with our emergency
23 order authority.

24
25 There are a handful of proposals that address Alagnak
26 sport fisheries going before the Board in November in King
27 Salmon. The Board meeting will be November 4th in King Salmon.
28 The Naknek/Kvichak Advisory Committee, the other advisory
29 committees that are affected can have an opportunity to look at
30 those proposals.

31
32 Now, I want to just touch on some of our previous
33 experience. Assuming that you want to address a depressed
34 stock condition here what is it that you can do and what's the
35 probabilities that it'll actually come back? And generally
36 what happens in a high effort rainbow trout fishery where
37 harvest is allowed you generally have -- particularly in
38 Southwest Alaska you have a selective harvest for larger older
39 fish. In the case of Lower Talarik Creek and Naknek -- am I
40 boring you? What they did was they went ahead and they started
41 taking their harvest out of the upper 20 percent of the
42 population. It wasn't distributed among all. If they caught a
43 big fish they bonked it. And that can, in fact, be what's
44 happening here.

45
46 Protection of stocks via bag limit, reduction in
47 maximum size limits have resulted in rebounding size and age
48 compositions. And I'll show you a couple of examples. I'm not
49 going to keep you long, but we'll show you two examples of

50 where when we reduce bag limits and we change size limits we've

0199

1 had some luck.

2

3 Lower Talarik Creek, 1986 looked like this. We'd
4 already had about three years of saying, my God, it's gone to
5 heck in a hand basket, what are you people going to do about
6 it? Well, we went out and we sampled. We find the skewed size
7 composition. The condition I just described for you being bad,
8 and it was also accompanied with that age frequency
9 distribution that we don't like to see. So we went in in 1990,
10 the regulations made it effective for catch and release for
11 rainbow trout, fly fishing only for the open water season. And
12 this fishery bounced back. In 1995 you can see that this part
13 of the stock has come back and it isn't just our data. It's
14 the same thing when we interviewed anglers now, that have got
15 -- we've got people that have fished this thing for 20
16 consecutive years. And there's a lot of knowledge about that
17 fishery. All of the information points to the fact that those
18 regulations do, in fact, help. The same thing is true on the
19 Naknek.

20

21 So in summary, on the regulation side of things; if you
22 have a depressed rainbow trout population conservative
23 regulations, reduction in bag limit or adjustments in size
24 limits can work as long as we've got some decent habitat to
25 work with, which we do in the Alagnak, if we have sufficient
26 food resources and so far salmon escapements and primary
27 productivity is probably pretty good in the Alagnak, and you
28 have to accompany it with appropriate gear restrictions. And
29 gear means the kinds of hooks they use. It already is a single
30 hook artificial lure wire. You're not allowed to use bait. If
31 we were in a depressed stock condition for rainbow trout one of
32 the things we want to do is eliminate bait. We don't have to
33 do that because it's already done. Okay?

34

35 I'm just about done. I want to review briefly the
36 Board proposals that I talked to you about that are going to be
37 brought up. There are -- in general, what you have is an
38 overall sort of reduction in harvest opportunity plan for the
39 Alagnak. There have been a number of advisory committees,
40 Iliamna and Naknek/Kvichak Advisory Committees have both
41 submitted proposals, and there have been several private
42 proposals put in. The general movement is reduce harvest
43 opportunity for basically all the resident species. Okay? Bag
44 limit reductions for char, grayling and chinook and coho,
45 rainbow trout, there are some proposals in there to set annual
46 nonresident bag limits. For coho there are some gear
47 restrictions that would require fly fishing only equipment.
48 And there's a spawning season closure proposal, you know, being
49 considered for King Salmon.

0200

1 Now, in general, you're going to find that the
2 Department is going to favor all of these things. We're not
3 going to -- you know, my testimony in front of the Board is
4 that if you adopt these proposals you're not going to -- it's
5 not going to disenfranchise the entire fishery. It's not going
6 to eliminate opportunity in that fishery, but it is going to
7 tighten up the harvest opportunity. Char now you can take 10 a
8 day, 10 in possession. Grayling you can have five a day, five
9 in possession.

10
11 CHAIRMAN O'HARA: Everywhere?

12
13 MR. MINARD: Yeah. Those are fairly liberal bag
14 limits. And so reductions in bag limit are not going to wipe
15 that fishery out. It's probably not inappropriate given the
16 level of effort that we have.

17
18 Spawning season closures for king salmon, the
19 Department, and generally -- you know, I've not met anybody
20 that really disfavors that. That just is a good idea. When
21 effort gets high enough and harvest gets high enough it's a
22 good idea to protect those fish at some date when they can
23 spawn. So those proposals are in there.

24
25 With respect to rainbow trout there are bag limit
26 reductions that will reduce from two per day, only over 20 to
27 one per day under 18 inches. And what that does is it reduces
28 the harvest on these larger older fish. Fish of 18 inches in
29 this system has just become mature to spawn. At 18 inches
30 they're about five years old and they are now productive
31 members of the spawning population. So the Board has to
32 address the depressed rainbow condition, they have two options.
33 They can get a conservative bag limit on small fish, but once
34 they reach spawning size you can't kill them anymore, or they
35 can just go to a zero bag limit and go to catch and release.
36 And we're going to -- basically I think that's up to the Board
37 and the user group. The stock will recover in either
38 situation. It may take a little bit longer under one condition
39 but it will still recover. This is exactly the formula we used
40 for Naknek, okay?

41
42 Gear restrictions, there is a single barbless hook
43 restriction proposal in place, you know, there for the Board to
44 consider. And there's also a fly fishing only proposal. Now,
45 our position on these things are going to be very strongly
46 opposed to barbless hook restrictions. There is absolutely no
47 data in the scientific literature that says barbless hooks are
48 so much better than barbed hooks in terms of reducing
49 mortality. In fact, there's data that says there is absolutely

50 no difference. Many, many studies.

0201

1 Idaho adopted a bunch of single barbless hook
2 restrictions. The year they became effective they found out
3 that they wrote 541 tickets, 20 percent of the tickets that
4 they wrote to sport fishermen had to do with barbless
5 restrictions. And so 540 people got tickets for biologically
6 insignificant regulations. So, unless there's a benefit to it
7 we're going to advise the Board to not adopt it. There are
8 benefits to barbless hooks, but it isn't mortality. It has to
9 do with marking a fish. But that's going to be our position on
10 that proposal.

11
12 Fly fishing only is a proposal that we won't have a
13 position on. The Board of Fish manages -- works underneath
14 this rainbow trout management plan that governs rainbow trout
15 management in Southwest Alaska. And that plan has 10 criteria
16 in it that a stock has to meet -- to meet special management
17 consideration. They'll go through those 10 criteria. And
18 basically what they are is sort of a reverse subsistence
19 finding. When we developed that plan we did not want to create
20 special management waters for rainbow trout right on top of
21 active subsistence net fisheries and that kind. It would have
22 been clash. So we're not going to have a position on this one,
23 but we're going to walk them through the notion, what it would
24 do is make it exclusively fly fishing only. Okay? A very
25 conservative gear type.

26
27 Okay. I'm just about done. Actually I think I am.
28 I've got proposals for chinook. I've got proposals for the
29 char and grayling, and I've got the coho salmon. But,
30 generally speaking, what we're talking about with those species
31 is a general clamping down on the harvest opportunities in the
32 Alagnak. The Department is going to be favorable in that
33 regard and the reason we're going to favor them is not because
34 we have a major problem with salmon in the Alagnak. In fact,
35 escapements of chinook salmon have been very good in the
36 Alagnak. But you've got a lot of effort. And what some of the
37 thinking is among the advisory committees is that if the Naknek
38 has got a bag limit of three a day, one over 28, the Alagnak
39 should be real similar because they're so proximal. And right
40 now the bag limit of big kings on the Alagnak is twice what it
41 is on the Naknek with almost the same amount of effort. So,
42 you know, we're going to work with them on that and if that's
43 what people want we'll run it through the Board process.

44
45 But, Mr. Chairman, that basically concludes my
46 presentation.

47
48 CHAIRMAN O'HARA: Thank you very much, Mac. Committee
49 Members, any questions of Mac today? Yep, Robert?

0202

1 MR. HEYANO: What's the total rainbow population?

2

3 MR. MINARD: I don't know. You know, you're talking
4 about a river that's 78 miles long. The ability to make an
5 estimate on those conditions I know is very, very poor. The
6 Feds are going to work hard at that. They've got the first
7 year of a tagging -- I don't know what the population is. Very
8 expensive and very difficult to know on a river of that size.

9

10 CHAIRMAN O'HARA: Karen?

11

12 MS. GUSTIN: What do you attribute the increase in
13 effort between '95 and '92 for the Alagnak?

14

15 MR. MINARD: I don't know, you know. When things
16 happen like that there's generally -- I mean it basically went
17 from a very modest, relative low level fishery. I know people
18 don't like to think of it that way because they're people
19 there, but it's relatively low level fishery to a fairly
20 significant fishery. And generally that has to do with
21 industry. You know, somebody built a lodge, somebody added an
22 airplane to their air taxi or somebody wrote an article and now
23 you've got interest in it. That's generally the scenario. And
24 you also have -- one thing you have to realize in Southwest
25 Alaska and this group and every other regulatory board is going
26 to have to deal with it, sport fishing is growing nationally at
27 about 7 percent per year. In Bristol Bay it's growing right at
28 7 to 11 percent per year. And there's nothing I can do about
29 it. I don't know what there is you do do about it, but it's
30 something that every regulatory board has to reconcile. The
31 Board of Fisheries is going to have to decide what are you
32 going to do with increasing participation. So the big stair
33 step is probably a result of some industry move, continued
34 level of increase. It's just typical of growth in sport
35 fishing.

36

37 CHAIRMAN O'HARA: Smiley?

38

39 MR. KNUTSEN: Are you going to make this presentation
40 at the meeting where they consider proposals?

41

42 MR. MINARD: I'm going to make this presentation to the
43 Naknek/Kvichak Advisory Committee on, I think it's Tuesday
44 night when they do sport fish proposals. And I'll have a part
45 of this, not all of it, for the Board of Fisheries.

46

47 MR. KNUTSEN: There's a factor that you don't include
48 in.....

49

MR. MINARD: Okay.

0203

1 MR. KNUTSEN:to me, it's true black and white,
2 it's catch and what -- angle-days things like that. But I
3 think the factor of mortality from catch and release, you know,
4 angler-days, at least that number has gone up. It used to be
5 10 percent. And recently in the last year I've seen figures
6 around 16 percent.

7
8 MR. MINARD: What, catch and release mortality?

9
10 MR. KNUTSEN: Yeah.

11
12 MR. MINARD: Probably in this fishery I guess somewhere
13 between 7 and 10 percent. It's a single.....

14
15 MR. KNUTSEN: Pardon me?

16
17 MR. MINARD;hook and artificial lure only
18 fishery. And those -- I mean there's dozens and dozens and
19 dozens of studies on that. Probably 7 to 10 percent mortality.
20 So on 20,000 fish roughly 200 of them. Is that about right?

21
22 MR. KNUTSEN: Would you consider including that bar?

23
24 MR. MINARD: Sure.

25
26 MR. KNUTSEN: Okay.

27
28 MR. MINARD: In fact, I can do the arithmetic on it.
29 What I found when I looked at harvest, the difference between
30 the Alagnak and the Naknek when Naknek got depressed, the
31 differences were that harvest in the Naknek numbered in the low
32 thousands even when you added in mortality. Harvest in the
33 Alagnak are going to be somewhere around 5 or 600 even when you
34 add in mortality. Not as large. But I will do that. I can do
35 that.

36
37 In fact, one of the nice things about this is I get a
38 chance to see where my holes are. And I will do that. Fine.
39 I'll do it.

40
41 CHAIRMAN O'HARA: Any questions? Mac, you compare the
42 branch to the Talarik, Upper and Lower, and the Naknek, but
43 that's a much bigger river system. But the theory or the --
44 not the theory, but the principle that you're putting in place
45 worked in all the situations?

46
47 MR. MINARD: The principle of.....

48
49 CHAIRMAN O'HARA: Yeah.

0204

1 MR. MINARD:conservative regulations?

2

3 CHAIRMAN O'HARA: Yeah. To bring the numbers back.

4

5 MR. MINARD: They did, Dan. They've worked in a river
6 environment like the Agulawok is one, you know, close to home
7 over here.

8

9 CHAIRMAN O'HARA: Yeah.

10

11 MR. MINARD: It's a small river system. Fish migrate
12 in, they migrate out. It was a depressed stock condition
13 through over-fishing. And we -- that was like '90, '89, '90,
14 the Advisory Committee went, they reduced the bag limit, I
15 think from 5 down to 1. We wanted to preserve some harvest
16 opportunity because a lot of locals use it. And that fishery
17 has come back and is very, very strong now. It's very, very
18 good. So I think conservative regulations do work. The Naknek
19 showed the same situation. Lower Talarik has shown the same
20 situation. Those are the major depressed stock conditions
21 we've had to deal with.

22

23 CHAIRMAN O'HARA: What, the Naknek?

24

25 MR. MINARD: Naknek, Lower Talarik Creek and Agulowak.

26

27 CHAIRMAN O'HARA: Okay. They've rebounded.....

28

29 MR. MINARD: And they've rebounded. It takes about
30 four or five years. And I'm not guaranteeing it'll happen,
31 but.....

32

33 CHAIRMAN O'HARA: Yeah.

34

35 MR. MINARD:the characteristics are similar here.
36 And Robert asked what the overall size of the population was.
37 Well, in a lot of these fisheries it's technically and
38 financially impossible to get. So I'm looking at indications
39 of catch rate. I'm look at size comp and I'm looking at age
40 comp. And if I can get age comp and size comp off the spawning
41 populations then all the better. So there are indicators of
42 overall stock health and they're cheaper and more technically
43 easy to get. So those are the pieces I can have and that's why
44 I look at them, but generally speaking unless the BRD folks are
45 very successful in their work on the Alagnak getting a full
46 estimate of abundance it's going to be quite difficult.
47 Density is possible, fish per river mile is possible.

48

49 CHAIRMAN O'HARA: You had a question? Yes.

0205

1 MR. ABRAHAM: Mac, does the local people, local Native
2 people use the fish you're talking about for subsistence use?

3
4 MR. MINARD: Yeah. Yes, they do, Pete. And one of the
5 things we've done with subsistence division, I'm not sure where
6 we are with that, Molly, maybe you'd want to address that, but
7 we've had some interviews done in Levelock, is that correct?

8
9 MS. CHYTHLOOK: Uh-hum.

10
11 MR. MINARD: To get an idea of what level of use we've
12 got, at least, out of that village. But, sure they do.

13
14 MR. ABRAHAM: Thank you.

15
16 CHAIRMAN O'HARA: Okay. Thank you very much, Mac. We
17 appreciate you taking the time.

18
19 UNIDENTIFIED VOICE: Dan? David.....

20
21 CHAIRMAN O'HARA: Pardon me.

22
23 MR. FISHER: I have a quick question for Mac. I
24 enjoyed the presentation, you did a good job. The question I
25 have is with the three fold, four fold increase in effort, is
26 there any -- is anybody looking at maybe trying to limit the
27 number of people in that area?

28
29 MR. MINARD: I'm sure it's an option, Dave. You know,
30 our management objectives within the Division of Sport Fish, my
31 mission is to provide angling opportunities. It's first to
32 conserve resources, and second to provide opportunity. If we
33 can effect conservation through restrictions then that's a more
34 desirable outcome than saying you can't come, but with that
35 said I'll offer you something on a personal note. I think the
36 day is coming in Southwest Alaska that there are going to have
37 to be some limited access fisheries. And you know it when you
38 were doing the Togiak stuff that, you know, we arm wrestled
39 over some of the permits were you putting in. But in reality
40 we did not come unglued when we saw some restrictions like that
41 in place partly because, I think in a regional sense it's not a
42 bad idea, you know, so.....

43
44 CHAIRMAN O'HARA: Good.

45
46 MR. FISHER: Good job.

47
48 CHAIRMAN O'HARA: Thank you. Yes, Ted, one more.....

49

MR. KRIEG: Just a quick question. And I don't know,

0206

1 it's maybe not even fair to ask this. Does the designation of
2 the branch river as wild and scenic, does that make it any more
3 desirable for people to go and fish on? I mean.....

4
5 MR. MINARD: It certainly doesn't diminish it, Ted.
6 And I'm -- you're asking a perception question?

7
8 MR. KRIEG: More. Yeah. More or less.....

9
10 MR. MINARD: You know, what I think happens in a lot of
11 these rivers in Southwest Alaska and it happened on the
12 Kanektok. You know, all of a sudden the Kanektok was the place
13 to go, and effort went like this and then Dave left Dillingham
14 and effort began to drop. So, you know, it kind of did its
15 thing. In the Middle Fork of the Goodnews is that way right
16 now. And the Alagnak is that way, in part, but it's also if
17 you look at the industries that are developing, there are local
18 industries that are beginning to develop in King Salmon that
19 service that thing, it's an easy place to go. So wild and
20 scenic, I think, sells the trip, but I think the infrastructure
21 is developing to capture some of what they see as opportunity.
22 So.....

23
24 CHAIRMAN O'HARA: So I assume that if the biologist
25 leaves then the pressure goes away, too, huh?

26
27 MR. MINARD: Yeah, it can happen.

28
29 CHAIRMAN O'HARA: Where are you going to move to?

30
31 MR. MINARD: Well, actually, Dan, I just had another
32 baby and I'm not.....

33
34 CHAIRMAN O'HARA: Oh, you're not going anywhere.

35
36 MR. MINARD:going to be moving for a long time.

37
38 CHAIRMAN O'HARA: That's a good idea. Thanks.

39
40 MR. MINARD: Thank you.

41
42 CHAIRMAN O'HARA: I really appreciate that. Okay. Can
43 we have that light over there? Turn that light on, please.
44 At this time before we continue on with the proposals by the
45 Council, I understand, Moses, you've got a gentleman who would
46 like to address the Council at this time?

47
48 MR. FRITZ: Yes, Mr. Chairman.

49

CHAIRMAN O'HARA: You need to come up to the table, and

0207

1 if you would, can you come up?

2
3 MR. LOCHA: (In Yup'ik)

4
5 CHAIRMAN O'HARA: Molly, can you come up with him so we
6 can hear you.

7
8 MS. CHYTHLOOK: Yeah.

9
10 MR. LOCHA: (In Yup'ik)

11
12 MS. CHYTHLOOK: This is Herbert Locha. And he's from
13 my perception and from observing him as we worked with the
14 process of opening Round Island for subsistence purposes he's
15 -- I think he's one of the most respected Elders here at
16 Togiak. And this came home to me last year when he was in
17 Anchorage for medical purposes. It was time for Togiak to go
18 on their walrus hunt, but Herbert was in Anchorage for medical
19 purposes, and the walrus hunters didn't go until he got back.
20 So -- and he's worked -- he worked from the beginning to -- as
21 an Elder, as an advisor for the Togiak Walrus Commission as
22 their advisor. And he worked tirelessly. And so with the
23 Togiak residents and from subsistence division he's one of the
24 most respected Elders.

25
26 But his statement that he just made is that he has a
27 heartfelt thankfulness for being able to have Walrus Island as
28 a subsistence -- you know, being able to harvest walrus as
29 subsistence. And he thanks that, you know, the people and the
30 agencies for tirelessly working to make that possible.

31
32 MR. LOCHA: (In Yup'ik)

33
34 MS. CHYTHLOOK: He says that it took a couple of years
35 of working with the agencies to make it possible to be able to
36 hunt this Walrus Island. And what he thinks finally impressed
37 the agencies, one of the reasons is when he showed his
38 historical use by using kayaks, you know, when -- one of the
39 historical traditional council -- or traditional and cultural
40 use of that was, you know, before the motorized boats came
41 along was using kayaks to harvest from that island.

42
43 MR. LOCHA: (In Yup'ik)

44
45 MS. CHYTHLOOK: He said that he's got a lot of
46 information and stories to tell, but he just wants to, again,
47 thank the agencies and people involved for making it possible
48 to hunt for walrus on Round Island.

49

0208

1 CHAIRMAN O'HARA: Thank you. Thank you, Herbert. We
2 appreciate that. Okay. Proposal time. Council Members?
3 It's going to be here. We'll come back here later, we'll come
4 back to it. Any proposals coming from this Council today?
5 Yes?

6
7 MR. HEYANO: Mr. Chairman, I would like to have the
8 committee submit a proposal addressing the wanton waste issue.
9 And that proposal would make it prohibitive from boning meat
10 out in the field.

11
12 UNIDENTIFIED VOICE: On all Federal lands?

13
14 MR. HEYANO: On all Federal lands. I guess, Mr.
15 Chairman, to expedite this; there is a proposal that the
16 Nushagak Advisory Committee has drafted and submitted last year
17 that didn't get fully adopted by the State Game Board. And if
18 it's the wishes of the Council to support a proposal like that
19 I could get that information and pass it on to Helga without us
20 having to sit here and draft the language. But what it says is
21 that we prohibit you from boning any meat out in the field.
22 You'd have to bring it all back in on the boat.

23
24 CHAIRMAN O'HARA: Is there a second to that motion?

25
26 MR. BOSKOFISKY: Second.

27
28 CHAIRMAN O'HARA: Alvin seconded it. Okay. Would you
29 like to address the proposal further, Robert?

30
31 MR. HEYANO: Well, I think, Mr. Chairman, every since
32 I've been sitting on this committee, which is from the
33 beginning we've heard the issue of wasted meat in the field and
34 always tried to address it. I don't think we've completely
35 been successful. As you know, the State Game Board passed a
36 similar proposal for 9(B), Unit 17 and 19(B), I believe it is.
37 And it's been the opinion of the people who are responsible for
38 enforcing the wanton waste regulations that this will go a long
39 ways to helping them make cases and enforcing it.

40
41 And I think the preliminary indications we have heard
42 from the department is at this meeting is that it did take care
43 of part of the problem or some of that problem, so I'd like to
44 put it in a proposal form. We can get a lot more input at our
45 next meeting, but I think it's something that we need to take a
46 step towards to try to curb the wanton waste issue.

47
48 CHAIRMAN O'HARA: Any other discussion by the Council
49 Members?

0209

1 MR. ABRAHAM: Question.

2

3 CHAIRMAN O'HARA: All those in favor say aye.

4

5 IN UNISON: Aye.

6

7 CHAIRMAN O'HARA: Opposed?

8

9 (No opposing votes).

10

11 MS. EAKON: How many more people do we need?

12

13 CHAIRMAN O'HARA: Any more proposals to come before the
14 Council today?

15

16 MS. EAKON: A real fast announcement, please. There's
17 a Penair Cherokee waiting, they're expecting a flight for
18 Dillingham. He's not going to wait. He's going to leave at
19 noon. Did Peggy go?

20

21 UNIDENTIFIED VOICE: Peggy left with four people. And
22 I think that's all that will go on that.

23

24 MS. EAKON: Okay. Okay. So we're okay.

25

26 CHAIRMAN O'HARA: We're going to finish up our meeting
27 regardless of what Penair does.

28

29 All right. Yes?

30

31 MR. BOYD: Mr. Chair? For clarification on the
32 proposal that you just put forth. I was just wondering is that
33 proposal a statewide proposal or would it apply general to the
34 Bristol Bay Region or.....

35

36 MR. HEYANO: (Nods in the affirmative)

37

38 MR. BOYD: Okay.

39

40 MR. HEYANO: Bristol Bay.

41

42 CHAIRMAN O'HARA: Any other proposals coming before
43 this Board today? Yes, Robert?

44

45 MR. HEYANO: Mr. Chairman, I don't have any further
46 proposals for this committee to consider. But from what I
47 heard from the meeting here is that there is a problem with the
48 North Peninsula caribou primarily with the number of cows in
49 that herd. Without having Dick Sellers here I don't have any

50 recommendation on what needs to be done to take care of that

0210

1 problem. I'm hoping that the State will submit a proposal for
2 our consideration or possibly the Naknek/Kvichak Advisory
3 Committee so the proposal's in the book and we can address the
4 problem. I think it's a resource problem. It's something that
5 appears to be an ongoing problem at previous meetings.

6
7 The moose population in Lake Clark, in my opinion, is
8 in serious trouble. That was one of the first issues I heard
9 as a game population that was in trouble here in our area. I
10 don't know what we can do about it. There seems to be a
11 problem with cow/calf recruitment into the population, but I
12 think that's something we need to spend a lot of time on at
13 another meeting.

14
15 The other thing may be not a problem, but the low
16 number of animals that are killed in the Nushagak Peninsula are
17 -- I know there's a committee made of those communities, but I
18 think we need to work towards trying to get that harvest up.

19
20 CHAIRMAN O'HARA: Mulchatna herd?

21
22 MR. HEYANO: No, the Nushagak Peninsula herd, the
23 transplanted herd.

24
25 CHAIRMAN O'HARA: Oh, oh. Transplanted, I'm sorry.

26
27 MR. HEYANO: You know. Those were put there for a
28 specific purpose for subsistence hunting. 20 animals out of a
29 potential hunt of 200 is very low. That's kind of what we
30 heard. That's all I have.

31
32 MR. ABRAHAM: Mr. Chairman?

33
34 CHAIRMAN O'HARA: Yes.

35
36 MR. ABRAHAM: Robert, on the wanton waste, maybe
37 include -- this slipped off my mind. The big game animal is
38 included -- I mean the walrus, can we include the walrus on
39 that? No, we can't?

40
41 CHAIRMAN O'HARA: That's not our jurisdiction. Too bad
42 but we can't do that.

43
44 MR. ABRAHAM: Okay.

45
46 CHAIRMAN O'HARA: Any other proposals to come before
47 this Council today. Well, I have one I'd like to ask the
48 Council, I don't know exactly on the wording on this, but in
49 lieu of Mac Minard's report to us on the Alagnak problem, it

50 doesn't seem to me like there is a problem with the resource,

0211

1 but it looked to me like if we don't address it quite quickly
2 we're going to be looking at the age factors of the rainbow
3 trout, fin fish here shortly. And it looked to me like the
4 Alaska Department of Fish & Game, if they do pass regulations
5 on some of the proposals coming from the management side they
6 would be okay.

7
8 There's a possibility on October 1 that that would --
9 responsibility is going to pass on to this Council. And so in
10 lieu of that I would like to ask the Council today if we might
11 just put into the framework something that we could deal with
12 in our February meeting. We don't want to deal with the
13 numbers. We don't want to deal with -- I believe, I don't
14 believe we want to deal with the bag limit at this time, but I
15 think we need to start looking at, perhaps, as a Council the
16 amount of pressure that's going to be on that system which is
17 escalating quite quickly.

18
19 And the reason I mention that is the feedback we've
20 been getting from Igiugig and Levelock on the conflict with
21 subsistence and sports is an issue that this Council must deal
22 with. And the other part of this that we need to put into the
23 framework is the Katmai National Park and the Preserve is that
24 the ORV, ATV situation in Kakhonak, Igiugig and Levelock needs
25 to come to a c&t finding. And this Council needs to address
26 that issue.

27
28 That's quite open ended. That doesn't bind us to a lot
29 of things, but it puts into the millwork if we do have to
30 address this issue come the winter meeting. Yes?

31
32 MR. HEYANO: Yes, Mr. Chairman. On your first concern
33 is it your intent that what we need to do is put a generic
34 proposal in, maybe addressing as what we see as some of the
35 problems and concerns we have, and then if -- at a later date
36 if that becomes or jurisdiction, at least, we'll have an
37 opportunity to address it in a more specific sense?

38
39 CHAIRMAN O'HARA: Yes. In other words, Mac -- I don't
40 want to quote him, and you know I'll quote him and he can tell
41 me if I'm wrong, but he's interested in what's going to happen
42 with the '97 figures. The '97 figures are going to come in yet
43 on the Alagnak branch, right?

44
45 MR. MINARD: Yeah.

46
47 CHAIRMAN O'HARA: Okay.

48
49 MR. MINARD: What I think the chronology is going to be

50 here, I think we're going to go to the Board in November. I

0212

1 think because you've got significant local advisory committee
2 support and general sport fishing industry support, I think
3 you'll see conservative regulations pretty much across the
4 Board for the Alagnak.

5
6 The Feds will be continuing their monitoring program
7 and research work. I think we'll have an opportunity to better
8 understand that fishery, document where it is, and give it a
9 chance to recover over time. I'm fairly confident that those --
10 at least some form of those restrictions will go through the
11 Board process. I'll be very surprised if they don't.

12
13 CHAIRMAN O'HARA: I think if we were to adopt here
14 today some of the recommendations they made we'd be a step
15 forward should this happen to this body after October 1 toward
16 keeping this a healthy river. Tom?

17
18 MR. BOYD: Mr. Chair, just for clarification, so you
19 understand that whenever the Federal Government passes final
20 regulations to assume management of those waters that we will
21 assume we will not -- I mean the State will continue to manage
22 in those waters particularly for other uses. So the
23 regulations that the State will be putting in -- assuming they
24 will be putting some in place according to the proposal that
25 Mac just showed you, those regulations would not necessarily be
26 preempted by Federal regulation. Actually they tend to play
27 into reducing the impact on those fisheries and potentially
28 then impact on subsistence uses of those fisheries. So while I
29 support what you're doing I just wanted to make that clear that
30 we're not preempting State regulation of those waters yet by
31 passing any regulations after October 1.

32
33 CHAIRMAN O'HARA: What do you mean yet?

34
35 MR. BOYD: The State would continue to have authority
36 to regulate and in those waters unless specifically preempted
37 by Federal regulation. We have not done that in our draft
38 regulations, nor do we intend to at this point.

39
40 CHAIRMAN O'HARA: Uh-hum.

41
42 MR. BOYD: If there is an issue that arises where we
43 need to do that we can, but I would say this; the Board of Game
44 and the Alaska Department of Fish & Game have an opportunity
45 when they make regulations regulated or reducing sport hunting
46 -- or sport fishing impacts, they -- I'll use this analogy.
47 They have the ability to do it with a surgeon's knife. When
48 the Board, Federal Subsistence Board takes action against other
49 uses it's more like with a chain saw or a meat cleaver. So I

50 think the fine tuning that the State appears to be doing might

0213

1 be something you would endorse. We would not be able to pass
2 similar regulations concerning sport fishing. Our focus would
3 be primarily subsistence fishing. And if need be we could
4 restrict or eliminate sport fishing.

5
6 CHAIRMAN O'HARA: That's the point.

7
8 MR. BOYD: Yeah.

9
10 CHAIRMAN O'HARA: That's the exact point we need to
11 deal with. We're not going to move over into Mac's territory
12 and deal with those issues unless it becomes a problem with the
13 subsistence user. And we want that to be open-ended by the
14 wintertime meeting. I don't know if that requires a proposal
15 or not. Does it, Tom? I mean a motion or not. It may not.
16 It may be just something that we have as a responsibility.

17
18 MR. BOYD: Well, this is a difficult one because I
19 don't.....

20
21 CHAIRMAN O'HARA: Yeah, it's a real problem. And.....

22
23 MR. BOYD:know what the timing is.

24
25 CHAIRMAN O'HARA:I talked with Sandy earlier
26 about it and I don't know if he would feel comfortable
27 addressing it or not at this time since he's already mentioned
28 it, but.....

29
30 If there's a question we can just leave it like it is.

31
32 MR. BOYD: That would be my recommendation.....

33
34 CHAIRMAN O'HARA: Okay.

35
36 MR. BOYD:to you. I'm not trying to sway you one
37 way or the other, but that would be my recommendation to you.
38 I would even recommend that the Council support, maybe throw
39 some support behind the Department's -- Mac's recommendation to
40 the Board of Fisheries if that's your desire. And.....

41
42 CHAIRMAN O'HARA: I think my concern though, is that
43 the numbers Alaska Department of Fish & Game probably are not
44 dealing with, you know, the number of bodies that end up on
45 that river. And can we address that or not?

46
47 MR. BOYD: Are you talking about....

48
49 CHAIRMAN O'HARA: Number of permits.

0214

1 MR. BOYD:the number of fishermen that are out
2 there?

3
4 CHAIRMAN O'HARA: Yeah.

5
6 MR. BOYD: And it seems to me you're talking about
7 displacement of other uses by the presence of other fishermen,
8 is that what I'm hearing?

9
10 CHAIRMAN O'HARA: In other words, you put too much of a
11 sports effort on that river.....

12
13 MR. BOYD: Yeah.

14
15 CHAIRMAN O'HARA:and it starts declining
16 everything and it starts affecting subsistence that's a concern
17 we have.

18
19 MR. BOYD: Yeah. And if that's your concern then, I
20 guess, you would be trying to contemplate a proposal that deals
21 with the displacement of subsistence uses by the presence of
22 increasing sport use, is that what I'm hearing?

23
24 CHAIRMAN O'HARA: Yeah, that's what you're hearing
25 although we have not had anything in writing from Igiugig,
26 Levelock.....

27
28 MR. BOYD: Right.

29
30 CHAIRMAN O'HARA: you know, they just verbally
31 told me this. So I guess if we don't do something now we go
32 through a whole year before we can come back and address the
33 issue, and that's my concern. Helga, did you.....

34
35 MS. EAKON: Grab it by the horns and do something. The
36 paper will flow. Let the wishes be known is what I say.

37
38 CHAIRMAN O'HARA: All right. Let's endorse Mac's good
39 proposals he had there today. That's good material that we
40 have to deal with. That's good stuff. And then, let's just go
41 one step beyond to say if the thing goes totally out of control
42 with numbers then we're going to have to address that, which we
43 could do quite easily when it becomes a problem. Can you make
44 that proposal on that or not?

45
46 MR. MINARD: Mr. Chairman, those proposals that I
47 reviewed for you, there's seven or eight of them. There's only
48 one Department proposal, but a family of proposals generally
49 push for conservative regulations within the Alagnak Drainage.

50 And they're not -- they're generally local advisory committee

0215

1 or individually sponsored. And a person -- you know, the
2 committee might if you're moving in that direction supporting
3 that generally a letter to the Board Chairman that said, you
4 know, we reviewed this topic. It's been something in front of
5 us for a long period of time. We generally support more
6 conservative management strategy in the sport fishery such as
7 the proposals you have in front of you, rather than picking and
8 choosing and worrying about the details that would give a
9 proposal, might be a -- if I'm hearing you correctly, might be
10 a reasonable option for starters.

11

12 CHAIRMAN O'HARA: Any concerns that we have from the
13 Council? Yeah, Robert?

14

15 MR. HEYANO: Yeah, Mr. Chairman, I guess if I
16 understand where I think this Council wants to go with this
17 issue, let me do a trial motion on it. I guess I would move
18 that we go on record supporting proposals that would reduce the
19 mortality on rainbow trout in the Alagnak River. And those
20 proposals being, I would think, the ones that have the least
21 impact on the local residents. And the other part of the
22 motion would be is that we instruct you to work with staff and
23 further to explore what our jurisdiction is or where our
24 jurisdiction lies in the issue of the number of people that are
25 using it and the displacement factor that's having on the
26 subsistence user in that river.

27

28 CHAIRMAN O'HARA: Is there a second to that motion?
29 Excuse me, did you have more?

30

31 MR. HEYANO: No.

32

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

34

35 MR. ABRAHAM: Second.

36

37 CHAIRMAN O'HARA: All right.

38

39 MS. EAKON: Who second?

40

41 CHAIRMAN O'HARA: Peter. Would you like to address
42 that issue any further?

43

44 MR. HEYANO: No, I guess, Mr. Chairman, does that
45 address the concerns and where we want to go as a Council or
46 did I miss the point?

47

48 CHAIRMAN O'HARA: No, that's fine with me. That's a
49 good start, I think, and we can look at it from there. Any

50 further discussion by Council Members?

0216

1 MR. ABRAHAM: Question.

2

3 CHAIRMAN O'HARA: All those in favor say aye.

4

5 IN UNISON: Aye.

6

7 CHAIRMAN O'HARA: Opposed?

8

9 (No opposing votes).

10

11 CHAIRMAN O'HARA: Okay. Let's deal with the problem
12 that we have, we need to put this into the form of a motion to
13 deal with the Katmai National Park Preserve, the ATV, c&t
14 findings in Igiugig, Kakhonak and Levelock.

15

16 This Council needs to address the issue of the Katmai
17 National Park Preserve for use of ATVs on the c&t findings in
18 that preserve, Kakhonak, Igiugig and Levelock. What are the
19 wishes of the Council?

20

21 MR. HEYANO: Is it your intent that our motion be to
22 instruct staff to make that a high priority or is it your
23 intent that we believe it is a.....

24

25 CHAIRMAN O'HARA: No.

26

27 MR. HEYANO:positive c&t finding?

28

29 CHAIRMAN O'HARA: No. I think we need to -- that's a
30 high priority, I believe, for this Council. I think you've got
31 a conflict already existing in the Kakhonak area that needs to
32 be resolved. And until we put it in the form of a motion to
33 begin working with the Park Service people from this Council, I
34 don't think they -- maybe they have the direction they need to
35 go as the Department of Interior Park Service, but I think we
36 need to have our presence -- make our presence known that we
37 want a c&t finding of ATVs in those areas. I think it's a high
38 priority.

39

40 MR. BOSKOFISKY: Mr. Chairman?

41

42 CHAIRMAN O'HARA: Yes.

43

44 MR. BOSKOFISKY: Wouldn't this RV issue apply to other
45 regions, too, like Aniakchak or -- on RVs, too?

46

47 CHAIRMAN O'HARA: I don't know the answer to that
48 really. I don't even know if there's been any requests for
49 something like that. But I know this request is coming out of

50 these three communities so it'll have to be addressed somehow.

0217

1 MR. BOSKOFISKY: It's been in our SRC down there for
2 years, and according to their studies in whatever they're
3 written up. You know, they're rejecting use of all RVs there,
4 too, and the people have used them for years. They started out
5 with a deal with three wheelers and went on to four wheelers
6 when three wheelers were not being built anymore, so that issue
7 has been there for a long time.

8
9 CHAIRMAN O'HARA: Would you like to make that as part
10 of the motion today then?

11
12 MR. BOSKOFISKY: I would -- I think we need to consider
13 all our -- all of our areas in our region here where we're
14 sitting here dealing with the whole unit as a whole.

15
16 MR. HEYANO: Mr. Chairman, if I might?

17
18 CHAIRMAN O'HARA: Uh-huh.

19
20 MR. HEYANO: I think the issue in the Katmai Park and
21 Preserve with these three communities has been with us now
22 three plus years. And I think, we need to make that as a high
23 priority. And I agree with you that I'd be prepared to make a
24 motion that we draft a letter to the Park people expressing our
25 desire that they make that an extremely high priority. In
26 addition to Alvin's concerns, I think that the Aniakchak or one
27 of the communities down there can make a similar request for us
28 at our next meeting to do the other areas. But I think this is
29 a specific enough issue and it's been with us long enough we
30 need to attempt to get it resolved because as you say there is
31 a lot of conflicts right now going on with the issue. So I
32 would prefer that we just address this issue at this meeting
33 with a letter to the Park people.

34
35 CHAIRMAN O'HARA: Okay. But we won't ignore your
36 request, Alvin, for the next meeting if we could get some -- in
37 other words, Karen here today knows that, you know, ATVs are
38 going in and out of the boundaries and need to be addressed.
39 It's something that's come to us on a request from these
40 communities. We really can't ignore it, so we just need to put
41 it in the form of a motion to deal with it so they can have
42 something to work with and we can begin a procedure. Let's
43 have a motion. Yes?

44
45 MR. HEYANO: You want a motion?

46
47 CHAIRMAN O'HARA: Oh, excuse me. Sandy Rabinowitch, do
48 you want to come up and talk to us?

49

MR. RABINOWITCH: I might have some questions.

0218

1 CHAIRMAN O'HARA: Sure. Give us your name so Meredith
2 here can have you on record.

3
4 MR. RABINOWITCH: Sandy Rabinowitch with the Park
5 Service. Just a question to clarify and make sure that we all
6 understand where we're trying to go. And that as I understand
7 the motion that you're working on here is to make it again
8 clear to the Park Service of your high interest and high
9 priority on this issue as opposed to and what I think you are
10 not doing is making a proposal to the Federal Board. Am I --
11 just -- am I correct? I'm trying to make a separation here
12 between the Federal Board and the Park Service and its duties.

13
14 CHAIRMAN O'HARA: Well, let me ask you a question then,
15 Sandy.

16
17 MR. RABINOWITCH: I see Robert nodding with me, but go
18 ahead.

19
20 CHAIRMAN O'HARA: This doesn't go to the Federal Board,
21 but this -- we deal with the Park Service on this issue?

22
23 MR. RABINOWITCH: I believe personally that that is the
24 most effective way for you to get an answer regardless of what
25 that answer is in the future. In the Federal Board's response
26 to your annual report which lists this as one of your key items
27 and in the Park Service response that ya'll got in the mail
28 recently and Karen talked about here the other day, the Federal
29 Board has gone on record saying that they believe this access
30 issue with ATVs is not a quote, unquote, a Board issue, but
31 it's an agency issue. And then the Park Service letter right
32 on the heels of it that we've gotten to you we went to some
33 length to try to explain that rationale and the logic. It's up
34 to you whether you want to accept that or not. I'm not trying
35 to sell that, but I am trying to clarify the direction of your
36 motion.

37
38 CHAIRMAN O'HARA: Yeah. Okay. Good. We appreciate
39 that.

40
41 MR. RABINOWITCH: And I would further add, that as I
42 think you know though not all the Board members have, that
43 we've been working behind the scenes trying to fully understand
44 the issue. And you've heard Karen make some commitments here
45 about Donald Mike's -- you know, as he comes on board, his
46 efforts and so on. So anyway just clarity helps because I
47 think we can move more quickly.....

48
49 CHAIRMAN O'HARA: That's good. We thank you very much.

50 Thank you very much. We appreciate that. Yeah. Do we have a

0219

1 motion?

2

3 MR. HEYANO: I'll try one, Mr. Chairman.

4

5 CHAIRMAN O'HARA: Okay.

6

7 MR. HEYANO: I move that we support a letter written to
8 the Park people on the issue of ORVs in the Katmai Park and
9 Preserve once again stating our desire to have that a very high
10 priority and get the issue resolved. We know that some of that
11 activity is taking place. The potential for conflicts is
12 probably out there. The other side of that is some of the
13 impacts that ATVs could have on the habitat needs to be
14 addressed.....

15

16 CHAIRMAN O'HARA: Absolutely.

17

18 MR. HEYANO:with this issue, so it's very
19 important for us to get it resolved as soon as possible.

20

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

22

23 MR. ABRAHAM: Second.

24

25 CHAIRMAN O'HARA: Would you like to address the motion?

26

27 MR. HEYANO: No, Mr. Chairman. I think that the past
28 three years or so, you know, pretty much states the need. It's
29 a practice that is occurring and I don't have any idea how
30 great a basis it is, and it's a conflict of use between a use
31 and a regulation, and I just think it's imperative that we get
32 the information so we can make a determination or assist in
33 making a determination one way or the other and go forward with
34 and put some protections in there, hopefully, to address the
35 habitat issues and some of the other issues that arrive with
36 this type of use.

37

38 CHAIRMAN O'HARA: Any further discussion?

39

40 MR. ABRAHAM: Question.

41

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

43

44 IN UNISON: Aye.

45

46 CHAIRMAN O'HARA: Opposed? Any further proposal coming
47 before this Council today?

48

49 We will not overlook the 9(E) by the SRC from the Lower

50 Peninsula on the closure, perhaps, of that area when it comes

0220

1 before us. I think there's going to be pretty restrictive look
2 at it (ph).

3
4 Anything else, gentlemen?

5
6 Okay. We do have a lady that would like to come and
7 address us again. If you want to come up and talk to us.
8 Molly, could you help her with the translation? Can you help
9 her?

10
11 MS. ILAK: (In Yup'ik)

12
13 MS. CHYTHLOOK: She wants to express her thankfulness
14 to the sport fishermen that she came in contact with in the
15 Togiak River. She was in the river and had an accident and was
16 -- had a cut on her forehead and she was bleeding pretty bad.
17 And the sports people that were up there came and helped her,
18 you know, with her cut. And she said that without expressing
19 in public in the past she's had feelings of negativeness
20 towards sports fishermen, but this incident has corrected that.

21
22 MS. ILAK: (In Yup'ik)

23
24 MS. CHYTHLOOK: She said that she can read both English
25 and Yup'ik.

26
27 MS. ILAK: (In Yup'ik)

28
29 MS. CHYTHLOOK: She said she has some comments to make
30 regarding Walrus Island.

31
32 MS. ILAK: (In Yup'ik)

33
34 MS. CHYTHLOOK: She said that in the past when there's
35 meetings going on regarding probably agencies regarding, you
36 know, probably with the regulations and whatnot, she has never
37 been interested in attending until her incident her and her
38 husband had with Walrus Island.

39
40 MS. ILAK: (In Yup'ik)

41
42 MS. CHYTHLOOK: Because she's able to read the
43 newspaper article that came out regarding her and her husband
44 incident at Round Island she after reading the article realized
45 that the information that was written about her and her husband
46 were not true as far as, I guess, their aim to kill the
47 walruses purposely. She said that the reason why they were at
48 Round Island was not to disturb or harvest walrus at that time,
49 but they had stopped in to make a hot drink.

0221

1 MS. ILAK: (In Yup'ik)

2

3 MS. CHYTHLOOK: She said that as they were approaching
4 the island they noticed there was nine walruses that were along
5 the beach, and that attracted their attention because they've
6 always -- her and her husband when they travel the coastline
7 when they see a dead walrus they'll go in and investigate it.
8 And as they were approaching the island they saw the nine
9 walruses get on the beach, but they weren't approachable
10 because it was rough where the nine walruses were.

11

12 MS. ILAK: (In Yup'ik)

13

14 MS. CHYTHLOOK: She said that her court day is
15 approaching and she also wants you to know that when they were
16 -- or when they approached and landed at the island they, at
17 that time, did not realize that they were prohibited. And I
18 guess one of the reason -- or one of their.....

19

20 MS. ILAK: (In Yup'ik)

21

22 MS. CHYTHLOOK:one setback or punishment for
23 going into Round Island was they were threatened -- their skiff
24 was threatened to be taken away from them and -- but to this
25 date it hasn't been taken away. And she's just happy that, you
26 know, she's still not sitting in jail for something that she
27 didn't intend to do in the past.....

28

29 MS. ILAK: (In Yup'ik)

30

31 MS. CHYTHLOOK: She says that historically her and her
32 husband have used Round Island. And when this incident came or
33 when they approached Round Island to possibly, you know, make a
34 hot drink they realized that there wasn't any wood on the
35 island so they moved to Crooked Island to make their hot drink.

36

37 CHAIRMAN O'HARA: Molly, she probably needs to address
38 this issue to the Fish & Wildlife Service --.....

39

40 MS. EAKON: Fish & Game.

41

42 CHAIRMAN O'HARA: Fish & Game because we don't have
43 jurisdiction over it.....

44

45 MS. ILAK: (In Yup'ik)

46

47 CHAIRMAN O'HARA: We appreciate being able to hear.

48

49 MS. CHYTHLOOK: (In Yup'ik)

0222

1 MS. ILAK: (In Yup'ik)

2

3 MS. CHYTHLOOK: Yeah. I guess the information was
4 relayed to her that Fish & Wildlife personnel was here and she
5 just wanted to express her concern. And to her knowledge as
6 you're sitting up there being a Board of -- you know, she
7 wasn't sure what board but she thought that, you know, there
8 was something that you could do, you know.

9

10 CHAIRMAN O'HARA: There isn't anything we can do
11 because we don't deal with.....

12

13 MS. ILAK: (In Yup'ik)

14

15 MS. CHYTHLOOK: She wants to express her thanks for the
16 Board for coming to Togiak this year -- or this time.

17

18 MS. ILAK: (In Yup'ik)

19

20 MS. CHYTHLOOK: She again wants to thank, you know, the
21 agencies for listening to her and she's still not very happy
22 about the newspaper incident.

23

24 CHAIRMAN O'HARA: Thank you very much.

25

26 MS. ILAK: (In Yup'ik)

27

28 MS. CHYTHLOOK: Yeah. Well, she's, you know, thankful
29 for being able to speak here and she has a concern about, you
30 know, if worse comes to worse her husband being an elderly
31 person now, at this time her concern is to -- she doesn't want
32 her husband, you know, put in jail.

33

34 MS. ILAK: Thank you very much. And God bless you all.

35

36 CHAIRMAN O'HARA: Thank you. And Molly, also if we
37 don't get out of here we're going to have to move in with you,
38 so (laughter). That'll get us out of town.

39

40 What's the next item? No more breaks.

41

42 MS. EAKON: We -- if you will look under Table L in
43 your book we're at the renewal of the Regional Council Charter
44 in 1998?

45

46 CHAIRMAN O'HARA: Why do we have to keep doing that
47 every time?

48

49 MS. EAKON: Because we have -- our charter -- your

50 charter expires every two years and, therefore, it must be

0223

1 renewed in even numbered calendar years.

2
3 CHAIRMAN O'HARA: Oh.

4
5 MS. EAKON: And the things that you can change are name
6 change, boundary change, the size of your membership role in
7 specific regional subsistence resource commission appointments
8 and criteria for removing a member. So if there are any -- if
9 you have any request or changes to your charter now is the time
10 to start putting them in motion because it takes awhile for the
11 Federal Board to, you know, by the time they shoot up their
12 recommendations to the Secretary of Interior, okay.

13
14 CHAIRMAN O'HARA: Any changes? Yeah.

15
16 UNIDENTIFIED VOICE: We don't have any in our books
17 here.

18
19 MS. EAKON: You have a copy. It was a loose.....

20
21 UNIDENTIFIED VOICE: There's nothing in there.

22
23 CHAIRMAN O'HARA: It was handed out to you earlier.
24 Anybody want to change the charter?

25
26 MR. ABRAHAM: Mr. Chairman?

27
28 CHAIRMAN O'HARA: Uh-huh.

29
30 MR. ABRAHAM: I guess Tom Boyd had mentioned something
31 about compensation?

32
33 CHAIRMAN O'HARA: Did that have to do with the charter?

34
35 MS. EAKON: No.

36
37 CHAIRMAN O'HARA: No?

38
39 MS. EAKON: That's an issue aside from the charter.....

40
41 MR. ABRAHAM: Oh, okay.

42
43 MS. EAKON:that we're working on.

44
45 MR. ABRAHAM: I think this compensation simply
46 addressed or talked about a lot of us here don't have permanent
47 jobs, but when we do have a temporary job, like for instance,
48 me right now, I sacrifice the words (sic) income I should be
49 getting right now to sit in here. The reason why I sit in here

50 is because to me it's more important to work for the people

0224

1 that I'm representing over here.

2

3 MS. EAKON: Yes. As Tom indicated, the Board is
4 working on the compensation issue, but the things you can
5 specifically recommend are a name change, boundary change,
6 membership and removing a member.

7

8 CHAIRMAN O'HARA: Yeah, Robert?

9

10 MR. HEYANO: Mr. Chairman, I move we adopt the existing
11 Regional Council Charter for the Bristol Bay Federal
12 Subsistence Regional Council.

13

14 CHAIRMAN O'HARA: Is there a second?

15

16 MR. ABRAHAM: Second.

17

18 CHAIRMAN O'HARA: Any further discussion?

19

20 MR. ABRAHAM: Question.

21

22 CHAIRMAN O'HARA: All those in favor say aye.

23

24 IN UNISON: Aye.

25

26 (No opposing votes).

27

28 CHAIRMAN O'HARA: We will not overlook, however,
29 compensation for Council Members.

30

31 MS. EAKON: We -- all of the Councils are looking to
32 that (ph).

33

34 CHAIRMAN O'HARA: What else do we have, Helga?

35

36 MS. EAKON: We are now on the Annual Report Response.
37 Please look under Tab M. You do have a copy of the Federal
38 Subsistence Board reply. And attached to it is Pat
39 McClenahan's wanton waste issue paper. And Robert Heyano did a
40 jump start on that with his motion on the requirements of
41 boning in the field proposal. I do have copies of the Park
42 Service response to the annual report right here. It arrived
43 too late. Our book had already gone to print. And Karen
44 Gustin, is -- is it Karen who's prepared to talk about this?

45

46 CHAIRMAN O'HARA: Is she here?

47

48 MS. EAKON: Is she here? Okay.

49

CHAIRMAN O'HARA: This body will be leaving on the

0225

1 Penair flight at 1:30.

2

3 MS. EAKON: Here's extra copies of the Park Service
4 response to the annual report.

5

6 CHAIRMAN O'HARA: Karen, did you have something you
7 wanted to address this body with?

8

9 MS. GUSTIN: Yes. Karen Gustin, Katmai National Park
10 in King Salmon. Basically I think I pretty much covered
11 yesterday in our synopsis of what we're doing at the Park,
12 respond to those specific items that are addressed in your
13 annual report. And if you have any questions I'd be happy to
14 answer them, but looking at those two or three items in the
15 annual report I pretty much think I addressed those yesterday.

16

17 CHAIRMAN O'HARA: I guess if we were to -- if I were to
18 say something as the Chairman.....

19

20 MS. GUSTIN: Yes.

21

22 CHAIRMAN O'HARA: In the last Department of Fish & Game
23 move (ph) out of King Salmon, we have a Council Member here who
24 wanted to address either silver salmon or king salmon in the
25 Ugashik area and he called up a biologist and said can you get
26 down here and take a look at this? And he said, well, I'm
27 sorry, I'm moving to Anchorage.

28

29 MS. GUSTIN: Uh-huh.

30

31 CHAIRMAN O'HARA: We kind of feel like, you know, it'd
32 be better if the personnel at Katmai National Park were at King
33 Salmon and more out in the area to reach than in Anchorage.

34

35 MS. GUSTIN: Uh-hum.

36

37 CHAIRMAN O'HARA: And we don't want to see -- at least
38 I don't want to see more positions going to Anchorage. And
39 maybe there's a big need for doing whatever has to be done in
40 the office there, but I think on the ground losing position out
41 of King Salmon is something that we'd really like to convey
42 this message to you.....

43

44 MS. GUSTIN: Right.

45

46 CHAIRMAN O'HARA:strongly from this Council. You
47 have a big boundary to deal with.

48

49 MS. GUSTIN: Yeah. I know. And I agree with you. And

50 I would encourage you to put that in a letter form just as an

0226

1 added support for that thought.

2

3 CHAIRMAN O'HARA: Would the Council object to me
4 putting that in the form of a letter? I'll send you a copy
5 before we do it? Yeah. Okay. Great. Thank you.

6

7 MS. GUSTIN: That's a good comment.

8

9 CHAIRMAN O'HARA: Yeah.

10

11 MS. GUSTIN: And I appreciate it.

12

13 CHAIRMAN O'HARA: We really do thank you for listening.
14 Anything else? Thank you very much. Okay.

15

16 MS. EAKON: Pat already mentioned the c&t for fresh
17 water fin fish is going to go if and when we do, the
18 jurisdiction over fisheries on Federal waters. Mac Minard has
19 already given his report on the Alagnak fishery status.

20

21 And do you have any further issues, burning issues that
22 you would like to include in your '97 report?

23

24 CHAIRMAN O'HARA: Any concerns, Council Members? Any
25 burning issues from Council Members?

26

27 MS. EAKON: We -- I just want you to start thinking
28 about this. We're going to take this up again at our winter
29 meeting in full, but please start thinking about other major
30 burning issues that you know of that are not in the '96 report
31 that you would like the Federal Subsistence Board to look at.
32 Okay? And that's it for annual report.

33

34 CHAIRMAN O'HARA: All right.

35

36 MS. EAKON: New member training.

37

38 CHAIRMAN O'HARA: Yeah, new member training, when does
39 that take place?

40

41 MS. EAKON: Go ahead, Robert, and then I'll finish up.

42

43 CHAIRMAN O'HARA: You've got the floor.

44

45 MR. HEYANO: Me?

46

47 MS. EAKON: Yeah. You were at the.....

48

49 CHAIRMAN O'HARA: You've got five minutes to do some

50 serious training.

0227

1 MR. HEYANO: No, no, no, I'm not training, Mr.
2 Chairman. I guess this manual here, Mr. Chairman, is a result
3 of the meetings that you regional chairs have with the Federal
4 Subsistence Board indicating a need for this program to have a
5 condensed version of the rules and regulations and a historical
6 perspective and the duties and obligations of the various
7 boards and a contact people of the various agencies that we
8 deal with very often. This is a result of this manual. And I
9 was called into a meeting in July to go over some draft that
10 the staff had prepared. And there was representation from the
11 various other regional councils. Some subtle changes were
12 made. But I think what the intent of this thing is, is to give
13 new members a real quick overview on what this program is about
14 and what the responsibilities are. But also in here, I think
15 what's very important is that there's references for those
16 members who wish to seek additional information, they know
17 where to go and where to find it. So it's kind of like a handy
18 dandy book.

19
20 CHAIRMAN O'HARA: Okay. Summarizes everything and
21 gets right straight to the point.

22
23 MS. EAKON: And, please, this is still in draft form.
24 If you have any comments please call me at our 800 number. We
25 have received nothing but positive comments on the overview and
26 the manual. And we will have the final -- trying to look at
27 the final at the winter meeting. Peggy Fox and I did have a
28 chance to talk with the new member, Tim Enright, and also Andy
29 Balluta yesterday. And we went over these. That's all I have,
30 Mr. Chair.

31
32 CHAIRMAN O'HARA: Okay. Thank you. Anything else?
33
34 Thank you very much. No motion is needed on that?

35
36 MS. EAKON: No.

37
38 CHAIRMAN O'HARA: Okay. Council comment on Tab O,
39 Helga, what do we have there?

40
41 MS. EAKON: Okay. The next we have is the regulatory
42 year schedule and Tom Boyd has the lead on that.

43
44 MR. BOYD: I'll try to be brief.

45
46 CHAIRMAN O'HARA: There he is.

47
48 MR. BOYD: Tab O is a short explanation of what we're
49 proposing. It's still preliminary. I want to emphasize that.

50 We want to hear from the Councils about these proposed changes

0228

1 to the regulatory cycle. We're trying to make a little more
2 room in the schedule for our staff analysts to do their work
3 between the end of the proposal and end of when we received the
4 proposals at the end of generally October and the time they're
5 presented, the analyses of those proposals are presented to the
6 Councils. We're finding that over the Christmas holidays, in
7 particular, it's not necessarily we don't have enough time,
8 it's just not the right time. The resource material and the
9 sources of information aren't generally available primarily for
10 the biological analyses. Also field surveys aren't completely
11 written up at that point and by putting an extra two or three
12 weeks into the schedule during that period would help the staff
13 basically.

14
15 What it means to you is that it would shift the winter
16 council meetings from generally the February time window, shift
17 it back about a month to March. And it would mean that the
18 Board meeting which normally occurs the first week or so of
19 April would then occur about the first part of May. So we want
20 you to know that this is some of our thinking and to get your
21 feedback on that.

22
23 It does not change the effective date of the
24 regulations.

25
26 CHAIRMAN O'HARA: But the change affects us going to
27 the Federal Board meeting in May. I mean that's.....

28
29 MR. BOYD: Right.

30
31 CHAIRMAN O'HARA: That's a no no. I mean like this
32 year herring went off on May the 3rd. We can't be sitting in a
33 Federal Board meeting when we're dealing with income.

34
35 MR. BOYD: Well, that's what we're trying to get from
36 you.

37
38 CHAIRMAN O'HARA: Okay. We'll comment on that.

39
40 MS. EAKON: Okay.

41
42 CHAIRMAN O'HARA: Yeah, Robert?

43
44 MR. HEYANO: I guess, Mr. Chairman, moving the Regional
45 Councils meetings in the winter to March, I don't see a problem
46 with that. Having the Federal Subsistence Board meet in May I
47 see a potential problem with a conflict with the herring
48 fishery that takes place out here, so.....

49

CHAIRMAN O'HARA: Federal Board will meet in May.

0229

1 MR. HEYANO: Is that what I'm getting? Is that right,
2 Tom, that the Federal -- this proposal is that instead of
3 meeting in April the Federal Board will meet in May?

4
5 MR. BOYD: That's right.
6

7 MR. HEYANO: And I see that as a potential conflict, but
8 the March, I don't see any conflict.
9

10 CHAIRMAN O'HARA: But I don't see how he's going to get
11 his work done in March, I mean, you know, March is going to be
12 a problem because it relates to May. Anyway we can.....
13

14 MR. BOYD: Well, we want your concerns before we
15 go.....
16

17 CHAIRMAN O'HARA: Yeah. I don't see how we can come to
18 you in May. May is not the time to do anything in the way of
19 regulations. And the Federal people work year round, but we
20 are dealing with seasons. So you just may have to go back to
21 dealing with Christmas as far as I'm concerned anyway.
22

23 Okay. We're at a place here then -- did you have more
24 on that? Okay. Thank you.
25

26 Under new business, what's the wishes of the Council?
27 Hey, Robert, you've got a good point. I wanted you to bring up
28 -- Robert mentioned something to me where we don't necessarily
29 have to deal with game issues every year, but I'd like you to
30 maybe address that issue.....
31

32 MR. HEYANO: Oh,.....
33

34 CHAIRMAN O'HARA:where we maybe could every other
35 year deal with fish and game. And then maybe on the off season
36 deal with other issues that might help us get caught up and a
37 little more work done. What do you think?
38

39 MR. HEYANO: Yeah. I guess that was one of the items I
40 had. Thank you, Mr. Chairman. And I wasn't -- I don't think
41 we're seeking any input or support one way or the other from
42 the committee, but I'd like some research done into the -- if
43 we choose to take proposals up on an every other year basis,
44 one if we can, and if we can what the process or the steps to
45 go through. And I think that looking at the fish and game
46 populations in Bristol Bay, for the most part, they're pretty
47 healthy, stable.
48

49 I think we need to spend more time on some of these

50 other problems. And you know, some of it is working closer

0230

1 with the agencies on issues or funding sources and things like
2 that, that it seems to me that are having a larger impact on
3 the resource and the subsistence users than proposals. And in
4 my opinion can have a longer term effect, negative effect if we
5 don't take care of them. The easiest thing to do is to
6 restrict or reduce human effort. And you know, that's real
7 easy but some of these other issues take a long time and if
8 they get too far out of hand it takes a long time to correct
9 it. That's one. Is that something that you can do and maybe
10 report back at a later meeting?

11
12 MR. BOYD: I think so. I think what we're just -- just
13 for your information what we're seeing, and we don't know if
14 it's a trend yet, but we're seeing sort of a downward trend in
15 the total number of proposals we receive every year. We want
16 to evaluate the very kind of thing you're talking about and to
17 see how feasible it is especially as we move toward an expanded
18 role. We may have to make some adjustments just to be
19 realistic about what we think we can accomplish during the
20 year. So your thoughts are well in line with ours, and
21 appreciate them.....

22
23 CHAIRMAN O'HARA: Along that same line if I might just
24 follow up on what Robert said here, Tom. Mac comes to us today
25 and he hyperventilates because he's got to run through this
26 thing, you know.

27
28 MR. BOYD: Yeah.

29
30 CHAIRMAN O'HARA: And everybody's got to catch a plane
31 and be out of here and we've done agencies and we've done
32 proposals and listened to the public. And some people couldn't
33 make it. Some management people should be here that are not
34 here. But I think if we could offset it every other year, if
35 we could sit down and have a little more time, you know, where
36 the agencies could get together and sit down and talk about
37 some of these things, you know. I hate to just say, you know,
38 I think we ought to deal with the barbless hook on the
39 Alakanuk, and then catch these ATVs up in Kakhonak, and we're
40 done and we're out of here. You know, that's not the way to
41 deal with the issue. These are things that are affecting
42 people on the long range basis and because of my business and
43 my schedule I think Robert has an excellent idea that we deal
44 with some of these issues. They're going to be way generations
45 to come that we're going to deal with. We don't plan on this
46 resource failing.

47
48 Any other new business to come before the Council?
49 Yes. Oh, did you have more to deal with on that issue?

0231

1 MS. EAKON: Not this agency. We overlook the agencies
2 when we called for proposals. And Ron Squibb from ATP does
3 have a proposal.

4
5 CHAIRMAN O'HARA: Hey, Ron, come on up here. We
6 apologize for overlooking you.

7
8 MR. SQUIBB: I apologize. I may not have heard the
9 call. So Ron Squibb, Alaska Peninsula/Becharof National
10 Wildlife Refuge complex. And given the time I'll be very
11 quick.

12
13 Regarding the closure of the caribou hunting in the
14 lower part of Unit 9(E). You'll notice on the maps you have or
15 the map on the wall that the pink are the lands where Federal
16 Subsistence regs apply. Basically the present border on the
17 southwest end covers all but a tiny -- you know, less than two
18 square miles of those lands, but there are -- within the border
19 itself and west of there the rest of the lands are selected but
20 unconveyed. If the rule regarding application of Federal
21 subsistence regs to select unconveyed lands changes as I
22 believe it's been planned to be done for the last couple of
23 years and may happen in the near future, then there'd be about
24 300 square miles not covered by that closure from -- you know,
25 in the area between 9(D) and the closure.

26
27 Now, Ron Hood left me with instructions that it was his
28 understanding that the Council's intent was to close all
29 Federal lands to where subsistence regs applied in that area to
30 caribou to see what the response would be. As we discussed
31 yesterday we don't yet know what the response has been. But if
32 it is, indeed, that that's the Council's intent then we would
33 propose to extend the boundary down basically to 9(D) in
34 anticipation of those lands becoming lands where Federal
35 subsistence regs apply.

36
37 CHAIRMAN O'HARA: Is this a housekeeping item.....

38
39 MR. SQUIBB: Yes.

40
41 CHAIRMAN O'HARA:basically? Yes. I would think
42 so. I don't know what the Council Members think. In other
43 words, there's an extension of land that we may have
44 overlooked, fall through the cracks?

45
46 MR. SQUIBB: Well, it was not overlooked because at the
47 time Federal subsistence regulations did not apply on selected
48 but unconveyed. And my understanding is that there are plans to
49 change the rules so that selected but unconveyed lands will be

50 under Federal subsistence regulations as well.

0232

1 CHAIRMAN O'HARA: Tom, did you want to address that
2 issue a little bit?

3
4 MR. BOYD: Just for clarification and just support what
5 Ron is saying. Under the rule-making, the proposed rule-making
6 that's back in Washington that also contains the expansion of
7 fisheries, we've also added a provision that would include -- I
8 mentioned this yesterday or last night, I should say, include
9 lands selected but not yet conveyed within the boundaries of
10 conservation system units, including refuges in this case. So
11 if that Katie John rule were to go in effect and when it goes
12 into effect it will include more lands than are currently in
13 our regulation. So.....

14 CHAIRMAN O'HARA: What are we going to do on this?

15
16 MR. SQUIBB: Basically.....

17
18 MR. BOYD: Just be aware of it, I think.

19
20 MR. SQUIBB: Right. And I -- Ron Hood said he
21 understood that was your intent to close those areas from 9(D)
22 to the northeastern end of that closure that's defined. And he
23 wanted to make sure that there wasn't a gap created in that
24 closure basically.

25
26 CHAIRMAN O'HARA: Is that understandable by all the
27 Council Members? All right. Good. Thank you very much.

28
29 MR. SQUIBB: So that was -- in other words, we should go
30 ahead, that agrees with your intent on that closure, right?

31
32 CHAIRMAN O'HARA: Yes. Absolutely.

33
34 MR. SQUIBB: Thank you.

35
36 CHAIRMAN O'HARA: Thank you very much. Okay. Helga,
37 where are we at here, under new business though?

38
39 MS. EAKON: I think Robert had another new business.

40
41 CHAIRMAN O'HARA: Okay. Robert, you have the floor.

42
43 MR. HEYANO: Okay. Mr. Chairman, I guess the other
44 issue that I'd like to explore and maybe direct the appropriate
45 staff is back to the wanton waste issue.

46
47 CHAIRMAN O'HARA: Okay.

48
49 MR. HEYANO: And my past experience has been is the

50 problem with the existing regulation is the definition of

0233

1 edible. And I would like to maybe work with the staff or have
2 the staff come back to report this if we can, in fact, come up
3 with a definition that could be enforceable on what edible is.
4 The way the regulation currently reads is that because there is
5 no set definition is that a hunter in the field can bring all
6 the meat back to the community, take the meat out to the dump,
7 dispose of it, and there's no violation. And I think if we're
8 ever going to get a handle on the wanton waste issue we need to
9 come up with a definition of what edible is. If that's
10 possible. I know there's been a lot of talk and a lot of
11 discussion in other boards and groups on why that hasn't been
12 done to date. But I think that's what we need to explore.

13
14 CHAIRMAN O'HARA: Okay. Is that okay, Tom?

15
16 MR. BOYD: If you're asking us to explore and research
17 and try to come up with some options, yeah, I think that's
18 reasonable.

19
20 CHAIRMAN O'HARA: Yeah. We can certainly help you out.

21
22 MR. BOYD: And Dave here was just telling me what some
23 of this thoughts were and he's hot on it, so.....

24
25 CHAIRMAN O'HARA: Okay. All right.

26
27 MR. FISHER: Maybe I could maybe appoint Robert to my
28 committee.

29
30 CHAIRMAN O'HARA: He has an 0800 number.
31 Any other?

32
33 MR. FISHER: A line item veto.

34
35 CHAIRMAN O'HARA: Any other new business, Council
36 Members? The time of the next meeting unless we object to it
37 will be Dillingham and we'll have to work with Helga on working
38 our schedule in with everyone else's time frame and all the
39 other councils that meet. Is that right?

40
41 MS. EAKON: That is correct, Mr. O'Hara.

42
43 CHAIRMAN O'HARA: Okay.

44
45 MR. BOSKOFKY: I'll leave it up to the call of the
46 chair.

47
48 CHAIRMAN O'HARA: All right. Okay. What else do we
49 have? Adjournment?

0234

1 MS. EAKON: That is it.

2
3 CHAIRMAN O'HARA: A motion.

4
5 MR. ABRAHAM: I make a motion to adjourn the meeting.

6
7 CHAIRMAN O'HARA: Second?

8
9 MR. BOSKOFISKY: Second.

10
11 CHAIRMAN O'HARA: All right. We're out of here.

12
13 MS. EAKON: Oh, Ida Hildebrand said thank you. She
14 enjoyed the meeting.

15
16 CHAIRMAN O'HARA: Okay.

17
18 (Off record - 1:00 p.m.)

19
20 (END OF PROCEEDINGS)

21
22 * * * * *

C E R T I F I C A T E

UNITED STATES OF AMERICA)

) ss.

STATE OF ALASKA)

I, Rebecca Nelms, Notary Public in and for the State of Alaska and Reporter for R & R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 02 through 234 contain a full, true and correct Transcript of the Bristol Bay Subsistence Regional Advisory Council meeting taken electronically by Meredith L. Downing on the 23rd and 24th and days of September, 1997, beginning at the hour of 1:00 o'clock p.m. at the Togiak Senior Center in Togiak, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by Meredith L. Downing and me to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 1st day of October, 1997.

Notary Public in and for Alaska

My Commission Expires: 10/10/98