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1 BRISTOL BAY FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3

4 PUBLIC MEETING

5

6 VOLUME I

7

8 Dillingham, Alaska

9 February 27, 2003

10 1:00 o'clock p.m.

11

12

13 COUNCIL MEMBERS PRESENT:

14

15 Daniel O'Hara, Chairman

16 Peter Abraham

17 Andrew Balluta

18 Robert Heyano

19 Boris Kosbruk, Sr.

20 Robin Samuelson

21

22 Coordinator: Clifford Edenshaw

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1 PROCEEDINGS

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3 (Dillingham, Alaska - 2/27/2003)

4

5 (On record)

6

7 CHAIRMAN O'HARA: We will call the
8 meeting to order and it looks like it's about five after
9 the hour. I'd like to ask Cliff, if he would call our
10 roll call and see if we have a quorum here today, if you
11 would, please.

12

13 MR. EDENSHAW: Thank you, Mr. Chair. For
14 the record my name is Clifford Edenshaw. I'm the
15 regional coordinator for the Bristol Bay Council. I'll
16 call roll.

17 Andrew Balluta.

18

19 MR. BALLUTA: Here.

20

21 MR. EDENSHAW: Robert Heyano.

22

23 MR. HEYANO: Here.

24

25 MR. EDENSHAW: Peter Abraham.

26

27 MR. ABRAHAM: Yes.

28

29 MR. EDENSHAW: Daniel O'Hara.

30

31 CHAIRMAN O'HARA: Here.

32

33 MR. EDENSHAW: Shirley Kelly, absent.

34 Robin Samuelsen.

35

36 MR. SAMUELSEN: Here.

37

38 MR. EDENSHAW: Boris Kosbruk, Sr.

39

40 MR. KOSBRUK: Here.

41

42 MR. EDENSHAW: Mr. Chair, there is a

43 quorum.

44

45 CHAIRMAN O'HARA: Well, that's good.
46 Boris, it's nice to have you on board with us. We
47 appreciate you becoming an advisor on the Council, and
48 we're delighted that the Perryville, Chigniks, Port
49 Heiden area is going to have some representation. It's
50 been a long time so we really appreciate you being here

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1 with us today. We welcome you.

2

3 MR. KOSBRUK: Thank you.

4

5 CHAIRMAN O'HARA: In a way of
6 introductions today, I realize I just jokingly said to
7 one of the -- a couple of the Federal Board members, that
8 we have enough of them here with a quorum of their
9 associates that we just might have a Federal Board
10 meeting instead of a Advisory Council meeting, and give
11 Robin and Robert a break here from all the hard work that
12 they do and some of the things they do.

13

14 But we're glad to have them on board
15 today. And I'd like to go around, if we could, and you
16 heard the introductions of the Council, and if you could
17 give your name and maybe tell us who you're with we'd
18 appreciate that, starting over here with our court
19 reorder.

20

21 MS. HILE: My name is Salena, and I'm the
22 court recorder for the day.

23

24 MR. ARCHIBEQUE: Aaron Archibeque, I'm
25 the Refuge Manager for Togiak National Wildlife Refuge.

26

27 CHAIRMAN O'HARA: Okay.

28

29 MR. SCHWANKE: Craig Schwanke, fisheries
30 biologist for the Sportfish Division of Fish and Game.

31

32 MR. DYE: Jason Dye, fisheries biologist
33 with Sportfish Division, Dillingham.

34

35 MR. COLLINS: Craig Collins, Sportfish
36 Division, Fish and Game

37

38 MR. FISHER: Dave Fisher, Fish and
39 Wildlife Service, Anchorage.

40

41 MR. LAPLANT: Dan LaPlant, wildlife
42 biologist with the Office of Subsistence Management,
43 Anchorage.

44

45 MS. MCCLENAHAN: Pat McClenahan. I'm a
46 Staff anthropologist for the Office of Subsistence
47 Management.

48

49 MR. FRIED: Steve Fried, fisheries
50 biologist with the Office of Subsistence Management.

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1 MR. HAYNES: Terry Haynes. Alaska
2 Department of Fish and Game, Wildlife Conservation
3 Division.

4
5 CHAIRMAN O'HARA: Good to see you again,
6 Terry.

7
8 MR. KRIEG: Ted Krieg. Subsistence
9 Division, Fish and Game.

10
11 MR. ADERMAN: Andy Aderman, wildlife
12 biologist, Togiak Refuge.

13
14 MS. HILDEBRAND: Ida Hildebrand, BIA
15 Staff Committee member.

16
17 MR. BOS: Greg Bos, Fish and Wildlife
18 Service, Staff Committee member, Anchorage.

19
20 MR. SQUIBB: Ron Squibb, biologist.
21 Alaska Peninsula Becharof Refuge.

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23 MR. BUKLIS: Larry Buklis, fishery
24 biologist with the Office of Subsistence Management.

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26 MS. GOTTLIEB: I'm Judy Gottlieb with the
27 National Park Service, Federal Subsistence Board.

28
29 MR. LONS: Daryle Lons, Refuge manager
30 for the Alaska Peninsula Becharof National Wildlife
31 Refuge.

32
33 MR. EDWARDS: Gary Edwards. I'm Deputy
34 Regional Director, Fish and Wildlife Service and sit on
35 the Board.

36
37 MR. LARSON: Jim Larson, Fish and
38 Wildlife Service, King Salmon Fisheries Office.

39
40 MR. EDWARDS: Mike Edwards, fisheries
41 biologist, King Salmon Fisheries Office.

42
43 MR. GWINN: Dan Gwinn, fisheries
44 biologist, Togiak Refuge.

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46 MR. LUNDERSTADT: Carl Lunderstadt. I'm
47 the Deputy Manager for the Togiak National Wildlife
48 Refuge.

49
50 MR. LISAC: Mark Lisac. I'm also a fish

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1 biologist, Togiak Refuge.

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3 MR. SANDS: Tim Sands. I'm a commercial
4 fisheries biologist for Alaska Department of Fish and
5 Game, Dillingham.

6

7 MR. ANDERSEN: Ralph Andersen, Bristol Bay
8 Native Association.

9

10 MR. FINK: Lee Fink, Lake Clark National
11 Park, chief of operations.

12

13 MR. RABINOWITCH: Sandy Rabinowitch,
14 National Park Service, Staff Committee to the Federal
15 Board.

16

17 MS. MCBURNEY: Mary McBurney, Subsistence
18 Program Manager for Aniakchak and Lake Clark National
19 Park.

20

21 MR. NELSON: Dave Nelson with the
22 National Park Service. I'm a fisheries biologist working
23 out of Anchorage.

24

25 MR. LIND: Orville Lind, Ranger with Fish
26 and Wildlife Service, Alaska Peninsula Becharof National
27 Wildlife Refuge.

28

29 MR. DUNAWAY: Dan Dunaway. I'm a
30 Dillingham resident.

31

32 CHAIRMAN O'HARA: Good. We're
33 introducing ourselves, tell us.

34

35 MR. CHRISTOPHER: Peter Christopher from
36 New Stuyahok.

37

38 CHAIRMAN O'HARA: Nice to have you today,
39 Peter. Why don't we go over here to the Board, starting
40 with Andy, let us know where you're from.

41

42 MR. BALLUTA: I'm from Iliamna with the
43 Regional Council.

44

45 CHAIRMAN O'HARA: Introduce yourself.

46

47 MR. KOSBRUK: Boris Kosbruk, Perryville,
48 Alaska.

49

50 MR. HEYANO: Robert Heyano from

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1 Dillingham.

2

3 CHAIRMAN O'HARA: Dan O'Hara, Naknek.

4

5 MR. SAMUELSEN: Robin Samuelson,

6 Dillingham.

7

8 MR. ABRAHAM: Pete Abraham, Togiak.

9

10 MR. EDENSHAW: I'm Cliff Edenshaw, the
11 Coordinator here in Anchorage with OSM.

12

13 CHAIRMAN O'HARA: Okay, thank you. And I
14 do really appreciate the Board, Judy Gottlieb and Gary
15 Edwards and other high ranking Staff who actually take an
16 active role in the management of the subsistence program.
17 We appreciate you taking time to be here today and we
18 welcome you.

19

20 I think that's all we have today in the
21 way of a welcome. I'd like to take a look at the agenda,
22 number 4. If we could take election of officers and move
23 that back to under No. 13, new business, would that be
24 okay with the rest of the Board?

25

26 (Council nods affirmatively)

27

28 CHAIRMAN O'HARA: Any other changes we
29 have on the agenda Council members? Yes.

30

31 MR. EDENSHAW: Mr. Chair, just for some
32 additional information here, Item No. 8, the Togiak
33 Refuge is going to provide a powerpoint presentation. So
34 when we get down to that portion of the agenda, it's more
35 informational as well as under No. 11. Under 11C there
36 are some presentations and Mike Edwards in the back here
37 will also provide a presentation and that will likely be
38 tomorrow. And if you look under No. 13 as well, we've
39 included from this past year fisheries cycle, deferred
40 Proposal FP03-05, which is herring and herring roe on
41 kelp and then we've also included rainbow trout. That
42 wasn't a deferred portion of it but this is the time for
43 the Council and the public to submit fisheries proposals
44 for the region, so at least for here in this region. So
45 at that time, Pat will also update the Council.

46

47 As you recall this past year before the
48 Board met the Council met via teleconference and went
49 through Proposal 6A, which at that time was addressing
50 the customary and traditional use for rainbow trout. So

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1 we wanted to go ahead and put that back up on the table
2 for the Council.

3

4 And if you look also under No. 12, BLM,
5 Jeff Denton is not here. He's flying some additional
6 surveys for work that he had to do, he conveyed to me via
7 e-mail. And that's all I have in terms of changes on the
8 agenda.

9

10 CHAIRMAN O'HARA: Council members, any
11 other changes? Yes.

12

13 MR. HEYANO: Thank you, Mr. Chair. We,
14 January of '02, I believe it was, sat down with Steve
15 Fried and Cliff and came up with some draft criteria that
16 we were going to discuss and adopt as we go through these
17 requests for fishery programs. I don't recall us ever
18 doing that. I was just wondering if we could have that
19 on the agenda for this meeting.

20

21 CHAIRMAN O'HARA: Robert, would you like
22 that under 8 or where do you want it? Which part of the
23 agenda do you want that at?

24

25 MR. HEYANO: I don't know, we could do it
26 under other new business, Mr. Chairman, I guess.

27

28 CHAIRMAN O'HARA: Okay, now, what's the
29 title of that going to be?

30

31 MR. HEYANO: We developed draft criteria
32 for this Council's review on what the process we were
33 going to go through when we make recommendations to the
34 full Board for funding for fisheries projects.

35

36 MR. EDENSHAW: Mr. Chair. Maybe Steve
37 would like to come up to the table and address that but
38 the meeting Robert was alluding to was in January, Robin,
39 Robert and I and Steve, the four of us met here in
40 Dillingham and those are regarding a five year plan that
41 the Council was also interested in formulating but those
42 criteria that Robert mentioned, we brought those up at
43 the last meeting in Naknek, but we were unable to address
44 those.

45

46 But Steve could also possibly put that in
47 under, if you look under F, Robert, under the strategic
48 planning issues and information needs and perhaps Steve
49 could bring those criteria up in there for discussion.

50

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1 CHAIRMAN O'HARA: What number?

2

3 MR. EDENSHAW: Eleven.

4

5 CHAIRMAN O'HARA: Eleven.

6

7 MR. EDENSHAW: That would probably just
8 be between A and B or after B.

9

10 CHAIRMAN O'HARA: Did you get something
11 written up on that that we're going to be able to look at
12 -- okay, we'll fit that in there, that will be fine then,
13 if that's okay with you Robert?

14

15 MR. HEYANO: Yes, thank you, Mr.
16 Chairman.

17

18 CHAIRMAN O'HARA: Okay. Anything else
19 that the Council members would like to see on the agenda
20 before we make a motion to approve it?

21

22 (No comments)

23

24 CHAIRMAN O'HARA: Okay, I'd like a motion
25 to approve the agenda.

26

27 MR. SAMUELSEN: So moved.

28

29 CHAIRMAN O'HARA: Robin moved. Second.

30

31 MR. ABRAHAM: Second the motion.

32

33 CHAIRMAN O'HARA: Okay, Pete seconded
34 that.

35

36 Okay. No discussion.

37

38 (No comments)

39

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

42

43 IN UNISON: Aye.

44

45 CHAIRMAN O'HARA: Opposed.

46

47 (No opposing votes)

48

49 CHAIRMAN O'HARA: Okay, the aye's have
50 it. And we have the minutes of our last meeting. If you

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1 would like to give us corrections for the minutes, then
2 I'd like to have approval.

3

4 MR. HEYANO: Mr. Chair, I would move that
5 we adopt the February -- or excuse me, September 30,
6 October 1, '02 minutes.

7

8 CHAIRMAN O'HARA: Is there a second.

9

10 MR. BALLUTA: Second.

11

12 CHAIRMAN O'HARA: Okay. Andy seconded
13 it. Discussion on the minutes, corrections, anything
14 needed to be taken out of the minutes.

15

16 (No comments)

17

18 CHAIRMAN O'HARA: Hearing none. All
19 those in favor say aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN O'HARA: Opposed.

24

25 (No opposing votes)

26

27 CHAIRMAN O'HARA: Aye's have it. Under
28 the agenda item, you'll find under B a Chair's report,
29 and I'll be sharing this with several people today. But
30 there's a letter, we get standard, pretty much letter
31 that we receive on an annual basis from the Federal Board
32 and it's addressed to me under Tab B, and there's
33 several, you know, statewide proposals. It talks about
34 many things in this letter and I just want to draw your
35 attention to it. If you have any comments on it,
36 certainly you can do so, otherwise we'll go down to
37 customary trade and before we have Dan LaPlant, I believe
38 it is, I'd like to have Robin -- come on up, Dan, and sit
39 down, Robin, I know went to the meeting in Anchorage and
40 I was not able to attend that meeting, but, I read the
41 minutes and I thought it really interesting what had
42 taken place.

43

44 Robin, do you want to make a minute
45 before Dan talks to us here today?

46

47 MR. SAMUELSEN: Yeah, well, thank you,
48 Mr. Chairman. I guess the most important aspect of what
49 the Federal Subsistence Board did was develop customary
50 trade. But also a very important component of their

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1 motion was that the Regional Councils, region by region
2 would be able to look at it.

3

4 I am pretty -- as a RAC member and as a
5 subsistence user, born and raised in Bristol Bay, I'm
6 pretty worried about the developments, not so much what
7 the Board did but the implication and possibly the change
8 in administration and possibly this title wave that seems
9 to be mounting to reenter and reopen ANILCA. But I think
10 that this RAC is going to have to tackle that problem and
11 set the limits for Federally-qualified subsistence users
12 in Bristol Bay. Because from the testimony from the
13 other Regional Councils, it was anywhere from no limit to
14 the \$400 limit to \$1,000 limit.

15

16 They did not, if my memory serves me
17 correctly, I didn't bring my minutes, but I don't think
18 -- one of the criteria that this Board wanted in there,
19 and it was contingent upon whether this Council would
20 back it or not, was the reporting requirements. And
21 reporting requirements did not pass so voted against the
22 -- recommended against it, but the motion did pass the
23 Board.

24

25 CHAIRMAN O'HARA: Okay. Before we have
26 Mr. LaPlant talk to us today, this customary trade thing
27 is, I think, we've already outlined what we want to do.
28 This Council is pretty straightforward in what we want.
29 And I think that I would not buy off on any program that
30 did not have a reporting system of some kind. And we're
31 used to doing that. Every time we use the Alaska
32 Department of Fish and Game, take for our salmon in the
33 summertime, we fill out a report and we're used to doing
34 it and it's not a problem. And if we don't have it I
35 don't think the system is going to work.

36

37 Dan LaPlant, did you want to make a
38 comment, if you would, please?

39

40 MR. LAPLANT: Yes, Mr. Chairman, members
41 of the Council.

42

43 CHAIRMAN O'HARA: Okay, you're going to
44 have to give your name now, and you have to speak loud
45 enough for the person in the back to hear.

46

47 MR. LAPLANT: Okay.

48

49 CHAIRMAN O'HARA: Okay.

50

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1 MR. LAPLANT: And for the record my name
2 is Dan LaPlant. I'm with the Office of Subsistence
3 Management. I'm the wildlife liaison who works between
4 the Office of Subsistence Management and the Alaska Board
5 of Game. And I'll be providing you some information here
6 on the customary trade issue. There is a briefing paper
7 in your booklet on Page 29 behind Tab B, and this was
8 intended to be the written briefing for you but I can
9 certainly go over the highlights of the item.

10
11 And as it says here in the briefing
12 paper, the Federal Subsistence Board did meet on January
13 14th and they adopted new regulations clarifying
14 customary trade practices of subsistence caught fish,
15 their parts and their eggs. Through the most important
16 components of the regulation that the Federal Board
17 adopted, was that it provided for unlimited customary
18 trade between rural residents, which this encompasses the
19 majority of the customary trade exchanges that take place
20 in the state. So again, unlimited customary trade
21 between rural residents. And it also, in that respect
22 gets rid of the language that's in the old regulation or
23 the current regulation, identifies significant commercial
24 enterprise, a term that wasn't defined in current
25 regulation that caused problems. So the new regulation
26 gets rid of that term and, again, provides unlimited
27 customary trade between rural residents.

28
29 It also prohibits the sale to and the
30 purchase of subsistence harvested fish by commercial
31 businesses or by businesses, as well as it also prohibits
32 the sale of subsistence harvested fish to anyone by non-
33 rural residents. So non-rural residents are not
34 permitted to sell subsistence caught fish, they can
35 receive subsistence fish caught fish but they cannot sell
36 it. And subsistence caught fish cannot be sold by rural
37 residents to businesses.

38
39 And the other requirement, major
40 requirement is that non-rural resident purchases of
41 subsistence harvested fish must be used for their own use
42 of family consumption. So subsistence caught fish sold
43 to non-rural residents, again, cannot be resold.

44
45 The regulatory language does not include,
46 as you mentioned, regional specific provisions that were
47 recommended by several of the Regional Councils. In most
48 cases, effective administration of the provisions of
49 dollar limits and percentages of harvest to be retained
50 would entail harvests and sales record keeping

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1 requirements that the Board determined would be
2 burdensome to subsistence users and the administering
3 agencies.

4
5 The regulation wording prohibiting
6 transactions with and by subsistence -- excuse me,
7 businesses and the sale of subsistence fish by non-rural
8 individuals should accomplish the intent of the Regional
9 Councils recommendations without undue intrusion into the
10 practices of subsistence users.

11
12 If a need for region-specific regulations
13 to identify following -- is identified following the
14 implementation of the regulations, these regulations can
15 be revised in the annual regulatory review cycle.

16
17 Keep in mind this regulation is under
18 Subpart B of the regulations and is subject to annual
19 review. So again, if region-specific regulations are
20 identified as needed, those can be submitted in future
21 years.

22
23 The other point I'd like to make is that
24 the ANILCA regulations recognize both barter and
25 customary trade. And I'd like to make sure that there's
26 clear understanding of the difference between barter and
27 customary trade. Barter is defined as the exchange of
28 fish or wildlife or their parts taken for subsistence
29 uses in exchange for other fish or game or their parts or
30 for other food or for non-edible items, again, in
31 exchange for other than money. So that's barter.

32
33 Customary trade involves exchange of
34 subsistence resources for money. Again, this regulation
35 only addresses customary trade. So barter regulations
36 have not changed as a result of this decision by the
37 Board. So, again, just customary trade.

38
39 And the complete regulations are again
40 described for you on Page 30. And there's also a
41 question and answer handout, I believe it was circulated,
42 if not, it's on the table over there on customary trade.

43
44 So, Mr. Chairman, that's the presentation
45 on customary trade.

46
47 CHAIRMAN O'HARA: Okay. Any questions of
48 Mr. LaPlant?

49
50 I wonder if we could -- Robin, maybe we

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1 could ask a question of you. Under the customary -- the
2 barter system, the one you don't pay money for, you just
3 exchange with each other, exchange of wildlife and their
4 parts, are we asking for a permitting system on that or
5 it's just the commercial part we're dealing with?
6

7 MR. SAMUELSEN: If my memory serves me
8 correctly, Mr. Chairman, it was the commercial that we
9 were having heartburn with.

10
11 CHAIRMAN O'HARA: Right.

12
13 MR. SAMUELSEN: Trading between me
14 shipping Boris down caribou and Boris shipping me up
15 hooligans, wasn't a concern.

16
17 CHAIRMAN O'HARA: Uh-huh.

18
19 MR. SAMUELSEN: If I decided to sell it
20 to a non-qualified rural resident, I give it to a non-
21 qualified rural resident, that was the concern.

22
23 CHAIRMAN O'HARA: Okay. This may not be
24 a fair question to ask, but this is one of the most
25 difficult issues, I think, that the Council is going to
26 have to deal with. And is it possible for us to have a
27 reporting system if the neighboring Council does not have
28 a reporting system? Could that be brought into the
29 regulations?

30
31 MR. LAPLANT: Well, Mr. Chairman, that's
32 a decision that the Federal Board could make following
33 the submission of a proposal in subsequent years, yes.

34
35 CHAIRMAN O'HARA: Uh-huh.

36
37 MR. LAPLANT: Those decisions are the
38 authority of Federal Subsistence Board and could be
39 recommended by the Council, but the final decisions rests
40 with them.

41
42 CHAIRMAN O'HARA: Yeah, I think that --
43 well, will all the Councils maybe have a little differing
44 type regulations as far as customary trade and barter
45 goes or are they all going to be lumped together with one
46 regulation we all have to be in a straight line?

47
48 MR. LAPLANT: Mr. Chairman, currently the
49 new regulation that the Board passed treats all regions
50 the same.

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1 CHAIRMAN O'HARA: Okay.

2

3 MR. LAPLANT: All Councils fall under the
4 same regulations, again, unlimited customary trade with
5 rural residents and customary trade is permitted to non-
6 rural residents, but those non-rural users cannot resell
7 those fish. So that's the -- probably the most
8 significant part of the decision, those fish cannot be
9 resold. But that law applies, that regulation applies to
10 all regions.

11

12 CHAIRMAN O'HARA: Okay, thank you.
13 Council members, yes, Pete.

14

15 MR. ABRAHAM: Last year I attended YK at
16 Tuntutuliak and I talked to several Board members over
17 there about customary trade and barter, they don't want
18 no change. They've been dealing with this for hundreds
19 and hundreds of years.

20

21 And in the Togiak area, it's not going to
22 affect anything over there unless it comes to permitting,
23 when you start using a permit system. And that's brought
24 up a lot of questions, why?

25

26 Other than that, YK area, been doing that
27 for years. So the RAC members over there were in favor of
28 not changing what they've been doing for past hundreds
29 and hundreds of years.

30

31 But this regulation over there being
32 passed, that's going to confuse a lot of people. It was
33 a divided type thing. You know, you try to approach it
34 from different directions and it is still divided. One
35 area has its own way of life and the other is different.

36

37 That's all.

38

39 CHAIRMAN O'HARA: Robin.

40

41 MR. SAMUELSEN: I guess this is just
42 based on the honor system, on Page 30, Number 12, where
43 transaction between a rural resident and other is
44 permitted so if I've got a brother in law living down in
45 Indiana and I ship him down fish and he's married into
46 another family down there and he's got a brother in law
47 that is a pretty enterprising brother in law and he gets
48 on eBay and starts selling some of the fish that I gave
49 my brother in law, there's a disconnection there between
50 the transaction between me and my brother in law and his

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1 brother in law starts selling fish, is he connected to my
2 subsistence fish back in the region or is he
3 disconnected?

4
5 The way I read it, the only two people
6 here who are at risk are number 1, the subsistence user
7 and the non-qualified subsistence resident that he gives
8 it to. But once it goes into a third party.....

9
10 MR. LAPLANT: Mr. Chairman. Member
11 Samuelsen. My understanding, you know, kind of briefly
12 stated, that once the fish is sold to a non-rural
13 resident it cannot be sold again. So in absence of a
14 record keeping system, there may be some difficulties in
15 enforcing that and some modifications may be needed in
16 the future depending on whether problems arise. But the
17 general rule to follow is that once the fish are sold
18 from a subsistence user to a non-rural resident, from a
19 rural resident to a non-rural resident, those fish cannot
20 be sold -- or resold.

21
22 Now, the Board recognized that, you know,
23 they received numerous recommendations from various
24 Regional Councils with limitations on dollar amounts and
25 percentages and they recognized, through their decision,
26 that further decisions may need to be made to address
27 some area-specific or region-specific problems. If you
28 look at this as being the first step in addressing the
29 customary trade issue, but the Board felt that this was
30 the best first step to take and where regional
31 differences are needed in the future those can be
32 submitted as proposals in future years and be addressed
33 as all regulatory proposals are addressed.

34
35 CHAIRMAN O'HARA: Any other questions
36 Council members?

37
38 If you want to testify you can fill out a
39 blue card. Who has the blue cards here? All right.

40
41 Why did the Federal Board not want to go
42 with a reporting system?

43
44 MR. LAPLANT: Mr. Chairman, there may be
45 others here that might be able to speak to that as well,
46 but I believe the main reason was that it would create a
47 cumbersome system for subsistence users and there has
48 been, you know, as member Abraham stated that, you know,
49 customary trade has been going on for hundreds and
50 thousands years and the Board wanted to facilitate that

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1 customary trade, allow it to continue with as little
2 impact on the subsistence user as possible. So they felt
3 that the decision that they made addressed the majority
4 of the concerns and allowed that traditional customary
5 trade to continue by not allowing fish to be resold.
6 Hopefully that will address the majority of the issues
7 and, again, subsequent proposals can be presented in the
8 future when new problems arise and identified.

9

10 CHAIRMAN O'HARA: Any other questions?

11

12 MR. HEYANO: Yes.

13

14 CHAIRMAN O'HARA: Robert.

15

16 MR. HEYANO: Just a comment, Mr.
17 Chairman. I think the first paragraph, the Board's final
18 rule sets enforceable regulations. I have to take
19 exception with that, I guess, I can't see anything
20 enforceable with this new set of regulations. Unless you
21 stumble across somebody who's not following the letter of
22 the law there, there's no way to track, no way to know.
23 There's no way to know even where those fish parts are
24 going. So I think without some type of recording system
25 it's an unenforceable law, regulation.

26

27 And I think that at our fall meeting we
28 heard public testimony where individuals thought there
29 shouldn't be any restrictions to it because they wanted
30 the opportunity to replace their income that was lost due
31 to commercial fisheries. And I think those are the type
32 of things we need to be aware of when we address this
33 issue again to make sure that the people who, for
34 whatever reason elect to abuse the privilege, it's
35 enforceable and can get a conviction upon it.

36

37 CHAIRMAN O'HARA: Well, I got a feeling
38 we'll be knocking on your door again, Bristol Bay will be
39 and we'll have to redraft and rethink the process because
40 we're not happy with the Federal Board's decision on not
41 having a follow-up system of some kind.

42

43 Bristol Bay has 2,800 permit holders and
44 we look at everything very carefully on these issues and
45 reporting, could be cumbersome, but I think it's going to
46 be necessary.

47

48 Council members any other questions you
49 might have?

50

00017

1 (No comments)

2

3 Is that it, Mr. LaPlant?

4

5 MR. LAPLANT: Yes.

6

7 CHAIRMAN O'HARA: Thank you very much we
8 appreciate your comments on that. The annual report
9 under C there is pretty much self-explanatory.

10

11 If there's any issues or concerns that
12 you might want to deal with on that. I guess since we
13 last saw you we did get a ruling on the rainbow trout
14 subsistence issue, and we appreciate the Federal Board's
15 help on that. It was good that Mr. Chairman helped us
16 out, we were all pretty busy but he made a provision for
17 us to be able to deal with the issue and the regulation
18 that we -- the proposal that we made passed and we
19 appreciate that.

20

21 Statewide rural determination.

22

23 Yes, excuse me, did you have a comment?

24

25 MR. EDENSHAW: Mr. Chair, getting back to
26 -- I just had a few comments regarding the 2002 annual
27 report. There is still.....

28

29 CHAIRMAN O'HARA: That's Page 31.

30

31 MR. EDENSHAW:in my discussion, I
32 called -- before Boris was appointed, but I contacted all
33 the Council members and from their previous 2001 annual
34 report and from the minutes of the last meeting, these
35 were the issues that I compiled to submit in this report.
36 Now, at our next meeting in the fall, between now and
37 then the Board will finalize these issues. So if the
38 Council, at this time, has any other issues they would
39 like submitted for this report we still have time to do
40 that and then when we get back and meet in the fall in
41 Naknek, there will be a Board response to these issues.

42

43 If you look on Page 31 under Tab B, the
44 wolf census, I was talking with Orville at lunch time and
45 perhaps Ron, or even Terry Haynes could address -- it's
46 self-explanatory in here because the Council was, in the
47 past, the previous meetings, concerned about how many --
48 does anyone have a definitive count of how many wolves
49 are out there in 9 and 17. Now, that was one of the
50 issues that was raised.

00018

1 You go on to Page 32, there was questions
2 brought up at the previous Council meeting about how many
3 guides and outfitters and there was concern of wanton
4 waste out there in Unit 9 regarding moose in 9(E) -- I
5 think it's 9(E), 9(C) (E) -- (A), (B), (C) and (E), I
6 believe.

7
8 And then the rainbow trout one, that's
9 something that when the Refuge, from Mark Lisac and them
10 come up they can discuss that. That was, if you'll read
11 through that it's self-explanatory.

12
13 And then at the previous meeting, Mr.
14 Chair, you discussed -- you spoke with Don Calloway
15 regarding the current process for the ORVs in Lake Clark
16 and perhaps Mary McBurney or someone else from the Park
17 may address that.

18
19 But those were the issues that I compiled
20 from the transcripts from the previous meeting and
21 compiled them into this 2002 annual report, so if the
22 Council has any other issues they'd like to see in here,
23 when I get back to Anchorage I'll finalize it and send it
24 back to you guys for your review and this will be
25 forwarded on to the Board.

26
27 CHAIRMAN O'HARA: Cliff, how much time do
28 the Council members have to reenter any new issues into
29 the 2002 annual report? Do you want it on this meeting,
30 end of next month or what?

31
32 MR. EDENSHAW: Well, I'm here through
33 tomorrow and then I can -- there's even time afterwards.

34
35 CHAIRMAN O'HARA: Okay.

36
37 MR. EDENSHAW: If you guys aren't able to
38 come up with some additional issues before the meeting,
39 before the completion of the meeting, then I can contact
40 you and talk to each of you.

41
42 CHAIRMAN O'HARA: Uh-huh.

43
44 MR. EDENSHAW: But perhaps what would be
45 good for me is if you guys, by looking through what's on
46 Page 31 and 32, if you guys approve of those or if you
47 guys want any of those taken off that would probably help
48 me a lot in terms of what's currently in there.

49
50 CHAIRMAN O'HARA: Okay. Boris, under Tab

00019

1 B, under 31, those are some of the issues that we've been
2 dealing with on the Council, and you might just kind of
3 get a chance to go over that. And then who is going to
4 be doing a briefing with Boris as far as upgrading him on
5 our issues?

6

7 MR. EDENSHAW: I'll do that.

8

9 CHAIRMAN O'HARA: Okay. He'll go over
10 some things with you Boris.....

11

12 MR. KOSBRUK: I just made some notes here
13 about we do have some serious problems down there with
14 wolves.

15

16 CHAIRMAN O'HARA: Uh-huh.

17

18 MR. KOSBRUK: Very bad. Currently, you
19 know, we have -- the only animal we have around there is
20 two or three moose that we see versus what we had a few
21 years ago. The wolves are still right into the village,
22 looking for garbage, I think.

23

24 CHAIRMAN O'HARA: Yeah, we're dealing
25 with that issue still here. Other things that might come
26 up, too, between now and the next day, you can certainly
27 talk to Cliff about them if you have some other concerns
28 that you might want to be putting into our annual report
29 here. So kind of keep that mind as we go along.

30

31 MR, KOSBRUK: Sure.

32

33 CHAIRMAN O'HARA: Okay. Statewide rural
34 determination. What's the comment on that?

35

36 MR. EDENSHAW: Dan.

37

38 MR. LAPLANT: Mr. Chairman, Cliff asked
39 me to make a few comments on this as well. Again, for
40 the record this is Dan LaPlant. There's a copy of a news
41 release in your binder on Page 35, again behind Tab B and
42 I'll just go over the highlights here real quick.

43

44 The Federal Subsistence Board announced
45 that it had postponed its January 15th public meeting
46 that was scheduled to address the rule-making process for
47 making statewide rural determinations. And what they
48 have done is sent the technical report that was completed
49 by the contractor out for peer review, and that peer
50 review will be completed this spring and at that time,

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1 then the Board will establish a new schedule for
2 addressing the statewide rural determination process.

3

4 So, again, right now the technical report
5 has been completed by and made available to OSM by the
6 contractor which is University of Alaska, Institute of
7 Social and Economic Research and that has been sent out
8 for technical review and, again, in the spring the Board
9 will establish a new schedule for getting a process
10 implemented.

11

12 Thank you, Mr. Chair.

13

14 CHAIRMAN O'HARA: Any comments.

15 Questions. Council members.

16

17 MR. HEYANO: Mr. Chairman.

18

19 CHAIRMAN O'HARA: Yes, Robert.

20

21 MR. HEYANO: Will the technical report be
22 available to us?

23

24 MR. LAPLANT: I believe it will be made
25 available following technical review or peer review.

26

27 CHAIRMAN O'HARA: Yes. Robert.

28

29 MR. HEYANO: Is the purpose of the peer
30 review to make changes to the technical report before the
31 public is able to review it?

32

33 MR. LAPLANT: The purpose of the peer
34 review, Mr. Chairman, is to make sure we have a quality
35 product that the Board can review and use for making
36 decisions. So it's to improve the technical quality of
37 the report.

38

39 (Pause)

40

41 Mr. Chairman, I've just been informed
42 that the current draft and a summary of the technical
43 paper is available on our web site. So if you want a
44 paper copy of it we can get you a paper copy of it as
45 well.

46

47 CHAIRMAN O'HARA: Okay. Does that
48 satisfy you?

49

50 MR. LAPLANT: So it is currently

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1 available.

2

3 MR. HEYANO: Thank you.

4

5 CHAIRMAN O'HARA: Robert.

6

7 MR. HEYANO: Yes.

8

9 CHAIRMAN O'HARA: Okay.

10

11 MR. HEYANO: Yes, thank you.

12

13 CHAIRMAN O'HARA: Anything else, Council
14 members?

15

16 (No comments)

17

18 CHAIRMAN O'HARA: Thank you very much,
19 appreciate that. We have finished our report there,
20 Clifford?

21

22 MR. EDENSHAW: Yes, Mr. Chairman.

23

24 CHAIRMAN O'HARA: We have a couple of
25 people who have sent in a request to testify and we'll
26 take them at this time, public testimony. And let me
27 just remind you that if you're here today and you're
28 interested in testifying, certainly feel free to fill
29 out one of these green cards and we're not so formal that
30 we just can't work you in, we're Advisory only so we're
31 not going to be making any hard and final decisions.
32 We'd like to certainly have any comments from the public
33 that you might want to share with us.

34

35 At this time Peter Christopher, Sr.,
36 would you come up and talk to the Council. You're
37 interested in customary trade?

38

39 MR. CHRISTOPHER: Yeah.

40

41 CHAIRMAN O'HARA: Come on up.

42

43 MR. CHRISTOPHER: Over here?

44

45 CHAIRMAN O'HARA: In the hot seat right
46 over there.

47

48 MR. CHRISTOPHER: What do I do, just
49 talk?

50

00022

1 CHAIRMAN O'HARA: What's your concerns
2 about customary trade and these types of things, did you
3 have any thoughts that you wanted to talk to us about?

4
5 MR. CHRISTOPHER: Well, I just heard a
6 comment earlier about that customary trade between -- you
7 see I live up in New Stuyahok, which is on this river,
8 about 50 miles up river and that customary trade, what we
9 do with the Togiak people is that's been ongoing since I
10 can remember. And I'm glad Pete mentioned that, too,
11 that my parents were doing that for a number of years and
12 I carry that on with some of those Togiak people that
13 live in the Togiak Refuge. We barter subsistence foods.

14
15 I'd like to keep that unchanged like in
16 the past.

17
18 That would be my testimony, to keep it in
19 place forever. I think it's a good thing that's been
20 traditionally passed on from elders to my age. My
21 younger kids, my three kids they know about that, too, so
22 it's you know passed on from our elders to my age and
23 then down to my kids. So I'd like to have that unchanged
24 and not even discussed.

25
26 Like Pete says, it would cause major --
27 if there's regulations in place you know that wouldn't
28 help the true Alaskan Natives. I don't mean to be
29 prejudice or anything but that's what we've been doing
30 over the years, you know.

31
32 So that's my comment.

33
34 CHAIRMAN O'HARA: Yeah, we've been
35 trading for a long time.

36
37 MR. CHRISTOPHER: Right.

38
39 CHAIRMAN O'HARA: Foods and I guess our
40 concern is when they start selling it and then if you
41 don't keep track of it then then it could become a
42 problem. But among ourselves, I think we're pretty
43 happy.

44
45 MR. CHRISTOPHER: Okay.

46
47 CHAIRMAN O'HARA: Thank you, very much.

48
49 MR. CHRISTOPHER: Thank you.

50

00023

1 MR. SAMUELSEN: Thank you.

2

3 CHAIRMAN O'HARA: Dan Dunaway, you were
4 under public testimony, you'd like to come up and talk
5 about rainbow trout.

6

7 MR. DUNAWAY: Dan Dunaway, Dillingham.
8 I'm not real well prepared. I started reading up on some
9 of this stuff late last night.

10

11 But I just, in regard to rainbow trout,
12 customary trade regulation I saw a proposal that Robert
13 Heyano had submitted and generally have no problem with
14 it. But I would encourage the Council to consider
15 supporting spawning ground closures for those waters that
16 have had a traditional spawning ground closure under the
17 old State regulations where the Federal jurisdiction now
18 extends.

19

20 I do that for a couple reasons, the fish
21 are really concentrated at that time period and really
22 vulnerable to harvest and typically the large fish.

23

24 The second reason is in the course of
25 research I did when I was working for the Department. We
26 did do some work at this time of year. We had a couple
27 fish die and couldn't stand to see them wasted and so we
28 tried to eat them. And frankly a spawning rainbow trout
29 was pretty poor food in my opinion, so I think there's
30 minimal food value.

31

32 I was just talking to Mr. Lisac and Ms.
33 McClenahan and I guess my other recommendation about the
34 bag limit may have already been addressed. The proposal,
35 I think, read recommending a five fish bag limit up until
36 June. And, again, regarding a spawning period, I would
37 recommend that the reduced bag limit begin at the April
38 10 spawning period, which, if I understand right, may
39 have already been addressed.

40

41 But those are my only concerns and I
42 appreciate your time.

43

44 CHAIRMAN O'HARA: Okay. Any questions,
45 Council members.

46

47 You say that they're not too good eating
48 during the spawning time?

49

50 MR. DUNAWAY: The large fish that have

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1 spawned, the two that I recall eating were pretty poor.
2 Now, a fish that isn't spawning, a smaller fish is
3 probably fine.

4

5 CHAIRMAN O'HARA: Uh-huh.

6

7 MR. DUNAWAY: But we had one fish die on
8 us over in the Naknek River, it was a big fish and we
9 tried to eat it and the meat was gray and we didn't
10 finish eating it.

11

12 CHAIRMAN O'HARA: Well, that problem may
13 take care of itself if it's not a good eating fish at
14 that time. And where are some of the areas, Naknek is
15 not going to be affected because of State waters. So you
16 got the Alukanuk, the Branch, you got Togiak, probably
17 the most vulnerable place. I seriously doubt if the
18 Egegik people are ever going to get their rainbow trout
19 where they got to go for them. So where are the
20 dangerous areas that you're talking about then as far as
21 having a big impact upon -- maybe across from Nondalton,
22 the Tazimina River, what are you talking about?

23

24 MR. DUNAWAY: Yes, those waters exactly.
25 Like I say, I apologize for not doing more research. I
26 didn't get on this until late. But the Alagnak River,
27 those waters.....

28

29 CHAIRMAN O'HARA: Very little interest
30 there as far as, you know, maybe a few people from
31 Levelok, I seriously doubt at that time of year, you're
32 going to find anyone from Naknek up there. So you don't
33 have much pressure there. You don't have any kind of
34 pressure like you have on June the 15th.

35

36 MR. DUNAWAY: Right.

37

38 CHAIRMAN O'HARA: Where you have 156,000
39 hook and releases.

40

41 MR. DUNAWAY: Yeah. Yeah, those -- the
42 spawning areas I know of in the Alagnak River are pretty
43 far from folks.

44

45 CHAIRMAN O'HARA: Yeah.

46

47 MR. DUNAWAY: I would think possibly
48 Tazimina River and those waters within the Federal
49 jurisdiction in that vicinity.....

50

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1 CHAIRMAN O'HARA: Uh-huh.

2

3 MR. DUNAWAY:would be one place of
4 concern and then possibly Ungalikthluk River and Togiak
5 River drainages.

6

7 CHAIRMAN O'HARA: Yeah. Okay. Well,
8 that's good. We appreciate your comments on that. But
9 we've looked at it pretty closely and I think it's going
10 to resurface again today or in the coming -- I think
11 there's more comment on rainbow trout a little later on
12 if you're going to be around.

13

14 It's good to see you again, and we thank
15 you for coming before us today.

16

17 Any questions or comments, Council
18 members?

19

20 (No comments)

21

22 CHAIRMAN O'HARA: Thanks, Dan, appreciate
23 it. We don't have any more public comments so before we
24 go into the powerpoint presentation on the call for
25 fisheries proposals, which we're going to be doing next,
26 I think we'll take a 10 minute break and come back after
27 that.

28

29 (Off record)

30

31 (On record)

32

33 CHAIRMAN O'HARA: Since we're already set
34 up with the powerpoint presentation by Jim and Mark,
35 after we finish with this powerpoint presentation, any
36 comments there might be, Ida Hildebrand's going to come
37 talk to us again a little bit more about barter and trade
38 and what the Council needs to do on the next round. So
39 if we all understand that and that's okay with the
40 Council members we'll go ahead with the presentation.

41

42 Would you like the lights lowered down a
43 little bit so we can see?

44

45 MR. LISAC: There's probably a couple
46 slides that will be worth it.

47

48 MR. LARSON: I'm Jim Larson with the King
49 Salmon fisheries office. This is Mark Lisac, the Togiak
50 Refuge and giving this joint presentation and starting

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1 off with this proposed special action. We're also going
2 to give some information on the Tazimina River and the
3 Negukthlik and Ungalikthluk Rivers, excuse me, I know I
4 pronounced it wrong, hopefully it was close.

5

6 Anyway, you might consider these -- I
7 think we've got people that are interested in proposing
8 spawning closures on these river systems but it may be
9 something that the Advisory Council may want to consider
10 and that's what they are proposing, is spawning closures
11 on these two rivers.

12

13 Anyway, we're first going to start with
14 the Tazimina River and then Mark's going to talk about
15 the other rivers. I said it once.

16

17 Anyway, this is the sport catch and
18 harvest in the Tazimina River and this issue was brought
19 up by a couple people of concerns when the rainbow trout
20 regulation went into effect, there was still some
21 concerns on a couple rivers and we especially looked at
22 rivers that had already spawning closures and the Federal
23 regulation would open those up so we'd like to consider a
24 couple rivers that be closed during the spawning season.
25 So the first one is the Tazimina River, and this is the
26 sport effort and catch in the Tazimina River and as you
27 can see it's, oh, probably historically been about a
28 thousand plus fish, 2001 it's obviously dropped, and I
29 don't have a reason for that but I would guess it's
30 probably related to the sockeye fishery. But, you know,
31 one of the concerns with any of the closures is the
32 impact of the sportfishery on it. Especially if we're
33 proposing to close subsistence and so you can see there's
34 about a thousand plus fish that are caught there
35 annually.

36

37 Last estimate of rainbow trout harvested
38 for subsistence from the village of Nondalton which is
39 right in the area of the Tazimina River was 3,600 fish.
40 This was fall State subsistence and I suspect that number
41 is high. You can see that number is out of date, 1983 so
42 I assume the number is smaller. But you can see how
43 important these fish are to the local people. It looks
44 like these fish are primarily harvested hook and line
45 through the ice and although rod and reel harvest does
46 occur during the open water period, and this does occur
47 in the, not only the Tazimina, but the Newhalen so I
48 would suspect that's where a lot of the effort occurs.

49

50 We do have some information from radio

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1 telemetry that the fish in the Tazimina River move out
2 into the Newhalen in the fall and that's probably when
3 they're mostly harvested by the locals and then return in
4 the spring.

5
6 The rationale for the spawning closures
7 is that there's a history regulations to protect these
8 spawning stocks. Currently the State has the
9 sportfishery closed during this period and then in the
10 summer it opens to catch and release and then in the fall
11 it opens up. The other concern is that the spawning fish
12 become concentrated in the lower reaches of these rivers
13 and they become real vulnerable in that time and these
14 fish are accessible during the open water periods and
15 vulnerable to increased harvest.

16
17 And then we've also heard local concern
18 for the health of the population in general and we've
19 heard that from several sources.

20
21 Here's the current regulations and I
22 already talked about those but during the winter there's
23 a five fish per day harvest, one fish over 20 inches, the
24 Federal regs allow five fish per day no size limit. So
25 the proposed special action is to close the Tazimina
26 River to fishing from April 10th to June 7th, and I'm
27 prepared to issue this special action, you know, if
28 somebody is willing to propose a regulation change and
29 the regulation change would be reviewed this next fall
30 and become before the Federal Subsistence Board next
31 winter.

32
33 But this seems reasonable and in the
34 interim because this spawning season is coming up here
35 pretty quick -- close, that I'm more than willing and
36 strongly considering a special action to close that and
37 would like your input.

38
39 We'll go to the next part of it.

40
41 MR. LISAC: Do you want to ask any
42 questions about the Tazimina or should I just go on?
43

44 CHAIRMAN O'HARA: We'll wait to the end
45 but we will have some questions for you Jim.
46

47 MR. LISAC: Okay. This makes it easy,
48 Jim and I prepared these kind of independently but
49 there's a lot of crossover here between the two rivers,
50 so some of this I'll be able to skip over. But there in

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1 the Ungalikthluk and Negukthlik Rivers, is that right
2 Pete?

3

4 MR. ABRAHAM: (Nods)

5

6 MR. LISAC: From here on out I'm going to
7 call them the N and the U River.

8

9 (Laughter)

10

11 MR. LISAC: But we have a conservation
12 concern there about the limited rainbow trout spawning
13 population and as in the Tazimina, there's a history of
14 conservative regulatory actions that have been taken to
15 protect those spawning fish. So I'm going to run through
16 a little bit of information here on the drainage. This
17 is where it's located here in Bristol Bay. It's in
18 between the Togiak and Kulukak Bay, and the entire
19 drainage is within the Togiak National Wildlife Refuge.

20

21 Some of the history that's occurred here,
22 back in the late '80s, Fish and Game had closed the
23 drainage to sportfishing during the spring spawning
24 season and that was primarily due to increase in effort
25 observed during the herring fishery. And then at that
26 time Fish and Game had also flown aerial surveys to count
27 spawning rainbows in that drainage, they're fairly small
28 rivers and saw very few fish.

29

30 (Pause)

31

32 Okay, so the sportfishing effort that,
33 the record that we have over there comes from permitted
34 guides on the Refuge are required to submit use permits
35 of their activities. And for the period of 1987 and '95
36 we have pretty good reporting requirements and then after
37 '95 they were no longer required to submit reports for
38 this area. But the average there for those eight years,
39 about 250 client days or angler days, and it ranged as
40 high as 900. Total fish reported caught was as high as
41 3,000 but on average more about 1,500 of which 200 of
42 those were rainbow trout. And the sportfishery generally
43 occurs from June to September.

44

45 So continuing on with the history here,
46 in '89 the Refuge went in and investigated the population
47 structure of these rainbow trout and the results
48 indicated that we had a small population, less than a
49 thousand fish. The large spawning fish were concentrated
50 in the lower river during the spring and then later in

00029

1 the summer the fish scatter throughout the drainage. And
2 here's just a map showing that based on our radio
3 telemetry information, that red area is where we found
4 most of the fish during the spring spawning season. And
5 you can see that's just maybe a half a mile up from the
6 bay there.

7

8 More of the history here, 1990 then based
9 on the results of the study and other information
10 provided, the Board of Fish adopted regulations to
11 permanently close the drainage during the spring spawning
12 season, April 10 to June 7, and for the remainder of the
13 summer there, June through October, fishing was allowed
14 but no harvest of rainbow trout was allowed. But during
15 the winter, the November through April, there was still
16 winter subsistence harvest allowed of five fish per day,
17 much like on the Tazimina River.

18

19 We really don't have any subsistence
20 harvest data from this drainage, especially as it relates
21 to rainbow trout.

22

23 So now the current regulations and Jim
24 has already brought this up, you know, have kind of
25 changed there for this drainage where it allows -- really
26 the main change is two fish a day harvest allowed from
27 April 10 through the June 7th period and this mainly
28 relates to a subsistence rod and reel fishery.

29

30 So what we're proposing again in this
31 special action is to close these two rivers during a
32 period April 10 to June 7th. These dates would be
33 aligned with current State sportfish regulations, also
34 would be aligned with when the commercial herring fishery
35 occurs and again this only affects rod and reel
36 subsistence fishing, does not affect seining netting,
37 spearing, other things that are allowed in the Togiak
38 district.

39

40 Rationale then is pretty similar to the
41 Tazimina. We have the history of conservation measures
42 being taken, spawning fish become concentrated in the
43 lower river, and this lower river is so close to the bay
44 it's very accessible and those fish can be vulnerable to
45 any increase in harvest. The one thing that's different
46 here is that the herring fleet is parked out there during
47 late April, early May, right when these fish would be
48 concentrated and spawning. And as far as we can tell
49 there are minimal or no impact to subsistence users in
50 the area.

00030

1 Well, that's all I had.

2

3 CHAIRMAN O'HARA: Okay, we'll start with
4 Jim, any questions on the Tazimina River, Council
5 members. Robin.

6

7 MR. SAMUELSEN: I guess on the first
8 slide you put up, Jim, there was 30 some people tried and
9 zero harvest.

10

11 MR. LARSON: Yeah.

12

13 MR. SAMUELSEN: The water was too high or
14 there was just no fish in the river system?

15

16 MR. LARSON: You know, I don't have an
17 answer. I'm just guessing that was when the sockeye
18 fishery was closed in Iliamna during that summer season.
19 And I have a -- you know, maybe one of the sportfish guys
20 could answer that but my guess is a lot of people didn't
21 come up there and fish so that, you know, affected the
22 rainbow trout harvest, too.

23

24 MR. SAMUELSEN: Uh-huh. You got any
25 feedback from the people of Newhalen there, right at the
26 river there, how they feel about this regulation, I know
27 a lot of them harvest them fish for subsistence purposes.

28

29 MR. LARSON: No. I'll give Andrew a
30 chance to talk there.

31

32 MR. BALLUTA: Yeah, for Tazimina, it has
33 been declined for several years now. So I've been asking
34 for the last couple years to close that thing for a
35 certain many years to see if it will come back again. If
36 it don't come back then I don't know what's to blame.
37 Hydroelectric or something. So that's my -- that's what
38 I recommend for Tazimina.

39

40 MR. LARSON: That you would be proposing
41 a full closure?

42

43 MR. BALLUTA: Full closure for sportfish,
44 subsistence, I mean any kind of fishing.

45

46 MR. LARSON: One thing I could mention is
47 that the Sportfish Division has submitted a proposal to
48 the Federal Fisheries Information Services to get money
49 to actually study that population, to come in, that would
50 be for 2004. So there is a lot of interest in there.

00031

1 But obviously we're hearing a resource issue.

2

3 CHAIRMAN O'HARA: Council members, any
4 other comments.

5

6 MR. SAMUELSEN: Follow up. Do we need to
7 close the sportfishery on that river or advocate closing
8 totally the sportfishery and just have a limited
9 subsistence fishery based on Andrew's comments? That
10 sounds like that resource is pretty depleted and my not
11 be able to withstand both user groups?

12

13 MR. LARSON: You know, I don't have the
14 answer there. You're seeing about a thousand fish being
15 caught there and it's all catch and release. The
16 sportfishery is catch and release using a 10 percent
17 mortality rate, that would be, you know, a hundred plus
18 fish a year, between a hundred or 200 fish a year being
19 killed by the sportfishery. I think, and, again, I think
20 Andrew would probably be better to talk about it. But
21 you do have potential impacts to, you know, economic
22 impacts to that area. I know that occurred during the
23 sockeye closures, you know, some of the local bed and
24 breakfasts were severely impacted.

25

26 MR. SAMUELSEN: Uh-huh.

27

28 MR. LARSON: So we'd have to weigh that,
29 but that would be your call. I mean I'd like to see this
30 proposal come from you guys, but, you know, it's whatever
31 you think is best.

32

33 CHAIRMAN O'HARA: Council members.

34

35 MR. BALLUTA: Mr. Chairman.

36

37 CHAIRMAN O'HARA: Yes, Andy.

38

39 MR. BALLUTA: For the last three years,
40 even hardly sportfishermen never even go up there. They
41 went up there and tried fishing and I've asked and I've
42 watched them fishing up there, of course, I patrol that
43 river quite a bit, and they have caught hardly anything,
44 not even grayling.

45

46 MR. LARSON: Right.

47

48 MR. BALLUTA: This is why I recommend
49 closure on that river.

50

00032

1 CHAIRMAN O'HARA: Council members any
2 other comments.

3
4 This seems to be a big concern. But one
5 of the things that our proposal wanted to deal with when
6 we talked about the rainbow trout subsistence issue was
7 that you people do an inventory on that stock. That's
8 one of the most talked about and desired fish, other than
9 the salmon, along with the salmon from the sports
10 interest only. So, you know, if you're going to come and
11 talk about the concerns that you have, I mean if you got
12 a decline in the Tazimina, and most of these fish are
13 being caught through the ice in Sixmile Lake, I don't
14 know, maybe they do go up the river and do subsistence
15 with a rod and reel, I don't know, but I know when they
16 fish through the ice they're bound to catch some. Are
17 they catch the fish down at Newhalen that's coming to
18 Tazimina, are they a migratory type fish?

19
20 MR. LARSON: That's what the radio
21 telemetry is showing, is that those fish are moving out
22 and we assume that they're being harvested in the
23 Newhalen.

24
25 CHAIRMAN O'HARA: Wow, you have a
26 tremendous impact on that fish other than subsistence.

27
28 MR. BALLUTA: Mr. Chairman.

29
30 CHAIRMAN O'HARA: Yeah.

31
32 MR. BALLUTA: Hollis Twitchell and I made
33 a camp up there in Tazimina one year and radio-tagged
34 some fish and we followed them that season and they went
35 all the way back into Iliamna Lake as far as Pedro Bay,
36 down far as Egegik, we have tracked them that far. And
37 then they did come back in the spring.

38
39 MR. LARSON: They come back, right. So
40 there has been some work there. And as I say, there is a
41 proposal to conduct that inventory, but, you know.

42
43 CHAIRMAN O'HARA: How can you tell people
44 to fish or not fish if you don't know the inventory? You
45 can't fish commercially if you don't have an inventory.
46 What are you talking about anyway? I mean you got to
47 inventory those trout to be able to say you can or you
48 cannot fish.

49
50 MR. LARSON: Well, we're hearing a

00033

1 resource concern before we inventory.

2

3 CHAIRMAN O'HARA: Well, yeah, I think you
4 better, somewhere, somebody from hereon, the next step
5 better start doing inventory of what you got in the
6 stream. We can't sit here and say, you know, we're going
7 to take all these cow moose if they're not producing
8 calves, we addressed that issue on this Council. And
9 before the subsistence is going to go, the sports guy is
10 going to going to go, you know that? Right?

11

12 MR. LARSON: Right, well, we're not.....

13

14 CHAIRMAN O'HARA: We know that.

15

16 MR. LARSON:proposing.....

17

18 CHAIRMAN O'HARA: We know that for sure.

19

20 MR. LARSON:to close subsistence,
21 we're proposing to close it for two months, but, you
22 know, under Andrew's -- you know, what he's suggesting is
23 a total closure, that's different.

24

25 CHAIRMAN O'HARA: Well, if that's.....

26

27 MR. LARSON: I mean we're proposing a
28 spawning closure. They would still have opportunities to
29 fish. You would still have three months of sport catch
30 and release, but during the winter you assume that that's
31 pretty much a local fishery, there's nobody coming in.
32 So you really are talking.....

33

34 CHAIRMAN O'HARA: Well, before you get my
35 vote you're going to close down sportfishing before we
36 start dealing with subsistence.

37

38 Any other Council member concerns or
39 thoughts.

40

41 (No comments)

42

43 Okay, how about Mark, the Togiak area.
44 Any comments that you want to make. Yes, Robin.

45

46 MR. SAMUELSEN: Yeah, Mark, closing down
47 these two rivers, don't you think they'll just switch
48 over to the Quigmy and next time we'll be dealing with
49 the Quigmy river, because I've seen sportfishing up
50 inside of there bringing rainbows out.

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1 MR. LISAC: Well, we weren't aware of any
2 rainbows being over there in the Quigmy River.

3

4 MR. SAMUELSEN: Well, I think Bardeet in
5 the Trident Seafoods got some over there.

6

7 MR. LISAC: Oh, well, as Dan mentioned, I
8 mean until we have inventories on some of these species
9 or reports like that, I mean we don't even know they
10 occur. But in this instance, at least, you know, there
11 was concern back in the '80s and we went over there and
12 did a population assessment and determined that, yeah,
13 those fish are really -- they're really vulnerable during
14 that spring period when they're concentrated. The rest
15 of the year it's not as critical because they're spread
16 out more. And the reason why the emergency closures
17 happen on the sportfishery at that time was because of
18 the herring fleet there killing time and killing
19 rainbows. The effort was dramatically increased there
20 for a couple of years. I don't remember those years
21 specifically but you guys were probably over there and
22 remember if whether there was a lot of down time or not.

23

24 That's just the main concerns, is that
25 that spring period when the fish are all concentrated and
26 they're very accessible, on a high tide some of them can
27 zip up through there.

28

29 MR. SAMUELSEN: Have you ever seem
30 anybody sportfishing there in the spring in the last
31 three years?

32

33 MR. LISAC: It's been closed for the last
34 -- well, since 1990, so it's been closed for the last 13
35 years.

36

37 MR. SAMUELSEN: Okay. Because the
38 commercial fleet's been reduced substantially over there,
39 the herring fishery.

40

41 MR. LISAC: Right.

42

43 CHAIRMAN O'HARA: Any other questions.

44

45 MR. ABRAHAM: Yeah, Mr. Chairman.

46

47 CHAIRMAN O'HARA: Yeah, uh-huh.

48

49 MR. ABRAHAM: The local users over there
50 use very little, once in a great while a guy goes over

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1 there and seine for Dollys right in front of the old
2 village. Other than that they don't go beyond the old
3 village over there because it's shallow over there.

4
5 And in the wintertime, ice hole fishing
6 over there is not a very good place because one day the
7 guy said, you know, he got seven Dollys and one rainbow
8 and everybody goes over there and comes home and don't
9 catch any and then leave them for another couple months,
10 go over there again, you know, it's not a popular place
11 for local users over there.

12
13 And as for Quigmy down there, only fish
14 you see down there is chum salmon and silver salmon, you
15 can't go beyond even less than a quarter of a mile and
16 that's it, you can't go above that.

17
18 So that's it, thank you.

19
20 CHAIRMAN O'HARA: Okay, good. Yes,
21 Robert.

22
23 MR. HEYANO: You said you conversation
24 concerns for that rainbows, how are you addressing that
25 with the other users?

26
27 MR. LISAC: Well, the only other users
28 that are over there are sportfishermen. And it's
29 interesting, if you look at the level of effort there
30 compared to the Tazimina, level effort is about the same
31 but they're catching, what was it, a thousand to 1,500
32 rainbows.

33
34 And these two rivers, the N and the U
35 Rivers are only catching about 200 a year. It's
36 primarily a salmon fishery. They do fish the rainbows
37 but the sportfishery occurs later in June because they're
38 already closed during -- the sportfishery is already
39 closed during the spawning season when the fish are
40 concentrated. So when the sportfishery kicks in, the
41 rainbows are spread out and the salmon are coming in and
42 that's what they're targeting.

43
44 CHAIRMAN O'HARA: Go ahead.

45
46 MR. HEYANO: So your conservation
47 concerns applies to the subsistence users being able to
48 harvest during the spawning season?

49
50 MR. LISAC: Right. Well, a conservation

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1 revolves around the whole population. It's a small
2 population, considered probably a unique population for
3 western Bristol Bay. They're larger fish, small in
4 numbers and they are -- the way they move around that
5 drainage they still come back to the area there that I
6 designated on that map, it seems to be a prime spawning
7 area.

8

9 CHAIRMAN O'HARA: Any other questions,
10 Council members.

11

12 Jim, you said that the, was it the
13 Tazimina or Nondalton area that took 3,600 trout?

14

15 MR. LARSON: That was the Nondalton, the
16 village of Nondalton. But in 1983 was when that number
17 was generated.

18

19 CHAIRMAN O'HARA: I don't think that -- I
20 mean that is such a strange number for one year, I mean
21 that was so long ago I mean half of the people in this
22 room weren't even old enough to vote then.

23

24 MR. LARSON: I would assume that's a very
25 high number.

26

27 CHAIRMAN O'HARA: Yeah, I don't think --
28 yeah.

29

30 MR. LARSON: But to me it says, you know,
31 at one point rainbow trout were probably fairly
32 important. Now, obviously the population's depressed,
33 you're going to fish different things. It would be good
34 to have a number of what it is, but that's the most
35 recent number.

36

37 CHAIRMAN O'HARA: What does Nondalton
38 take in the Tazimina during the -- if there were to be a
39 spawning -- do you estimate what they would take in the
40 Tazimina during the spawning period that you're concerned
41 about or do we not have that kind of numbers?

42

43 MR. LARSON: Again, I'd have to defer to
44 local knowledge there. You know, maybe Andrew might have
45 a feeling if any of the locals take any rainbows during
46 the spawning season?

47

48 MR. BALLUTA: Years ago they used to,
49 yeah.

50

00037

1 CHAIRMAN O'HARA: Uh-huh.

2

3 MR. BALLUTA: But that was back in the
4 mid-40s and they used to catch rainbow trouts in April
5 with beach seine, once every -- all the -- the whole
6 village used to go down and just make that one day of
7 fishing for everybody and then they let it go because
8 they -- the old timers used to tell us that you got to
9 let it go for.....

10

11 MR. LARSON: This highlights one of the
12 concerns that we have with rainbow, is that they
13 concentrate during this season, they get into a very
14 small area.

15

16 MR. BALLUTA: Yeah.

17

18 MR. LARSON: Mark didn't show the other
19 map of the N and the U River, but it shows those fish
20 moving all through the drainage and then coming back to
21 that one small area and that's very typical of rainbow.
22 We find them in small areas and that's one of the
23 concerns with spawning seasons. Right now, where your
24 populations are sensitive, your sportfisheries are
25 closed, I mean you've got that on the Naknek, you've got
26 that on the Alagnak, you know, where you've got major
27 rainbow fisheries, you've got a spawning closure, you
28 know, I don't think that's unreasonable for the
29 subsistence to, except that, and then the rest of it,
30 whenever there's a sportfishery, you know, you bet, there
31 better be a subsistence opportunity.

32

33 CHAIRMAN O'HARA: Jim, where do they
34 accumulate in Tazimina?

35

36 MR. LARSON: I'm sorry.

37

38 CHAIRMAN O'HARA: Where do they
39 accumulate on Tazimina where they might become vulnerable
40 to the subsistence user?

41

42 MR. LARSON: The radio telemetry showed
43 in the lower Tazimina is where they are concentrated. I
44 think with the hydro project, they -- you know obviously
45 there's falls about midway up the Tazimina, so that's --
46 they can only go up so far and then -- and I don't
47 believe, at least the report that I read was that the
48 fish weren't going right up to the falls, they were
49 staying lower, so it's the lower Tazimina River.

50

00038

1 CHAIRMAN O'HARA: Yeah, you sound like a
2 little weak on that kind of information.

3

4 MR. LARSON: Oh, I'm absolutely weak.

5

6 CHAIRMAN O'HARA: And you're talking
7 about something, I don't think you really know what
8 you're talking about yet. And maybe you should gather a
9 little more substantial information and that inventory
10 thing, I think is really, really critical.

11

12 MR. LARSON: Uh-huh.

13

14 CHAIRMAN O'HARA: I mean that's why, if
15 we're going to have a subsistence rainbow trout fishery
16 and it's that important to the sports guys then somebody
17 better start coming up with some inventory numbers on
18 these animals.

19

20 Any other questions, Council members.

21

22 (No comments)

23

24 CHAIRMAN O'HARA: Thank you very much,
25 appreciate it guys. What's the next item there, Chief?

26

27 MR. EDENSHAW: Mr. Chair, you were going
28 to ask Ida to come up.

29

30 CHAIRMAN O'HARA: Oh, yes, Ida
31 Hildebrand. Are you going to shut this thing down?

32

33 MR. LISAC: Yes.

34

35 CHAIRMAN O'HARA: We'll be getting a
36 suntan up here without going to Mexico.

37

38 (Pause)

39

40 MS. HILDEBRAND: On Page 30 of Tab B.

41

42 CHAIRMAN O'HARA: Now, we're talking
43 about customary trade?

44

45 MS. HILDEBRAND: The regulation on
46 customary trade.

47

48 CHAIRMAN O'HARA: Okay.

49

50 MS. HILDEBRAND: I'm Ida Hildebrand, BIA

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1 Staff Committee member for the record.

2

3 CHAIRMAN O'HARA: B, Page 30.

4

5 MS. HILDEBRAND: In the very beginning
6 sentences it says that the Board may consider regional
7 differences and this is the regulation the Board adopted.
8 And once the Board adopts a regulation, it becomes open
9 to proposals for revisions like you do in all other fish
10 and wildlife regulations and I just wanted to make sure
11 that that was clear to the Council, that if they wanted
12 to recommend regional differences for this region, they
13 would just go through the regulatory process and submit a
14 proposal.

15

16 The proposals for fisheries, I think,
17 closes at the end of March.

18

19 CHAIRMAN O'HARA: Okay. Ida, what the
20 short of it is if we wanted to take our proposal and
21 resubmit it back to the Federal Board, like it is right
22 now, we could go ahead and do that then?

23

24 MS. HILDEBRAND: You could do that and
25 then, of course, the Board will decide what they want to
26 decide, but that's the process, yes.

27

28 CHAIRMAN O'HARA: Yes, good. Thank you
29 for bringing that up we kind of overlooked that at first.
30 Thank you very much.

31

32 Okay, let's see we're down to wildlife
33 proposals?

34

35 MR. EDENSHAW: Yes.

36

37 CHAIRMAN O'HARA: Okay.

38

39 MR. EDENSHAW: And also, Mr. Chairman, on
40 that same note, what Ida just mentioned, if the Council
41 so chooses, if they would like to resubmit their
42 proposal, they could do that today in just the form of a
43 motion. And when Robin was at the Board meeting back in
44 December, under one of the options that the Board
45 addressed for customary trade, they had all the Councils
46 different options that they formulated at their Council
47 meetings and that could be resubmitted in a proposal,
48 just as she said.

49

50 CHAIRMAN O'HARA: Okay. Well, why don't

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1 we go ahead and go on down to Number 10 then, wildlife
2 proposal, Council review. We will be under Tab C.

3

4 MR. EDENSHAW: Yes, Mr. Chair.

5

6 CHAIRMAN O'HARA: Go ahead.

7

8 MR. EDENSHAW: No. 10 on the Agenda, Tab
9 C, we're going to go ahead and open up under No. 1 with
10 the introduction of the proposal and the analysis and
11 under Proposal 1, which is a statewide proposal, Pat
12 McClenahan is going to go ahead and do that. But if
13 you'd follow under No. 2 in the protocol, Mr. Chair, and
14 the Council, ADF&G, we're fortunate Terry Haynes is here
15 with the Alaska Department of Fish and Game, the liaison
16 and when you get to that portion, Mr. Chair, Terry will
17 provide the State's comments regarding their
18 recommendations on the proposals.

19

20 CHAIRMAN O'HARA: Okay.

21

22 MR. EDENSHAW: Then we'll move on to No.
23 3, other agency comments, or if there are any Fish and
24 Game Advisory Committee members who wish to provide
25 information on the wildlife proposals. Number 5 will be
26 the summary of written public comments. Those are also
27 included in the proposal analysis. No. 6, if there are
28 any individuals in the public who wish to provide public
29 testimony, they should, again, get one of those cards in
30 the back there and just give that to Steve over there or
31 else just bring it up here to me and I'll go ahead and
32 push that up to the Council Chair. And then No. 7, the
33 last and final is the Council's recommendation on these
34 proposals.

35

36 We'll go ahead and kick off with Proposal
37 WP03-01, Pat McClenahan and Dan LaPlant are going to
38 start off with the first one.

39

40 CHAIRMAN O'HARA: All right.

41

42 MR. EDENSHAW: And, Mr. Chair, excuse me,
43 at some point we'll include that into written public
44 comments, we've already had three Councils, North Slope,
45 Northwest and Seward Peninsula meet and when I spoke this
46 morning to our office they provided me those Councils'
47 recommendations on these statewide proposals.

48

49 CHAIRMAN O'HARA: They recommended it?

50

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1 MR. EDENSHAW: They already took action
2 on these.

3
4 CHAIRMAN O'HARA: And they supported it?
5

6 MR. EDENSHAW: And I'll go ahead and
7 inform the Council what their calls on 1 and 2 were.

8
9 CHAIRMAN O'HARA: Okay. Okay, Pat, are
10 you first?

11
12 MS. MCCLENAHAN: Uh-huh.

13
14 CHAIRMAN O'HARA: Okay, thank you.

15
16 MS. MCCLENAHAN: Thank you, Mr. Chairman.
17 I'm Pat McClenahan Staff Anthropologist.

18
19 Proposal WP03-01 was submitted by the
20 Office of Subsistence Management and it proposes -- it
21 requests that the Federal Subsistence Board establish a
22 statewide regulation allowing the taking of wildlife for
23 religious and ceremonial potlatch purposes.

24
25 Federal Subsistence regulations allow for
26 the taking of wildlife for outside of proposed seasons
27 and harvest limits for ceremonial purposes. Adoption of
28 this proposal would standardize and simplify Federal
29 Subsistence wildlife regulations and it would extend an
30 opportunity to all Federally-qualified subsistence users
31 to harvest wildlife for use in traditional religious
32 ceremonial potlatches.

33
34 Proposed regulations require that the
35 harvesting does not violate recognized principles of fish
36 and wildlife conservation and prior notice must be given
37 to the delegated local Federal land manager.

38
39 Existing regulations are varied around
40 the state and they are lengthy. They can be found in
41 Appendix A of this regulation and I won't go over them
42 here.

43
44 The main points of the proposed
45 regulation are:

46
47 You may take wildlife outside the seasons
48 or harvest limits for traditional
49 religious ceremonies that are of funerary
50 or mortuary ceremonies. The person

00042

1 organizing the ceremony must contact the
2 Federal land management agency with
3 information about the species and
4 location it will be taken.

5
6 There cannot be any violation of
7 principles of fish and wildlife
8 conservation.

9
10 A report must be filed to the Federal
11 land management agency with 15 days
12 after the harvest.

13
14 No permit or harvest ticket is required.
15 But the harvester must be an Alaska rural
16 resident with customary and traditional
17 for the resource in that area.

18
19 With respect to State regulations. This
20 proposal would be Federal regs a bit more in line with
21 Federal regs passed in November of 2002, those can be
22 found in your analysis on Page 45 of your Council book.

23
24 State regulations allow for the taking of
25 big game for certain religious ceremonies. A written
26 permit is not needed, but prior notification through a
27 tribal chief or village council is required. A written
28 report after the harvest is required. On an annual
29 basis, the State lists areas where specific large mammals
30 in specific areas cannot be taken for ceremonial purposes
31 because of shortages of that resource.

32
33 With regard to Federal regulatory
34 history. Since 1991 Federal Subsistence regulations have
35 contained provisions in subpart B allowing the Board to
36 authorize the taking of fish and wildlife outside of
37 prescribed seasons and harvest limits for special
38 purposes including ceremonies and potlatches. The Board
39 has, on a case by case basis, implemented unit-specific
40 provisions either through regulatory changes or special
41 actions allowing the taking of wildlife for the cultural
42 educational or religious programs and ceremonies.

43
44 As of the 2002/2003 regulatory year, such
45 provisions exist in 13 of the 26 wildlife management
46 units.

47
48 While there is variation between these
49 unit-specific regulations, the Board has required that
50 the harvesting of the resource does not violate

00043

1 recognized principles of fish and wildlife conservation
2 and that the following be provided to the appropriate
3 Federal land manager. It has also required -- I'm sorry,
4 it has required:

5
6 Information about the activity, and in
7 the case of funerary or mortuary
8 ceremonies, the name or names of decedent
9 or decedents. Reporting of the species
10 sex, number, location and timing of the
11 harvest. And the name and address of the
12 harvester or harvesters.

13
14 The Board also has required:

15
16 That the harvester be a qualified rural
17 subsistence user for the species and area
18 in which the harvest occurs.

19
20 Additionally, in most cases the
21 appropriate Federal manager must be
22 notified prior to attempting to harvest
23 the resource.

24
25 The organized communal consumption of
26 wild or Native foods is a central feature of Alaska
27 Native cultural gatherings. The serving of fish and
28 wildlife reaffirms ethnic identity and ties to the land
29 and the resources. Participation in such feastings
30 serves to transmit, sustain and reinforce cultural
31 values, beliefs, practices, traditions, social order and
32 group solidarity.

33
34 While all Alaska Natives ceremonially
35 recognize the passing of group members, not all of
36 Alaska's people hold funerary, mortuary or mortuary
37 potlatches. This fact became relevant to Federal
38 Subsistence management during the Regional Advisory
39 Council's contemplations of FP03-27 that proposed
40 allowing the use of fish for such ceremonies statewide.

41
42 What are the effects of the proposal?
43 Adoption of this proposal should have minimal impacts on
44 wildlife populations. It would standardize and simplify
45 Federal Subsistence regulations pertaining to the taking
46 of wildlife for use in traditional religious ceremonies.
47 It would shorten by five days the post harvest reporting
48 period that was adopted by the Board in March 2002 for
49 Units 21 and 24. It would require the individuals or
50 tribal representatives in Units 21 and 24 to notify the

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1 appropriate Federal land manager prior to attempting to
2 harvest resources. It would afford all Federally-
3 qualified subsistence users an opportunity to take
4 wildlife for use as food in traditional religious
5 ceremonies which are part of a funerary or mortuary cycle
6 including memorial potlatches and may not be applicable
7 to local customs in some areas of the state.

8

9 The regulations that currently in place
10 that pertain to the harvesting of Unit -- I'm sorry, of
11 10 moose by the named Iliamna region communities for
12 ceremonial purposes will be retained. And that's on Page
13 49 for your reference.

14

15 Our preliminary conclusion is to adopt
16 the proposal with modifications as presented in the
17 Regional Council book on Pages 48 and 49.

18

19 Additionally, at their recent Council
20 meetings, North Slope Subsistence Regional Advisory
21 Council and the Seward Peninsula Subsistence Regional
22 Advisory Council approved this proposal with an
23 additional modification to remove the requirement for the
24 name of the decedent to have to be given.

25

26 This modification would more closely
27 align the proposed regulation with the recently adopted
28 similar regulation for fish, and Cliff can give you some
29 more information about that when he speaks to this.

30

31 Adoption of the proposal would recognize
32 the importance of wildlife in Alaska Native ceremonial
33 and religious activities statewide. The modified
34 proposed regulation is a product of combining portions of
35 the various unit-specific regulations and the newly
36 adopted statewide fish regulation. The goals of the
37 proposals included standardizing regulations and more
38 importantly extending equal opportunity to all Federally-
39 qualified subsistence users.

40

41 This flexibility removes the burden from
42 the hunter and provides protection from undue harassment
43 by law enforcement personnel. The potential for such
44 occurrences has increased with recent changes of State of
45 Alaska hunting regulations. The regulatory language
46 provides for the conservation of wildlife populations.
47 However, little additional harvest is anticipated as the
48 practice has been ongoing under State of Alaska, and in
49 some cases, Federal provisions.

50

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1 Those unit regulations that are species-
2 specific, ceremonial-specific, or those with special
3 provisions would not be changed.

4
5 And so the proposed regulation would
6 read:

7
8 Statewide wildlife. You may take
9 wildlife outside the seasons or harvest
10 limits provided in this part for food in
11 traditional religious ceremonies which
12 are part of a funerary or mortuary cycle,
13 including memorial potlatches if the
14 person or designee or tribal government
15 organizing the ceremony contacts the
16 appropriate Federal land manager prior to
17 attempting to take any wildlife to
18 provide the nature of the ceremony. The
19 parties and/or clans involved, the
20 species and the number of wildlife to be
21 taken and the Federal lands from which
22 the harvest will occur.

23
24 The harvest does not violate recognized
25 principles of fish and wildlife
26 conservation and uses the methods and
27 means allowable for the particular
28 species published in the applicable
29 Federal regulations. The appropriate
30 Federal land manager will establish the
31 number, species, sex or place of taking,
32 if necessary, for conservation purposes.

33
34 Each person who takes wildlife under this
35 section must, as soon as practicable, and
36 not more than 15 days after the harvest,
37 submit a written report to the
38 appropriate Federal land managing agency
39 specifying the harvesters name and
40 address, the number, sex and species of
41 wildlife taken. The date and locations
42 of the taking. And the names of the
43 decedents for whom the ceremony was held.

44
45 No permit or harvest ticket is required
46 for taking under this section. However,
47 the harvester must be an Alaska rural
48 resident with customary and traditional
49 use in that area where the harvesting
50 will occur.

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1 Mr. Chairman, that concludes my report.

2

3 CHAIRMAN O'HARA: Okay. Any questions
4 Council members.

5

6 Pat, there was one there, a comment a
7 while, about half way through your presentation, it says,
8 and I don't know where to find it on here, maybe you can
9 just -- let me tell you what you said, you said that
10 notice to Federal agencies before harvest, you're going
11 to notify a Federal agency before the harvest but you
12 weren't required to have a permit, is that what we
13 understand?

14

15 MS. MCCLLENHAN: That's what this says.

16

17 CHAIRMAN O'HARA: And then each one of
18 these units are all spelled out in the back part of this
19 regulation?

20

21 MS. MCCLLENHAN: Yes.

22

23 CHAIRMAN O'HARA: And the communities are
24 named and the number of animals they can take, so it's
25 already inventoried?

26

27 MS. MCCLLENHAN: That's correct.

28

29 CHAIRMAN O'HARA: Okay, good.

30

31 MS. MCCLLENHAN: And whether or not that
32 comes out of a designated set of animals.

33

34 CHAIRMAN O'HARA: Yeah. The big
35 regulation overall thing and then what we do with
36 Newhalen, Nondalton, Port Alsworth, these guys, fits in
37 this pretty well.

38

39 MS. MCCLLENHAN: Uh-huh.

40

41 CHAIRMAN O'HARA: Thank you. No other
42 Council members comments.

43

44 (No comments)

45

46 CHAIRMAN O'HARA: Dan.

47

48 MR. LAPLANT: Mr. Chairman, I'm just here
49 to help Pat respond to any questions you might have.

50

00047

1 CHAIRMAN O'HARA: Okay. So any other
2 questions, Council members.

3

4 (No comments)

5

6 CHAIRMAN O'HARA: Who's the next bunch
7 that comes up here?

8

9 MR. EDENSHAW: Mr. Chair, Terry Haynes is
10 going to provide Department comments.

11

12 CHAIRMAN O'HARA: Okay. We'll have Terry
13 come up. Thank you very much, and, Pat, we appreciate
14 that. Terry, it's get even time now, we haven't had you
15 here before, so it's pretty nice to have you come join us
16 today.

17

18 MR. HAYNES: Thank you, Mr. Chairman.

19

20 CHAIRMAN O'HARA: Yeah.

21

22 MR. HAYNES: It's good to be here. My
23 name is Terry Haynes. I'm the Department of Fish and
24 Game wildlife liaison to the Federal Subsistence Board.
25 The Department's comments on this proposal are found on
26 Page 43 of your Council meeting book.

27

28 And as Pat had noted, the Board of Game
29 revisited the existing State ceremonial harvest
30 regulation at its November meeting and made some
31 adjustments to that regulation. It is similar to what is
32 being proposed in many ways. There are significant
33 differences in the State and Federal ceremonial
34 regulations.

35

36 The State regulation is limited to using
37 big game for ceremonial purposes. The Federal regulation
38 applies to all wildlife, which is a much broader category
39 of resources.

40

41 The State regulation applies everywhere
42 in the state. The Federal regulation would apply only to
43 wildlife taken on Federal public lands. So there is the
44 potential for some confusion in how these regulations
45 would each apply and there would be a need to ensure that
46 people clearly understand that the regulations are
47 different, the intent of both is to provide opportunities
48 for people to take wildlife for ceremonial purposes and
49 to support these longstanding traditional practices. But
50 there is the opportunity for people to make errors if we

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1 don't clearly ensure that people understand that the
2 State regulation is different from the Federal regulation
3 that's being proposed.

4

5 So with that, I'll be happy to try to
6 answer any questions you might have.

7

8 CHAIRMAN O'HARA: Council members any
9 questions.

10

11 MR. SAMUELSEN: Mr. Chairman.

12

13 CHAIRMAN O'HARA: Yes, Robin.

14

15 MR. SAMUELSEN: Thank you, Mr. Chairman.

16 So the State regulation covers the whole state by game
17 management units, uh?

18

19 MR. HAYNES: That's correct. It
20 applies.....

21

22 MR. SAMUELSEN: It only pertains to big
23 game animals?

24

25 MR. HAYNES: That's correct.

26

27 MR. SAMUELSEN: Okay.

28

29 CHAIRMAN O'HARA: Any other questions,
30 comments Council members.

31

32 What's the difference -- actually, you
33 know, what they've done on this proposal, I don't know if
34 you've ever seen it or not, obviously you have, on Page
35 48 it starts through the different units and then it
36 gives, you know, the Federal numbers and the State
37 numbers, as far as big game goes, are they pretty much
38 the same?

39

40 MR. HAYNES: Mr. Chairman, the State does
41 not have unit-specific ceremonial harvest regulations.
42 There are a few exceptions. The State does have specific
43 regulations for the Nuchalawoyya potlatch in the Interior
44 Alaska, for the Stick Dance in Interior Alaska, and so
45 those are specific State regulations that are exempt from
46 the general ceremonial harvest regulation.

47

48 CHAIRMAN O'HARA: Uh-huh.

49

50 MR. HAYNES: I might also point out that

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1 the new State regulation as revised by the Board of Game
2 last November exempts the Koyukon Athabascans from this
3 prior reporting requirement. And I think the -- Pat, I
4 believe, pointed out on Page 48, where it describes the
5 content of the proposed Federal regulation, the third
6 bullet at the top of the page, the proposed Federal
7 regulation would require representatives in Units 21 and
8 24 to notify appropriate Federal land manager prior to
9 attempting to harvest resources.

10

11 The State regulation does not require
12 that for Koyukon Athabascans in these two units. So
13 that's another difference between the regulations.

14

15 CHAIRMAN O'HARA: Well, do you have a
16 certain number that they can harvest then? I mean I
17 think at Nondalton and these villages up there we have
18 10, I think is our number.

19

20 MR. HAYNES: The way the State regulation
21 generally works, Mr. Chairman, first of all is to ensure
22 that resources are being conserved.

23

24 CHAIRMAN O'HARA: Uh-huh.

25

26 MR. HAYNES: And if there's communication
27 between the individual or the people who are wanting to
28 harvest resources for ceremonial purposes and area
29 biologists or other Department Staff, they could try to
30 encourage that the harvest take place here rather than
31 over here because it would have less impact on the
32 resource.

33

34 There have been concerns in some areas
35 where there aren't designated numbers of moose, for
36 example, that are taken for a potlatch in the Interior
37 Alaska. Depending on the prominence of the individuals
38 involved or the number of people who may attend the
39 ceremonies around the funeral, may be differing numbers
40 of animals needed to provide food for people attending.

41

42 But if there was a concern that taking
43 any animals or a certain number of animals in a
44 particular area would impact the resource, then the
45 Department would say that and we would not necessarily
46 allow the harvest.

47

48 CHAIRMAN O'HARA: Okay. So you got the
49 inventory and control and you know what numbers you can
50 take?

00050

1 MR. HAYNES: And as a general rule, this
2 is not a problem. We recognize the importance and the
3 significance of these ceremonial activities and unless
4 there was some substantial number of animals that was
5 going to be taken, there should not be conservation
6 issues in very many situations.

7
8 CHAIRMAN O'HARA: Yes. And I think in
9 that case, maybe the Federal Subsistence Board and the
10 State Board are going to be a little different in some of
11 those things. But when we made a recommendation to the
12 Federal Board, we put a number in there and these are the
13 villages and those type of things.

14
15 Any other comments Council members.

16
17 All right, Robert.

18
19 MR. HEYANO: Well, I guess why the
20 exceptions? If this is going to be a statewide, then why
21 do you retain certain exceptions to the proposed
22 regulation, or why did the State?

23
24 MR. HAYNES: Mr. Chairman, perhaps I'm
25 not understanding your question.

26
27 MR. HEYANO: Didn't you say that the
28 Koyukon have a different -- even if -- with the
29 regulations that the State adopted, it doesn't apply in
30 all areas of the state if I understood you correctly,
31 there's some exceptions to it.

32
33 MR. HAYNES: Mr. Chairman, those have
34 been in separate regulations for a number of years and
35 are very -- they're a recurring ceremony, on a regular
36 basis, and so each year you can anticipate that these
37 ceremonial activities will occur and that a certain --
38 and the regulation species that a certain number of moose
39 can be taken for use at those ceremonies. So they're not
40 a random occurrence.

41
42 CHAIRMAN O'HARA: Any other questions.

43
44 (No comments)

45
46 CHAIRMAN O'HARA: Okay, thank you very
47 much, we appreciate that.

48
49 MR. HAYNES: Thank you, Mr. Chairman.

50

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1 CHAIRMAN O'HARA: Other agency comments.

2

3 MR. EDENSHAW: Yes, Mr. Chair. At this
4 time I'm not sure if any of the other agencies, State or
5 Federal have any comments on this proposal. But at this
6 time I'll just chime in with what Pat alluded to earlier,
7 that the three Councils, the Seward Peninsula, the
8 Northwest and the North Slope already meet and three of
9 those Councils supported Proposal 1 with modification.

10

11 And if you look on Page 41 under Proposal
12 1 under number 3, all three of the Councils said that
13 they would delete the name of the decedent from whom the
14 ceremony was held. They all modified that to delete that
15 so it's not required when an individual goes out to take
16 wildlife, on the reporting requirements, that the name of
17 the decedent doesn't have to be on there.

18

19 CHAIRMAN O'HARA: Okay, thank you.

20

21 Fish and Game Advisory Committee. I
22 don't know if there's any Fish and Game Advisory
23 Committee members here in the public today that -- I
24 guess we don't have any. Okay.

25

26 Who's handling summary of written public
27 comments?

28

29 MR. EDENSHAW: I will, Mr. Chair.

30

31 CHAIRMAN O'HARA: Okay.

32

33 MR. EDENSHAW: Those are on Page 43. We
34 had two written public comments and both of those support
35 Proposal 1, and also I was provided copies of the Lake
36 Clark SRC and the Aniakchak SRC and they met this week on
37 February 24th and February 29th. On the 24th the Lake
38 Clark SRC on Proposal 1, the SRC recommends supporting
39 Proposal 1 because it supports traditional subsistence
40 practices and recognizes the importance and necessity of
41 harvesting wildlife for funerals and memorial potlatches.
42 And the Aniakchak SRC on Proposal 1 voted to support
43 Proposal 1 to allow taking wildlife outside established
44 seasons or harvest limits for use as food for traditional
45 funerary and mortuary ceremonies.

46

47 The SRC recommends supporting Proposal 1
48 because it will allow Federal subsistence users to
49 provide food for traditional memorial ceremonies at any
50 time during the year.

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1 And that concludes the written public
2 comments, Mr. Chair.

3

4 CHAIRMAN O'HARA: Any public testimony in
5 this meeting that want to make a comment on Proposal 1.
6 I have received no notice so apparently we don't have any
7 public comment.

8

9 What is the wishes of the Regional
10 Council on this proposal. Yes, Robert.

11

12 MR. HEYANO: Mr. Chairman, I would move
13 to adopt Proposal WP03-01 with the noted changes of the
14 deleting reference to the deceased.

15

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

18

19 MR. SAMUELSEN: Second.

20

21 CHAIRMAN O'HARA: Okay. Robin seconded
22 the motion. Any further discussion, Council members.

23

24 MR. BALLUTA: Question.

25

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

28

29 IN UNISON: Aye.

30

31 CHAIRMAN O'HARA: Opposed.

32

33 (No opposing votes)

34

35 CHAIRMAN O'HARA: We'll take a 10 minute
36 break.

37

38 (Off record)

39

40 (On record)

41

42 CHAIRMAN O'HARA: I'll call the meeting
43 to order.

44

45 MR. SAMUELSEN: Dan.

46

47 CHAIRMAN O'HARA: Yeah.

48

49 MR. SAMUELSEN: On that motion that just
50 passed.....

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1 CHAIRMAN O'HARA: Are you ready, Tina,
2 with the recording?

3

4 MS. HILE: We're on record.

5

6 CHAIRMAN O'HARA: Okay.

7

8 MR. SAMUELSEN: On that motion that just
9 passed I just need some clarification, I supported it,
10 but that's basically a cultural thing. In the Yup'ik
11 culture, the Alutiiq culture, that doesn't happen, but in
12 the Deni'na Indian culture it happens, in Tanana
13 potlatches for ceremonial purposes is a longstanding
14 cultural practice. And with the passage here, I've never
15 been in favor of one regulation to cover the whole state.
16

17 CHAIRMAN O'HARA: Uh-huh.

18

19 MR. SAMUELSEN: Now, we haven't
20 diminished the cultural practices of those people in the
21 Interior and up around Iliamna Lake, like, since it isn't
22 a practiced culture around this area, this just because
23 this regulation passes, on Federal land in Togiak, now,
24 that doesn't automatically mean that when somebody passes
25 away in Togiak, they could go out and get a moose right,
26 they have to demonstrate that it's a cultural practice?
27

28 MS. MCCLLENHAN: That's a good question.
29 If it's for a funeral ceremony, a religious funeral or
30 memorial ceremony, traditional one, then it's acceptable.
31 It's okay. And also that moose would come out of the
32 quota of moose, where there was a quota.
33

34 CHAIRMAN O'HARA: For instance we have 10
35 in the Lake country -- but has she answered your question
36 satisfactorily there, Robin?
37

38 MR. SAMUELSEN: So if it's not a
39 traditional religious ceremony practice in Togiak, I
40 would assume that they won't be.....
41

42 MS. MCCLLENHAN: This is specific to.....
43

44 MR. SAMUELSEN: This would not qualify
45 them.
46

47 MS. MCCLLENHAN: This is specific to
48 traditional ceremonial funeral and memorial ceremonies.
49

50 MR. SAMUELSEN: So they'd have to

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1 demonstrate that there is -- that that's been a
2 traditional practice in the past?

3

4 MS. MCCLLENANAHAN: I think it's established
5 by this paper. In the area it is a traditional practice.
6 Pete, you might want to.....

7

8 CHAIRMAN O'HARA: Yeah, Pete.

9

10 MR. ABRAHAM: I never experienced
11 anything like -- excuse me, Mr. Chairman, experience
12 anything like that, although they to share. If there's a
13 death everybody shares, even the stores donate stuff like
14 that. But if it becomes -- if they're aware of this over
15 here, you know, they might start doing it. I don't know.

16

17 On the next tri-Council meeting I'll be
18 talking about it over here and see what they think. But
19 we never had an experience like that.

20

21 MS. MCCLLENANAHAN: You know, this doesn't
22 remove any of the current stipulations for your region.
23 And I believe that if you wanted to revisit this next
24 time that you could make some stipulations for your
25 region if you wanted to.

26

27 CHAIRMAN O'HARA: Robin, maybe we should
28 -- if you don't feel comfortable answering -- or if you
29 don't know the answer to that question then maybe when we
30 have our next meeting, somebody on Staff, from the legal
31 department or something, needs to maybe give us an answer
32 on that.

33

34 Would that be okay with the Council?

35

36 (Council Nods Affirmatively)

37

38 MR. HEYANO: Mr. Chair.

39

40 CHAIRMAN O'HARA: Robert.

41

42 MR. HEYANO: Well, just for the record,
43 in my mind it's fairly clear, traditional and religious
44 ceremonies. So if you don't have a tradition of doing it
45 I don't see how this proposed regulation would apply.

46

47 MS. MCCLLENANAHAN: It's also specific to
48 funerals and memorial ceremonies.

49

50 MR. HEYANO: Right. So those are the two

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1 qualifiers.

2

3 CHAIRMAN O'HARA: Any other comments.

4

5 MR. SAMUELSEN: Yes.

6

7 CHAIRMAN O'HARA: Yes, Robin.

8

9 MR. SAMUELSEN: But it has -- I don't
10 know if we have a funeral in Togiak and we make the case
11 that it's been traditional, even though we haven't done
12 it in the past, then I would say we'd be okay if I was a
13 member of Togiak to go out and harvest a moose, and have
14 that moose as a potluck ceremony or whatever. They refer
15 to a couple, 40-Day or something else in here, and that's
16 a whole different culture than the Yup'ik culture.

17

18 MS. MCCLENAHAN: Uh-huh.

19

20 MR. SAMUELSEN: And that's all I'm
21 concerned, is a statewide regulation diminishing what is
22 customary and traditional in a culture, like up around
23 Iliamna Lake area and Interior Alaska, them people have
24 been doing it, we know they have been doing it for
25 centuries.

26

27 MS. MCCLENAHAN: Uh-huh.

28

29 MR. SAMUELSEN: And if -- and I hate to
30 use Togiak (In Native) as an example, but if I'm from
31 Togiak and it's not my culture to do this kind of thing,
32 you know, we shouldn't be -- to me it's mocking the
33 people's culture that have practiced it for years. And
34 just because somebody dies in Togiak and we make a case
35 that there's a -- even though we don't practice it, but
36 somebody will make a case that, hey, this has been
37 traditional with us in some way and they start practicing
38 it when it's germane to a specific culture in Alaska.

39

40 MS. MCCLENAHAN: I think you have a good
41 point. I doubt that it would be questioned by the local
42 Federal agency, if this passes.

43

44 CHAIRMAN O'HARA: Well, I think it should
45 be something that, when information from this level goes
46 to the Federal Subsistence Board, that we make that
47 pretty clear on supporting that proposal. We don't
48 support starting something that doesn't have a place as
49 far as the culture goes.

50

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1 That would be my concern anyway.

2

3 MS. MCCLENAHAN: We can incorporate this
4 discussion into the analysis if you'd like?

5

6 CHAIRMAN O'HARA: Absolutely. That would
7 be great.

8

9 Are you happy?

10

11 MR. SAMUELSEN: Uh-huh.

12

13 CHAIRMAN O'HARA: Okay, we're all happy.
14 All right. We're on number 2, executive summary there,
15 if you would, please, Clifford. Who's handling the
16 introduction?

17

18 MR. EDENSHAW: Mr. Chair, Pat is also
19 doing No. 2.

20

21 MS. MCCLENAHAN: Thank you, Mr. Chairman.
22 Pat McClenahan, Staff anthropologist. We're at Tab C on
23 Page 62.

24

25 CHAIRMAN O'HARA: 62?

26

27 MS. MCCLENAHAN: Uh-huh.

28

29 CHAIRMAN O'HARA: Are you on 62 Pat?

30

31 MR. HEYANO: 57.

32

33 MS. MCCLENAHAN: 62.

34

35 MR. EDENSHAW: 62 is when the analysis
36 starts.

37

38 CHAIRMAN O'HARA: Okay.

39

40 MR. HEYANO: Okay.

41

42 MS. MCCLENAHAN: The Office of
43 Subsistence Management submitted a proposal to change the
44 general provisions for all units to standardize the
45 designated hunter regulations. This standardization
46 provides a uniform opportunity for subsistence users to
47 harvest or benefit from the harvest of ungulates in all
48 areas of the state. In the Federal Subsistence
49 Management Program, the term ungulate refers to any
50 species of hoofed mammal including deer, elk, caribou,

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1 moose, mountain goat, dall sheep and muskoxen.

2

3 Currently designated hunting provisions
4 are allowed on a unit-specific bases causing an
5 inconsistency in how the regulations address the
6 designated hunter system.

7

8 Unit-specific provisions have been
9 adopted for 21 hunts in 17 different units. In some
10 cases certain specific provisions have been adopted --
11 I'm sorry, in some cases certain hunts have been
12 overlooked for this provision creating a possible
13 hardship on subsistence users.

14

15 Under the existing regulation designated
16 hunting is only recognized through unit-specific
17 provisions which are listed in Appendix A on Page 72 and
18 following. Under the proposed regulations on Page 62
19 designated hunting for ungulates would be recognized for
20 all units and prohibitions of designated hunting would be
21 through unit-specific provisions.

22

23 Any Federally-qualified subsistence user
24 recipient may designate another
25 Federally-qualified subsistence user to
26 take wildlife on his or her behalf.

27

28 The designated hunter must obtain the
29 designated hunter permit.

30

31 The designated hunter may hunt for any
32 number of recipients.

33

34 They may not have more than two harvest
35 limits in his or her possession at any
36 one time. The designated hunter may not
37 charge the recipient for his or her
38 services in taking the wildlife or for
39 the meat or any part of the harvested
40 wildlife. This proposal would allow
41 designated hunting of all ungulates on a
42 statewide basis with the option of unit-
43 specific exceptions to these provisions.

44

45 With respect to the regulatory history,
46 the Board deferred proposals submitted in 1994 and
47 directed Staff to work on the Regional Councils and ADF&G
48 to identify and review alternative harvest systems
49 statewide. This review resulted in the report of the
50 designated hunter task force in October 1994.

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1 At the 1995 Federal Subsistence Board
2 meeting the Board adopted the current designated hunter
3 system because it provides a standardized approach
4 allowing any qualified subsistence user to designate
5 someone to hunt on his or her behalf. And it establishes
6 a separate Federal permitting system for the benefit of a
7 hunter who would need a valid permit that allowed
8 possession of more than one bag limit and also provide
9 harvest information.

10
11 Since then designated hunter provisions
12 have been established for moose hunts in four other
13 units. For caribou hunts in seven units. And for sheep
14 hunts in two units. Two special actions this season
15 dealt with moose and muskox. The proposal history is
16 listed in Table 1 on Page 65.

17
18 The Alaska Department of Fish and Game
19 regulations, the State of Alaska provides for the
20 transfer of harvest limits from one person to another
21 through its proxy hunting program. The State system
22 differs from the Federal designated hunter provisions in
23 the following ways, in its statewide application. In
24 that it applies only to caribou, deer and moose. It's
25 available only to residents who are blind or 70 percent
26 disabled or 65 years of age or older. Either the
27 recipient or the hunter may apply for the authorization.
28 No person may be a proxy hunter for more than one
29 recipient at a time.

30
31 On Page 64, if you're following along,
32 these little bullets, the sixth or last bullet that says
33 the recipient is responsible for harvest and permit
34 reporting is incorrect. The correct bullet should read,
35 both State and Federal systems assign responsibility to
36 the recipient of the harvest for all harvest permit
37 requirements.

38
39 With regard to harvest history, 21
40 designated hunter provisions are in the unit-specific
41 regulations. Permits have been requested for 18 of these
42 hunts. The three hunts where no one has applied for a
43 permit are Units 11, 17 caribou and Unit 25(D) moose. A
44 total of 2,106 permits have been issued and 1,902
45 harvests have been reported. Permit history has shown in
46 Table 2 on Page 66.

47
48 For the 2000/2001 season under the
49 Federal system, 387 designated hunters harvested 408
50 animals. For the same hunts all hunters harvested 15,519

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1 animals. This is shown in Table 3 on Page 66. The
2 largest designated harvest, 322 was for deer in Units 1
3 through 5. This harvest represented 3.1 percent of the
4 10,500 deer harvested in those units. The 53 deer
5 harvested by designated hunters in Unit 8 is the next
6 highest for 2001 and represents 2.1 percent of the total
7 harvest.

8

9 Annual designated hunting harvests, the
10 designated hunter program is shown by annual harvest in
11 Figure 1 on Page 67. This shows that these two deer
12 hunts in Units 1 through 5 and Unit 8 have the highest
13 harvest annual levels. All other hunts had less than 50
14 and in most cases less than 25 animals harvested
15 annually.

16

17 With respect to customary and traditional
18 uses, on a statewide basis findings from a comparison of
19 household harvests in a community documented that it is
20 not uncommon for about 30 percent of the households in a
21 community to produce about 70 percent or more of the
22 community's wild food harvest. The report by Wolfe, went
23 on to recommend designated hunter or community harvests
24 as being more compatible with the customary harvest
25 patterns of particular rural Alaskans.

26

27 Effects of the proposal. Currently there
28 are 66 Federally regulated ungulate hunts throughout the
29 state shown in Table 4 on Page 68. Designated hunter
30 provisions are available in 21 hunts of these hunts. The
31 2002 moose hunt in 6(C) was a special action and is under
32 review during this regulatory cycle. With respect to
33 exceptions to two harvests and possession limit, the
34 three hunts that are different from the proposed
35 regulation are in the caribou hunt in Units 9(C) and (E),
36 that hunt has no limits on the number of harvest and
37 possession and the caribou hunts in Unit 9(D) and 10,
38 where there's a limit of four harvests in possession.
39 These hunts could also be standardized to a two harvest
40 limit. A review of the permit data does not show any
41 designated hunter harvesting more than two harvest
42 limits.

43

44 Feedback from the Bristol Bay Regional
45 Advisory Council on the 9(C) and 9(E) caribou hunt would
46 help evaluate the change in harvest limits to two as
47 proposed.

48

49 The designated hunting program is not
50 expected to cause any significant increase in

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1 participation or any delays in reporting of harvests.

2

3 The harvests by hunters using designated
4 hunter provisions in 2000/2001 represents 2.6 of the
5 harvest by all hunters. Staff believed that extending
6 the designating hunter provisions to the remaining 45
7 ungulate hunts allowed by subsistence regulations should
8 not have a significant impact on these resources.

9

10 This action would provide a uniform
11 opportunity to subsistence users to harvest or benefit
12 from the harvest of ungulates in all areas of the state
13 and will facilitate the customary and traditional use of
14 wildlife for sustenance, bartering and for the
15 continuation of traditional ceremonies.

16

17 However, since the original writing of
18 this analysis a number of concerns have been raised about
19 the potential impact of designated hunting on small
20 populations. It has been pointed out this could
21 particularly impact goat, muskox and sheep.

22

23 The Staff preliminary conclusion is to
24 support the proposal. The proposed regulation should
25 read:

26

27 All units, wildlife. A Federally-
28 qualified subsistence user recipient may
29 designate another Federally-qualified
30 subsistence user to take ungulates on his
31 or her behalf unless the recipient is a
32 member of a community operating under a
33 community harvest system or unit-specific
34 regulations in Section 26 preclude the
35 use of the designated hunter system.

36

37 The designated hunter must obtain a
38 designated hunter permit and must return
39 a completed harvest report. The
40 designated hunter may hunt for any number
41 of recipients but may have no more than
42 two harvest limits in his or her
43 possession at any one time unless
44 otherwise specified in unit-specific
45 regulations in Section 26.

46

47 The designated hunter may not charge the
48 recipient for his or her services in
49 taking the wildlife or for the meat or
50 any part of the harvested wildlife.

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1 Our justification is that there are there
2 are currently 21 hunts with designated hunter provisions.
3 The harvest by these hunters represents 2.6 percent of
4 the harvest by all hunters. Extending designated hunter
5 provisions to the remaining 45 ungulate hunts allowed by
6 Federal subsistence regulations should not have a
7 significant impact on these resources and will provide a
8 uniform opportunity to subsistence users to harvest or
9 benefit from the harvest of wildlife in all areas of the
10 state.

11
12 Permit data from past designated hunts
13 shows that these harvests have occurred within the
14 proposed standard two harvest limit provisions.

15
16 Mr. Chairman, that concludes my report.

17
18 CHAIRMAN O'HARA: Okay, Pat, thank you.
19 Council members you have any questions or comments on
20 Pat's report today?

21
22 (No comments)

23
24 CHAIRMAN O'HARA: Hearing none, State of
25 Alaska, if you would, please, Terry.

26
27 MR. HAYNES: Thank you, Mr. Chairman.
28 The Department's comments on the original proposal appear
29 on Pages 60 and 61 of your meeting booklet. I won't go
30 through those, they're fairly lengthy and detailed.

31
32 But the Department generally supports the
33 Federal designated hunter regulation and believe its
34 application on a statewide basis can provide some
35 benefits and administrative efficiencies. But that its
36 implementation on a statewide basis would be premature.

37
38 We have a concern, as Pat pointed out,
39 about designated hunting applying to goats, sheep and
40 muskox. Species that concentrate late in the season and
41 often occur in small groups. It would be very easy for a
42 small group of hunters going out legally and also to hunt
43 for another individual to substantially impact some of
44 these species that have concentrated in an area and occur
45 in small numbers to begin with. So we believe that if
46 there's a statewide provision for designated hunting,
47 that there should be some exceptions to that rule.

48
49 Our preference would be that the
50 designated hunter regulation apply only to moose, caribou

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1 and deer, consistent with the State's proxy hunting
2 regulation. Or that the number of harvest limits that a
3 hunter can have in possession at any one time be limited
4 to reduce the potential for overharvest in certain
5 situations. The impact of designated hunting may be
6 greater in those areas where there are, you know, small
7 numbers of species concentrated in particular areas and
8 these areas are primarily Federal lands.

9

10 There's also the potential for designated
11 hunting in some areas to increase hunter success rates
12 such that accurate harvest reporting will be essential to
13 assure that managers can accurately gage how to manage
14 these resources. In other words, under the current
15 scenario, without designated hunting and based on harvest
16 reporting information that's provided, there may be, you
17 know, hunter success rate is a certain percentage, there
18 could be situations arise where designated hunting could
19 increase that percentage substantially and require that
20 there be some adjustments made in how harvests are
21 allocated for these hunts.

22

23 So again, just as a general rule we
24 support designated hunting. We'd like to see a
25 regulation that is a bit more consistent with the
26 existing State proxy hunting regulation but we realize
27 that designated hunting is an appropriate practice and is
28 consistent with subsistence uses around the state.

29

30 CHAIRMAN O'HARA: Okay, thank you. Any
31 questions Council members.

32

33 I was wondering where the Federal and
34 State might differ would be on the Alaska Peninsula --
35 North Peninsula Caribou Herd where that's a Tier II, only
36 a certain number of animals are being taken, would there
37 be a conflict -- I think the biggest number of permits go
38 to the State of Alaska and a few are kept for those on
39 Federal lands such as on the east side over in the
40 Chignik areas. So there really wouldn't be a conflict in
41 a situation -- I was trying to figure out where it would
42 be -- you know, where it would apply differently than --
43 that's not a problem is it?

44

45 Do you understand what I'm talking about?

46

47 MR. HAYNES: I haven't thought about that
48 specific case from the State's perspective. Certainly
49 some of the problem we have about certain hunts would be
50 offset, if there is an overall limit on the harvest -- on

00063

1 the number of animals that can be harvested. What
2 happens then is it just becomes a matter of who's going
3 to do the harvesting. But if you set a ceiling on the
4 number of animals that could be taken overall, then that,
5 I think, reduces some of that potential difficulty.
6 And.....

7

8 CHAIRMAN O'HARA: Would these -- excuse
9 me, go ahead, I'm sorry.

10

11 MR. HAYNES: I was going to say Dan
12 LaPlant might have another perspective for you.

13

14 CHAIRMAN O'HARA: Okay.

15

16 MR. LAPLANT: No, Mr. Chair.....

17

18 CHAIRMAN O'HARA: Be sure to give your
19 name.

20

21 MR. LAPLANT: This is Dan LaPlant from
22 the Office of Subsistence Management.

23

24 CHAIRMAN O'HARA: Okay.

25

26 MR. LAPLANT: I would agree with Terry, I
27 don't see in the situation that you identified that there
28 being a problem, since there is a predetermined limit set
29 on the harvest. So, you know, it shouldn't matter who
30 actually does the harvesting, that predetermined limit is
31 there so as far as conservation of the population is
32 concerned, that is addressed.

33

34 CHAIRMAN O'HARA: Uh-huh. In other words,
35 your Mulchatna herd is not a problem. The boundaries
36 start changing for the Alaska Peninsula Herd when Sellers
37 took the boundary from above the Branch to, brought it
38 down by Naknek, South Naknek -- or Naknek, the north
39 side, I mean that was a big change and you had 100,000
40 animals from the Mulchatna Herd or close to it and the
41 boundaries changed and the harvest limits changed and
42 everything went bonkers there for awhile and then animals
43 went away and it was all back to normal.

44

45 I'm not so sure -- yes, thank you very
46 much, I appreciate that. Thank you for the confusion
47 because I don't know if it helps or not.

48

49 Thanks Terry.

50

00064

1 Yeah, Robert.

2

3 MR. HEYANO: Mr. Chairman, I think just
4 for clarity I think the significant difference between
5 the State's system and what's being proposed here is that
6 the State's proxy hunt is limited to certain individuals
7 based on.....

8

9 MR. SAMUELSEN: 70 percent disabled.

10

11 MR. HEYANO:60 years and older.

12

13 MR. SAMUELSEN: Right.

14

15 MR. HEYANO: And blindness, I guess.
16 What this proposal is stating is that anybody, you could
17 be completely healthy and you can designate somebody else
18 to go harvest your game. And that's a significant
19 difference in than the State's system.

20

21 CHAIRMAN O'HARA: Well, thanks, guys.

22

23 MR. HEYANO: Am I on the right track
24 there?

25

26 MR. LAPLANT: That's correct.

27

28 MR. HEYANO: Okay, thanks.

29

30 CHAIRMAN O'HARA: Okay, thank you for
31 that Robert. Thank you very much guys. Other agencies.

32

33 (No comments)

34

35 CHAIRMAN O'HARA: No. I guess we don't
36 have any Fish and Game Advisory Committee comments on
37 this either?

38

39 MR. EDENSHAW: No, Mr. Chair.

40

41 CHAIRMAN O'HARA: And I have no written
42 public comments?

43

44 MR. EDENSHAW: There weren't any in the
45 book but the two that we received from the SRC. The Lake
46 Clark SRC on Proposal 2, they didn't have a
47 recommendation and they state that the SRC discussed
48 Proposal 2 and expressed concern about the proposal's
49 wording and what it meant. It was unclear who would be
50 eligible to obtain a designated hunter permit and whether

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1 there would be any criteria such as requiring an
2 applicant to be elderly or disabled to qualify. The SRC
3 recognizes the need to allow subsistence users unable to
4 hunt because of age, disability or infirmity and intends
5 to implement a separate designated hunter program for
6 Lake Clark National Park as a component of the Park's
7 subsistence hunting plan.

8

9 The Aniakchak SRC supports Proposal 2 to
10 establish provisions to allow designated hunters to
11 harvest ungulates for other Federally-qualified users.

12

13 CHAIRMAN O'HARA: Okay. We don't have
14 any public comment and so it's down to the Advisory
15 Council.

16

17 What are the wishes of the Council.

18

19 MR. SAMUELSEN: General discussion.

20

21 CHAIRMAN O'HARA: Yes, if you'd like.

22

23 MR. SAMUELSEN: Yeah, I'd like to have a
24 discussion on it, Mr. Chairman.

25

26 I think that we recognize that the State
27 proxy system was pretty limited. You had to be 70
28 percent disabled, doctor certified, you had to be 65
29 years or older, other people -- people have come forth in
30 our meeting and talked about widows in villages with
31 kids, husband passes away, they need to go hunt for her.
32 But I think this proposal takes it completely to the far
33 end of the spectrum, and I don't know if that was the
34 RACs intent for me to give Robert my proxy to go hunt any
35 time for me when I'm fully capable.

36

37 I think what we wanted to recognize is
38 the widows in the village, that there are people that are
39 disabled in the village, they may not be doctor certified
40 disabled. But, you know, 70 percent disabled, Mr.
41 Chairman, if you lost 65 percent of your eyesight, could
42 you go hunting? I doubt it. So to me trying to put a
43 percentage in there is meaningless. If you lost 56
44 percent -- 65 percent motion in both your feet, you know,
45 you won't be able to go out and -- our proxy system out
46 here on the Nushagak Peninsula Caribou Herd administered
47 by the tribes seems to be working, where we got a
48 reporting requirements, and we're going to get into that
49 in the next proposal.

50

00066

1 But at this time I'm unwilling to allow
2 me to give my proxy to Robert just because it's a matter
3 of convenience.

4
5 I want to develop a regulation that will
6 recognize those that are disenfranchised, those that are
7 widowed, don't have means, but just to open it up to
8 everybody to get a proxy, I think is a pretty loose
9 regulation.

10
11 I guess we could ask Staff if we could
12 amend it -- anything that's before us could be amended.
13 But it just seems that we're taking it from one extreme
14 to the other extreme.

15
16 CHAIRMAN O'HARA: Okay, that's a good
17 point, and we ought to have a little more discussion on
18 that. And then we probably should go ahead and table
19 this until tomorrow morning in which we can have Cliff,
20 he can get his fast little fingers together and have
21 something in written form.

22
23 Is there any other comment from the
24 Council members. Yes, Robert.

25
26 MR. HEYANO: Well, Mr. Chairman, I can't
27 support the proposal as it is written. I think it's too
28 broad. And quite frankly, I think the State's proxy
29 system has worked quite well.

30
31 What I'm familiar with, there's actually
32 two things, there's the sharing aspect but that usually
33 came out of your harvest or your legal harvest. And then
34 the other aspect is that if there was somebody who
35 couldn't because of physical means, do it, then there was
36 the proxy hunt. And those are two distinct different
37 criteria.

38
39 And I've participated in the State proxy
40 hunt, it works quite well, I thought. The individual
41 family got their full compliment, if I was successful.

42
43 And then the other aspect of sharing, I
44 think this takes it way too far. And I think to address
45 some of the State's concerns, I would go as far if, under
46 the State's system, if there was somebody in the
47 community and it was a limited amount of resource and
48 based on the State's criteria, I'd be very comfortable
49 having that person under that proxy system have equal
50 access to somebody who was physically able to whereas I

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1 wouldn't be if somebody, for whatever reason, had the
2 means and was physically able and chose not to, to have
3 somebody else harvest that limited resource on their
4 behalf. In my mind there's two distinct differences
5 there.

6

7 CHAIRMAN O'HARA: Okay. If I could make a
8 comment to both your concerns today. I think one of the
9 practical things, and this is why I asked Terry and Dan
10 the question of, when you've got boundaries and a certain
11 number of animals, this year there is all open water, you
12 can't land on a sand bar because it's too soft, you can't
13 go by skiff because there's still floating ice, the lakes
14 are -- have floating ice on them and you have permits
15 that have been issued and the only place that caribou
16 showed up is Egegik and how many permits are issued this
17 year, Cliff, on the North Peninsula Caribou Herd, 60,
18 again, like last year?

19

20 MR. EDENSHAW: Ron, I think it was 50?

21

22 MR. SQUIBB: 600 and.....

23

24 MR. EDENSHAW: But on the Federal.

25

26 MR. SQUIBB: It's 10 percent of the.....

27

28 CHAIRMAN O'HARA: How many?

29

30 MR. SQUIBB: It's 40.

31

32 CHAIRMAN O'HARA: How many?

33

34 MR. SQUIBB: 40.

35

36 CHAIRMAN O'HARA: 40, okay, 40 permits,
37 which I serious doubt if any of them have been even
38 filled out -- maybe they have been filled out, I may be
39 speaking out of turn. But I guess in the same vein, and
40 we ought to think about this, these caribous start
41 migrating south and you got Boris over here and the
42 people down in Chigniks and they start going by Port
43 Heiden and occasionally sometimes, you know, the time
44 limits even extended out a little bit farther if you
45 don't have any harvest, now, there's a time, I think when
46 those people should be allowed to -- Port Heiden people
47 to take animals for them and send them to Chigniks. That
48 would be, I think, a practical thing to do, you know.

49

50 And the big squeeze came when all of a

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1 sudden 600,000 animal, I mean -- 600,000 -- 50 to 100,000
2 animals showed up in Naknek, I mean they literally
3 covered the whole tundra, and the next day when they
4 opened up the limit, they were all gone. They didn't
5 kill very many of them, that was really interesting.

6

7 So we need to look for something that's a
8 middle ground here where it's a practical thing without
9 hurting the resource and without making it openended.
10 So how do we do that?

11

12 I think that's what we have to feed into
13 the proposal. If we need a little bit more time to do
14 it, to let the brains get together and sharpen their
15 pencil and have something for us tomorrow, some ideas,
16 fine.

17

18 If not, we don't have to necessarily
19 support the proposal either.

20

21 Yes.

22

23 MR. HEYANO: Well, I think, Mr. Chairman,
24 what you and Robin are suggesting is going to take quite
25 a bit of thought and how do you allow a certain activity
26 and prohibit others. It's not really a very clear line
27 so I don't know if we -- we can attempt to draft
28 something, I guess, between now and tomorrow.

29

30 But I think, you know, the other thing
31 is, is, speaking to the subject, I think we need to
32 encourage people to continue to participate in
33 subsistence activities. You know we're changing out here
34 and it's getting to be more of a cash economy. That
35 aspect is moving further and further away from the
36 lifestyle here so we need to encourage young people or
37 other people to continue it. Making it easier for them
38 not to, I don't think it's in our best interest in the
39 long run.

40

41 You know, Robin stated that the widows,
42 you know, if they have old enough children they should be
43 encouraged to go with somebody who is older and has the
44 means to continue that tradition. So I think if we go --
45 we might be hurting ourselves in the long run by making
46 it too easy. And then obviously there's your concerns,
47 if there is no animals available in the community.

48

49 CHAIRMAN O'HARA: Yeah, there's one in
50 one area and then moose in the other area.

00069

1 MR. HEYANO: And that's a whole separate
2 issue.

3

4 CHAIRMAN O'HARA: Go ahead, Robin.

5

6 MR. SAMUELSEN: Yeah, maybe under the
7 justification, you know, we've got 21 hunts with
8 designated hunter provisions.

9

10 CHAIRMAN O'HARA: What page are you on?

11

12 MR. SAMUELSEN: 70, bottom.

13

14 CHAIRMAN O'HARA: 70, okay.

15

16 MR. SAMUELSEN: The harvest by this
17 hunters represents 2.6 percent of the harvest by all
18 hunters. I mean can the Federal Staff or the State Staff
19 give me any indication what kind of increase we'd be
20 looking at if we developed a proposed regulation as
21 proposed by Staff, Federal Staff.

22

23 Are we talking of a perceived problem or
24 a real problem here, that 2.6 percent?

25

26 MR. LAPLANT: Well, Mr. Chairman. Member
27 Samuelsen. The 2.6 percent, of course, indicates that
28 under the low participation rate in the existing
29 designated hunter system, we don't anticipate it
30 increasing much beyond that.

31

32 Now, in areas or units where the local
33 people have asked for a designated permit, in general,
34 the Board has approved those. In areas, of course, where
35 they don't have designated hunter provisions, remainder
36 of the state, predominately it's because the local people
37 had not requested it.

38

39 Every year the Board does, seems at least
40 in the past five or six years, every year the Board has
41 addressed a specific request from an area. So I think
42 the main intent here was to, as designated hunter
43 authorizations are requested and the Board has been
44 approving them, we have a number of specific situations
45 in the regulations, and the intent here was to
46 streamline, provide this uniform opportunity throughout
47 the state.

48

49 But we anticipate that there won't be a
50 significant increase in use of the designated hunter

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1 permit system. With the regulations that are being
2 proposed here unit-specific regulations could be
3 presented in the future to not allow designated hunter
4 provisions in areas where problems do arise.

5
6 So, you know, we could take the reverse
7 approach to the existing regulations. Currently it's
8 allowed where there's specific regulations. With this
9 approach it would be allowed throughout the state, but
10 only disallowed where you have specific regulations
11 identified.

12
13 CHAIRMAN O'HARA: Anything else, Robin.

14
15 MR. SAMUELSEN: No.

16
17 CHAIRMAN O'HARA: Yes, Robert.

18
19 MR. HEYANO: Well, based on that
20 explanation then, Mr. Chairman, I'm more inclined to not
21 vote in favor of the proposal and address your concern by
22 a specific proposal. And maybe we could work around
23 Robin's concerns by a specific proposal. Rather than
24 open it up and then restrict it down.

25
26 CHAIRMAN O'HARA: Would the Council
27 rather maybe table this and then go ahead and write up
28 our own proposal on it for our area?

29
30 Robert.

31
32 MR. HEYANO: Well, I think that we won't
33 meet again before the Federal Subsistence Board acts on
34 these proposals, so I think we have to take some type of
35 action today or at least let them know what our thoughts
36 are.

37
38 CHAIRMAN O'HARA: Yes, did you want to
39 make a comment.

40
41 MR. EDENSHAW: I was just going to ask
42 Dan or perhaps Ida could let us know when the Staff
43 Committee meets after the Council meetings. Because in
44 the past, you know, we met via teleconference when you
45 guys withdrew Proposal 6(A). So when does the
46 Interagency Staff Committee, when they're going to meet,
47 you'd probably have until then if you wanted to do that
48 also to discuss any other options for their proposal.

49
50 CHAIRMAN O'HARA: Sandy, did you have a

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1 comment you wanted to make?

2

3 MR. RABINOWITCH: Well, the answer to the
4 question.....

5

6 CHAIRMAN O'HARA: Well, you need to come
7 up to the microphone and give us your name and go on
8 record.

9

10 MR. RABINOWITCH: Sandy Rabinowitch with
11 the Park Service. The answer to that question is April
12 14th, 15th and 16th when the Staff Committee will meet.

13

14 CHAIRMAN O'HARA: Well, the other --
15 thank you, Sandy, appreciate that. Ida, would you come
16 up and give us your name, please.

17

18 MS. HILDEBRAND: Thank you, Mr. Chairman.
19 Ida Hildebrand, BIA Staff Committee member.

20

21 Although we did that other thing with the
22 last Staff Committee meeting, I would highly recommend
23 against it. This is the Council that makes
24 recommendations to us and we'd like the recommendation
25 and their intent to come to us as we move it forward to
26 the Board. So I would agree with Dan's earlier comment
27 that you can draft language that's specific to this
28 region overnight and make a decision before the end of
29 your meeting tomorrow.

30

31 And if you'd like help with that, I'll
32 gladly volunteer to help you.

33

34 CHAIRMAN O'HARA: Okay. Thank you, Ida.
35 Any other comments Council members.

36

37 (No comments)

38

39 CHAIRMAN O'HARA: Well, let's take a shot
40 at something for tomorrow, written. If we're on a time
41 frame.....

42

43 MR. SAMUELSEN: Move to table it until
44 tomorrow, Mr. Chairman.

45

46 CHAIRMAN O'HARA: Okay.

47

48 MR. HEYANO: Second.

49

50 MR. SAMUELSEN: And see if we can work on

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1 it tonight.

2

3 CHAIRMAN O'HARA: We don't need a second
4 when we table anything. It does not come off the table
5 until the one who made the motion brings it off. So
6 we'll go to the next -- we'll take a break here and go to
7 the next proposal.

8

9 (Off record)

10

11 (On record)

12

13 CHAIRMAN O'HARA: We'll call the meeting
14 back to order.

15

16 Call the meeting back to order.

17

18 Okay, let's go, let's go.

19

20 (Pause)

21

22 This is where we have good intentions of
23 getting done on time and it doesn't work out that way.
24 So are you ready David with the next proposal?

25

26 MR. FISHER: Thank you, Mr. Chairman.
27 Regional Council members. Dave Fisher with Fish and
28 Wildlife Service, Anchorage office. We're going to get a
29 little closer to home with the next wildlife proposals
30 here before us. The first one we have is No. 22 and it's
31 submitted by the Nushagak Peninsula Caribou Planning
32 Committee.

33

34 CHAIRMAN O'HARA: Page number?

35

36 MR. FISHER: Page 85.

37

38 CHAIRMAN O'HARA: Okay.

39

40 MR. FISHER: This would reduce the
41 current caribou harvest limit from two caribou to one and
42 it would also allow the Refuge manager to close the
43 season when necessary to prevent an overharvest.

44

45 As you recall there was a special action
46 that was put in place by the Board, it was submitted by
47 the planning committee and this reduced the harvest and
48 what this proposal would do is replace that special
49 action with a permanent regulation.

50

00073

1 I won't go into too much detail on the
2 Nushagak caribou, we're pretty familiar with that herd.
3 It is managed by a management plan, and the management
4 plan sets a harvest level of not more than 10 percent
5 when the population is between 600 and a thousand. The
6 planning committee also recommends the number of permits
7 to be made available each season. These animals were
8 reintroduced in '88, had excellent growth rate, since
9 that time up to around the mid-to late 1990s the
10 population was somewhere around 1,200 or 1,300 at one
11 time. The current estimate is down around 700.

12
13 The Refuge may want to elaborate a little
14 bit more on this one when they give their presentation.

15
16 The hunting started in 1995 and the
17 harvest has ranged from a low of 20 animals in '96/97 to
18 127 last year. The harvest over the last eight years has
19 averaged around 68 caribou reported as harvested.

20
21 Again, what this proposal would do would
22 reduce the harvest limit, allow the Refuge manager to
23 close the season when the harvest objective is met. The
24 Refuge manager would consult with a planning committee to
25 determine the harvest level and number of permits to be
26 made available and as you know that committee gets
27 together with the Refuge and Fish and Game to work on
28 this.

29
30 The Staff recommendation was to support
31 this proposal, however, with a modification. That
32 modification would allow a harvest limit up to two
33 caribou instead of one. And it would include the
34 following language, the harvest objective level harvest
35 limit and the number of permits would be announced by the
36 Refuge manager. And like I previously said he would work
37 with the planning committee and Fish and Game and they
38 would work this up prior to the hunt.

39
40 The justification here, allowing the
41 Refuge manger to set the limit of number of permits and
42 to close the hunt could prevent an overharvest and
43 modifying the harvest limit by allowing a harvest limit
44 of up to -- may allow additional subsistence opportunity.

45
46 That's all I have.

47
48 CHAIRMAN O'HARA: Okay, any questions
49 Council members.

50

00074

1 MR. ABRAHAM: Mr. Chairman.

2

3 CHAIRMAN O'HARA: Yes, Pete.

4

5 MR. ABRAHAM: Mr. Chairman, does anybody
6 know the number at this time, how many caribous there
7 are?

8

9 MR. FISHER: I think they're estimating
10 right around 700. Unless Andy has an update, but I think
11 that's pretty close to what it is.

12

13 MR. ABRAHAM: Mr. Chairman, last week or
14 so you said something about a radio-collared up around
15 Togiak way.

16

17 MR. ADERMAN: Mr. Chairman, Andy Aderman,
18 Togiak National Wildlife Refuge. Yes, I did a radio-
19 tracking flight last week on the Nushagak Peninsula. I
20 found 16 or 17 of 20 radio-collared animals. I then
21 searched over into Togiak Valley and in the Pungokebuk
22 Creek drainage, I found one Nushagak radio-collared
23 animal. The other two animals I did not find.

24

25 There were about 400 caribou that I seen
26 in that area, in the Togiak Valley. But with no snow,
27 and there could have been a lot more caribou.

28

29 MR. ABRAHAM: The past years, you know,
30 remember we were fighting about the caribous between Twin
31 Hills, and I suspected those are from the Peninsula Herd,
32 and then soon some of them moved down around Osviak. You
33 can tell a difference between a migrant caribou and then
34 a resident caribou. Those caribous around there across
35 from Goodnews Bay, over that area, those are still from
36 the Peninsula down there because they don't go anywhere.
37 I think we started out with 12 or 25 and now there's over
38 200 in that group there.

39

40 In fact, I seen those last spring, 200
41 animals there.

42

43 MR. FISHER: So you think the animals
44 that are down around Osviak are Nushagak caribou that
45 have moved from Twin Hills?

46

47 MR. ABRAHAM: No, they're just migrating
48 that area, you know, they're going up Togiak Lake,
49 they're going behind Twin Hills, go behind Togiak, down
50 hill from Togiak. They're everywhere. Those 700 you got

00075

1 down there -- remember -- 1,500, well, you know, the rest
2 are up there around Togiak area. That's what I'm
3 thinking.

4

5 But the proof now, Andy said there was
6 some up there by Togiak Lake, they've been migrating back
7 and forth.

8

9 MR. ADERMAN: Well, if I may, Mr.
10 Chairman.

11

12 CHAIRMAN O'HARA: Andy.

13

14 MR. ADERMAN: Other than that one animal,
15 that's radio-collared, I don't know that that's proof
16 enough. There has been a few times in the last two years
17 where the herd has moved off a short distance off the
18 Nushagak Peninsula, just on the east side of Kulukak Bay.
19 And when that's happened, we had a pretty good proportion
20 of the radio collars were located with those animals.
21 And to me, if those were Nushagak Peninsula Caribou that
22 moved off the Peninsula, I would expect about half or
23 more of the radio collars to have gone with them.

24

25 CHAIRMAN O'HARA: Yeah, Robin -- excuse
26 me, Pete, are you done?

27

28 MR. ABRAHAM: Yeah.

29

30 MR. SAMUELSEN: Well, I think according
31 to the management plan when we set it up, on the Nushagak
32 Peninsula Caribou Herd it didn't matter how many animals
33 moved off, it was what was left that dictated the
34 management plan and down around 600, 600 to 1,000
35 animals, I think the exploitation by subsistence users
36 was 10 percent, we had to take a precautionary approach
37 to build that herd -- to keep that herd sustainable, Mr.
38 Chairman.

39

40 So, you know, Peter may very well be
41 right that those caribou were migrating off, but the task
42 that the villages and the Department has managing that
43 herd is what stays on the land, and that's what we have
44 to deal with.

45

46 Right?

47

48 MR. ADERMAN: You're correct.

49

50 CHAIRMAN O'HARA: Council members any

00076

1 more comments.

2

3 For our new Board member, they took these
4 animals from over there by Becharof and Pilot Point and
5 those places and they transferred them over here to the
6 Nushagak Peninsula, Boris, and how many did you bring
7 over?

8

9 MR. ADERMAN: There was 146.

10

11 CHAIRMAN O'HARA: There was 146, and
12 they've gotten up to as many as 1,500?

13

14 MR. ADERMAN: Pretty close to 1,500.

15

16 CHAIRMAN O'HARA: So it's kind of a
17 special transplant and the reason they did that, Boris,
18 is new and he didn't get his book until today, and I
19 can't give you too good a history but we're dealing with
20 these little animals that sit out here on the Peninsula,
21 you know close to where we go herring fishing. And so
22 those numbers have dropped down to maybe six or 700?

23

24 MR. ADERMAN: My best estimate right now
25 is around 700 animals.

26

27 CHAIRMAN O'HARA: Okay. The question I
28 had is you had 20 collared?

29

30 MR. ADERMAN: Currently, yes.

31

32 CHAIRMAN O'HARA: Found 17?

33

34 MR. ADERMAN: Right.

35

36 CHAIRMAN O'HARA: Were the other three
37 harvested?

38

39 MR. ADERMAN: I don't believe so.

40

41 CHAIRMAN O'HARA: Do they die when -- I
42 mean if they die does the collar fall off or.....

43

44 MR. ADERMAN: No. Probably what happened
45 with these three is the batteries in the collar die.

46

47 CHAIRMAN O'HARA: Uh-huh.

48

49 MR. ADERMAN: And it no longer transmits
50 a signal.

00077

1 CHAIRMAN O'HARA: I see. So it isn't
2 dependent upon the animal being alive, it's the strength
3 of the battery?

4
5 MR. ADERMAN: Correct.

6
7 CHAIRMAN O'HARA: Okay. Council members,
8 any other questions of Dave?

9
10 MR. HEYANO: Mr. Chairman.

11
12 CHAIRMAN O'HARA: Okay, Robert.

13
14 MR. HEYANO: I don't have any questions,
15 Mr. Chairman, just some comments. I wonder, presented to
16 the Nushagak Peninsula Caribou Planning Committee,
17 there's a consistent trend where the Refuge's population
18 estimate has actually been higher than actual numbers of
19 caribou on the ground so that's one thing we have to take
20 in consideration that we're probably dealing with less
21 than 700 animals just based on the past performance and I
22 don't know why that is.

23
24 I think the other thing that we need to
25 take into consideration that was brought to our attention
26 is that we have an under reporting problem. And through
27 their limited enforcement activities which they've been
28 stepping up because of reports back, it's a fairly
29 significant problem, I think. So we took this herd from
30 1,500 and reduced to probably something less than 600 in
31 a pretty short period of time. So I think we need to
32 start over and be extremely conservative and educate the
33 public as to harvesting practices.

34
35 CHAIRMAN O'HARA: If I could ask you a
36 question, Andy, on predator controls, I mean predator
37 increase or nothing much has changed with the wolves or
38 the bear.

39
40 MR. ADERMAN: There appears that both
41 brown bears and wolves have increased on the Nushagak
42 Peninsula. We also have, I think, a fairly health coyote
43 population down there as well.

44
45 CHAIRMAN O'HARA: All right. Well, if we
46 don't have any other questions thank you very much and
47 State of Alaska has a little, I think it's the next one,
48 isn't it there, Clifford.

49
50 MR. EDENSHAW: Yes.

00078

1 CHAIRMAN O'HARA: The Department, State
2 of Alaska has support with clarification. Maybe we could
3 look at the clarification part of that, if you would,
4 Terry. Let us know what page you might be referring to
5 if there is one on our proposal.

6

7 MR. HAYNES: Thank you, Mr. Chairman.
8 Terry Haynes, Department of Fish and Game. The
9 Department's comments are on Page 84 of the Council
10 meeting book.

11

12 I don't have a clarification for you but
13 I would just say that the Department supports the
14 proposal as modified for the reasons given in the
15 justification on Page 90 of your Council meeting book.
16 Careful management of this hunt is essential to ensure
17 conservation of the Nushagak Peninsula Caribou Herd. As
18 you know there is currently open season in the State
19 regulations.

20

21 CHAIRMAN O'HARA: Uh-huh.

22

23 MR. HAYNES We are very concerned, this
24 is a small herd. Numbers have declined in recent years.
25 And the State has no plans to reopen a hunt in this area
26 until things change, so we think a very conservative
27 approach is required to ensure that this herd continues
28 to exist and hopefully will grow.

29

30 CHAIRMAN O'HARA: Uh-huh, okay. Council
31 members any questions.

32

33 (No comments)

34

35 CHAIRMAN O'HARA: Okay, thank you very
36 much, Terry, appreciate that.

37

38 Are there other agencies that need to
39 deal with this issue, Clifford?

40

41 MR. EDENSHAW: Unless they care to, but
42 at this point, no, Mr. Chair.

43

44 CHAIRMAN O'HARA: Okay. Any other
45 agency?

46

47 MR. ADERMAN: Thank you, Mr. Chairman.
48 Andy Aderman, Togiak Refuge again. I just wanted to say
49 that Togiak Refuge supports the preliminary conclusion as
50 well.

00079

1 CHAIRMAN O'HARA: Okay, thank you very
2 much.

3
4 MR. SAMUELSEN: Question.

5
6 CHAIRMAN O'HARA: Yes, Robin.

7
8 MR. SAMUELSEN: Andy, as the proposal is
9 modified on Page 90, and it reads up to two caribou, so
10 based on your survey and what you told the Refuge manger,
11 the Refuge manager can say one caribou or no caribou hunt
12 or is it either one or two, is that his authorization
13 here, the way you interpret the regulation as written?

14
15 MR. ADERMAN: I interpret it as either
16 one or two.

17
18 MR. SAMUELSEN: If I may, Mr. Chair.

19
20 CHAIRMAN O'HARA: Sure, go ahead.

21
22 MR. SAMUELSEN: What if the count is
23 really 550 next winter, do we go for emergency closure as
24 an option back to the Board again?

25
26 MR. ADERMAN: I guess that's a good
27 question. You know, if we follow the management plan
28 there would be no hunt then.

29
30 MR. SAMUELSEN: Okay.

31
32 CHAIRMAN O'HARA: Okay. Robin.

33
34 MR. SAMUELSEN: No, that's all I had.

35
36 CHAIRMAN O'HARA: Okay. Robert.

37
38 MR. HEYANO: Well, just clarification,
39 Andy, on Page 90, the modified proposed regulation, the
40 last season, wouldn't this address Robin's concern, the
41 season may be closed by the announcement of Togiak
42 Wildlife Refuge Manager, if that situation presented
43 itself either during the season or before the season,
44 this would allow them to close the season for that
45 particular year.

46
47 MR. ADERMAN: Yeah, I guess it would. I
48 was, I guess, looking at it from a, you know, if we set a
49 harvest objective and that objective's been met in
50 season, then close it down, but I guess we can go on

00080

1 record and say, if there's not enough animals to allow a
2 hunt, no hunt will occur.

3

4 CHAIRMAN O'HARA: Okay. Are you happy?

5

6 MR. HEYANO: Well, I think that just to
7 follow up then, the proposed regulation that we're going
8 to be asked to look at is on Page 90 inclusive, right,
9 including the bold letters?

10

11 MR. FISHER: That's correct.

12

13 CHAIRMAN O'HARA: Are you saying that
14 that gives him the emergency order to close it down if
15 they need to?

16

17 MR. HEYANO: Well, I think maybe it would
18 be helpful if I could add some suggestions to maybe
19 clarify what could happen.

20

21 It says harvest objection, harvest limit
22 and the number of permits available will be consistent
23 with the management plan to be announced by the Togiak
24 National Wildlife Refuge Manager.

25

26 And then the other thing I'd like to add,
27 which is a little different from the issue we're
28 discussing, though, after consultation with, I'd like to
29 delete the Alaska Department of Fish and Game because
30 they are a member of the Nushagak Peninsula Caribou
31 Planning Committee.

32

33 CHAIRMAN O'HARA: So you think that's a
34 duplication?

35

36 MR. HEYANO: Yes.

37

38 CHAIRMAN O'HARA: Okay. It's not that he
39 doesn't like you it's just that you're already there.

40

41 (Laughter)

42

43 CHAIRMAN O'HARA: Okay. Then we don't
44 have a formal motion or anything yet but that will have
45 to be put in there when we do.

46

47 Dave.

48

49 MR. FISHER: Are you satisfied then with
50 the last sentence, the season may be closed by

00081

1 announcement? Do you think that would take care of, if
2 we didn't have enough animals, that you just say the
3 season's closed, we aren't going to open it?

4
5 CHAIRMAN O'HARA: Is that consistent with
6 the management plan?

7
8 MR. HEYANO: Yeah. Well, I think if I
9 could, Mr. Chairman, with the added language, you know,
10 referencing the management plan, yes it would, there
11 shouldn't be any question in anybody's mind.

12
13 CHAIRMAN O'HARA: Okay.

14
15 MR. HEYANO: If it's 600 and it's below
16 then we aren't hunting.

17
18 CHAIRMAN O'HARA: All right.

19
20 MR. FISHER: So then the planning
21 committee would meet and they'd say, well, we've only got
22 -- we don't have enough animals so that the Refuge
23 manager would just say the season's closed and that would
24 be -- I just want to make sure that we all agree on that
25 and that's what we understand.

26
27 CHAIRMAN O'HARA: That's right.

28
29 MR. FISHER: Okay.

30
31 CHAIRMAN O'HARA: Robert.

32
33 MR. HEYANO: And I think then that gets
34 it around Robin's concern.

35
36 MR. SAMUELSEN: Uh-huh.

37
38 MR. HEYANO: You know, we could have the
39 Refuge manger through the planning committee, can issue
40 20 permits at one caribou if it justifies that or no
41 season at all.

42
43 MR. FISHER: Yeah, good comments.

44
45 CHAIRMAN O'HARA: Okay. Anything else
46 from the Council members.

47
48 (No comments)

49
50 CHAIRMAN O'HARA: Okay, I thank you very

00082

1 much. We'll go down to the section of -- we don't have
2 -- was there anything from Advisory Committee's at all --
3 Fish and Game, nothing?

4

5 MR. EDENSHAW: That's correct, Mr. Chair.

6

7 CHAIRMAN O'HARA: Okay. So then we're
8 down to summary of written public comments, we don't have
9 anything on that?

10

11 MR. EDENSHAW: No, there weren't any in
12 there, Mr. Chair.

13

14 CHAIRMAN O'HARA: Okay. I have nothing on
15 public testimony.

16

17 So it goes down now to the recommendation
18 of the Regional Council. What are your wishes.

19

20 MR. SAMUELSEN: Mr. Chair.

21

22 CHAIRMAN O'HARA: Yes, Robin.

23

24 MR. SAMUELSEN: Move for adoption of
25 WP03-22 with the amended language by Robert Heyano,
26 deletion of the Alaska Department of Fish and Game --
27 what other one was there?

28

29 CHAIRMAN O'HARA: Consistent with the
30 management plan.

31

32 MR. SAMUELSEN: Consistent with the
33 management plan.

34

35 CHAIRMAN O'HARA: Wasn't that part of
36 your wording, Robert?

37

38 MR. HEYANO: Yes.

39

40 CHAIRMAN O'HARA: Okay. Is there a
41 second to that motion?

42

43 MR. KOSBRUK: Second.

44

45 CHAIRMAN O'HARA: Okay. Thank you. I
46 thought we'd fallen asleep there for a second. All
47 right, any discussion. Did you want to address your
48 motion.

49

50 MR. SAMUELSEN: Yeah, thank you, Mr.

00083

1 Chairman. I was one of the founding members of the panel
2 that was put together to manage this herd representing my
3 tribe, representing BBNA. That herd has fallen
4 drastically. I don't know if it's the hunting pressure.
5 We have a major problem -- I think we have a major
6 resource problem if -- if them animals are removed by
7 humans. If they moved off, like Peter was saying, and
8 they're moving further west, I think we have a successful
9 program. And right now we have a little lull within the
10 confines that really matters to us.

11

12 But I -- you know, being a resident of
13 this area, and seeing the snow fall last year to where
14 this year, I think we had about eight feet, I think about
15 this time last year, I even sno-go'd over to the Kvichak
16 in the afternoon.

17

18 CHAIRMAN O'HARA: And got a caribou.

19

20 MR. SAMUELSEN: No, I didn't get a
21 caribou.

22

23 (Laughter)

24

25 MR. SAMUELSEN: But the conditions were
26 that good that you would have thought that the snow was
27 like pavement, I mean it was so smooth and the going was
28 real good. And we had a lot of people, I think, going in
29 there and not reporting their harvests.

30

31 I think we got to give the manager, Aaron
32 Archibeque, of the Togiak National Wildlife Refuge
33 maximum control fully realizing that we're facing fishing
34 disasters and what not, but, you know, if he could have
35 two caribou limit, so be it, if conservation dictates
36 that it's only one, so be it, if Aaron meets with the
37 committee and they deem that we're below the 600,
38 according to the management plan, no openings for caribou
39 hunting, so be it. But, you know, I don't think that the
40 Federal Subsistence Board wants us to keep going back
41 with these little subtle changes to a management plan on
42 such a small herd and I think this motion will accomplish
43 all my concerns.

44

45 CHAIRMAN O'HARA: We're pretty big on
46 management plans.

47

48 Any other discussion.

49

50 MR. HEYANO: Call for the question.

00084

1 CHAIRMAN O'HARA: Okay. All those in
2 favor say aye.

3

4 IN UNISON: Aye.

5

6 CHAIRMAN O'HARA: Opposed.

7

8 (No opposing votes)

9

10 CHAIRMAN O'HARA: Okay. We're going to
11 get into this, we're about 20 minutes, on the next one
12 and then at 5:00 o'clock we're going to go break for the
13 night and tomorrow morning at 8:30 sharp we'll start
14 again. And if we're finished early tomorrow afternoon,
15 so be it.

16

17 Go for it.

18

19 MR. EDENSHAW: Dave.

20

21 CHAIRMAN O'HARA: All right, David,
22 sorry.

23

24 MR. FISHER: We're getting closer over to
25 where you live on this next one. No. 23 and it was
26 submitted by your Council. It, again, would replace a
27 special action.

28

29 And what this proposal would do, would
30 eliminate the antlerless moose season in Unit 9(C)
31 remainder, primarily the Alagnak or Branch River
32 drainage. It would change the winter season from
33 December 1 through December 31st to December 15th through
34 January 15th. And as you recall, the Council had
35 concern about the declining calf/cow ratios in Unit 9(C)
36 remainder. This proposal would replace the special
37 action.

38

39 The Board of Game did not reauthorize
40 their antlerless hunts so this proposal would align with
41 current State regulations.

42

43 A little bit on the history here.

44 Approximately 20 years ago there were antlerless hunts
45 throughout most of Unit 9, and as the calf/cow ratio
46 declined antlerless hunts have been eliminated and I
47 think this is the last one that's still left and this
48 regulation would eliminate it.

49

50 I don't have really too much more to say.

00085

1 The Staff recommendation was to support the proposal.
2 Like I say, this would replace the special action,
3 eliminate the antlerless season in December. Shift the
4 winter season to December 15th through January 15 and
5 currently align with what the State is doing.

6
7 It is felt that elimination of this
8 antlerless season should help to increase the moose
9 population.

10
11 That's about all I have.

12
13 CHAIRMAN O'HARA: Any questions for Dave.
14 State of Alaska. Terry.

15
16 MR. HEYANO: I have a question.

17
18 CHAIRMAN O'HARA: Excuse me. Go ahead
19 Robert.

20
21 MR. HEYANO: In reading through this
22 proposal again, Dave, if the problem is low calf to cow
23 ratios, how would eliminating the cow season help that?

24
25 MR. FISHER: There have been some --
26 we've had an antlerless season in the past and there have
27 been some cows that have been harvested. This would
28 eliminate that and potentially allow those -- of course,
29 cows are not harvested to reproduce.

30
31 CHAIRMAN O'HARA: Actually, Robert, it
32 could have been on Big Creek this year, a pretty big cow
33 harvest. I know there was a big bull harvest because
34 everything was just right for going out. And I think
35 it's going to have to eliminate it, we just can't have
36 the cows being killed.

37
38 MR. HEYANO: Well, is the problem we
39 don't have enough calves for cows or we have too many
40 cows for calves? What's the issue here?

41
42 CHAIRMAN O'HARA: I know the answer to
43 that.

44
45 MR. FISHER: We don't have enough calves
46 that are.....

47
48 MR. HEYANO: We don't have enough calves
49 per cows, right?

50

00086

1 MR. FISHER: Calf/cow ratio is down, yes.

2

3 CHAIRMAN O'HARA: Survival rate, the.....

4

5 MR. SAMUELSEN: And isn't there a bull
6 problem mixed in there too?

7

8 (Laughter)

9

10 MR. HEYANO: Well, I think, Mr. Chairman,
11 you know it's fine to support this proposal but it's not
12 going to get to the heart of the problem if we're not
13 having enough calf survival. And I think that's the real
14 issue. We need to stand up and address the real issue or
15 we're going to be restricting subsistence users for very
16 little benefit.

17

18 Actually, you know, if we're going to
19 increase the number of cows, won't the calf to cow ratio
20 go further out of whack? I was told there was only one
21 user that takes calves, and it's not humans.

22

23 (Laughter)

24

25 CHAIRMAN O'HARA: We might have to invite
26 those McGrath boys to help us out here or something, you
27 never know.

28

29 MR. HEYANO: So that's the issue, right,
30 Dave, we're not having enough calves? Our calf survival
31 rate is low.

32

33 MR. FISHER: Low. And then you don't
34 have the recruitment to.....

35

36 MR. HEYANO: So it's not the issue we
37 don't have enough cows, our bull to cow ratio is okay.

38

39 MR. FISHER: Well, a major factor there
40 would be predation, we'll get into that when we talk
41 about wolves in 26, I believe, but bear predation also.

42

43 CHAIRMAN O'HARA: It's pretty fascinating
44 that when these guys start calling in the bulls lat the
45 hunting season, that the wolves come with them. You can
46 see them coming for a long ways. That's a fact of life.

47

48 MR. FISHER: Following the bears?

49

50 CHAIRMAN O'HARA: No, following when.....

00087

1 MR. FISHER: Oh, the moose?

2

3 CHAIRMAN O'HARA: When the hunter makes
4 the moose call.....

5

6 MR. FISHER: Yeah.

7

8 CHAIRMAN O'HARA:here comes the
9 wolves right away. I mean they know that's a cow moose
10 and here they come and so you're right, Robert, but I
11 think this proposal started with Alaska Department of
12 Fish and Game, didn't it? Yeah, this is Dick Sellers'
13 baby.

14

15 MR. FISHER: Yeah, he recommended it and
16 then you people followed up with a special action and
17 then we went ahead and recommended a proposal to follow
18 the special action.

19

20 Yeah, I wish Sellers was here to shed a
21 little more light on this.

22

23 CHAIRMAN O'HARA: Yeah, we got the drift
24 of what he wanted, though, when he was here the last time
25 and we started.....

26

27 MR. FISHER: I came when we had a meeting
28 in King Salmon, I believe.

29

30 CHAIRMAN O'HARA: Yeah, well, last year
31 he was at our meeting and asked us to help him out on
32 that.

33

34 MR. FISHER: Yeah.

35

36 CHAIRMAN O'HARA: Yeah. I think along
37 this same line, the region should deal with maybe special
38 request harvests, if they need seasons -- you're unable
39 to travel because of weather or because of open water and
40 you have to do a bull hunt in February on Federal lands,
41 this has been a lot of things talked about in the region
42 as far as what they might want to do.

43

44 Even in Boris' area, where, if it's more
45 accessible, and they have a pretty good moose population
46 down -- anyway, if you don't have anymore questions,
47 we'll take you Terry.

48

49 MR. SAMUELSEN: Me.

50

00088

1 CHAIRMAN O'HARA: I'm sorry, go ahead.

2

3 MR. SAMUELSEN: Do we not have a bear
4 season in that area? I look at these ratios, one to one
5 and one to 10, some of the highest in the state.

6

7 CHAIRMAN O'HARA: I think there's a
8 spring and fall hunt in the State, Bristol Bay, the
9 Naknek drainage, State of Alaska.

10

11 MR. HAYNES: I can quickly get my book
12 out.

13

14 MR. SAMUELSEN: Yeah, around the same --
15 they do.

16

17 CHAIRMAN O'HARA: Yeah.

18

19 MR. HAYNES: Mr. Chairman, in Unit 9(C)
20 in the Naknek River drainage, there's a one bear every
21 four year regulation in September 1/October 31 or May
22 1/June 30, so you have these alternative.....

23

24 CHAIRMAN O'HARA: Altering seasons.

25

26 MR. HAYNES:years.

27

28 CHAIRMAN O'HARA: Uh-huh.

29

30 MR. HAYNES: Remainder of Unit 9(C), it's
31 a closed season in State regulations.

32

33 CHAIRMAN O'HARA: Okay. Any other
34 questions you have. Any more comments, Council members.

35

36 (No comments)

37

38 CHAIRMAN O'HARA: Okay. Terry, would you
39 mind doing the State of Alaska.

40

41 MR. HAYNES: Thank you, Mr. Chairman.
42 The Departments comments on the original proposal appear
43 on Page 96 of your meeting booklet. And we basically
44 supported the intent to align the State and Federal
45 regulations. In order to do that, the proposed Federal
46 winter season needed an adjustment, which has been made
47 in the preliminary conclusion. So we support the
48 modified proposal that's been recommended by Staff on
49 Page 101 of your Council meeting book.

50

00089

1 CHAIRMAN O'HARA: Okay.

2

3 MR. HAYNES: Thank you.

4

5 CHAIRMAN O'HARA: Any questions Council
6 members.

7

8 (No comments)

9

10 CHAIRMAN O'HARA: All right. Who do we
11 have next there, Chief?

12

13 MR. EDENSHAW: Agency. Any additional
14 agency comments.

15

16 (No comments)

17

18 MR. EDENSHAW: No.

19

20 CHAIRMAN O'HARA: No other agency
21 comments.

22

23 (No comments)

24

25 CHAIRMAN O'HARA: Okay.

26

27 MR. EDENSHAW: Any other local Fish and
28 Game Advisory Committee members.

29

30 (No comments)

31

32 CHAIRMAN O'HARA: Nothing.

33

34 MR. EDENSHAW: There weren't any written
35 public comments.

36

37 CHAIRMAN O'HARA: No public testimony.
38 Regional Council deliberation, what do you want to do
39 Council. Vote it up or down.

40

41 MR. HEYANO: Mr. Chairman.

42

43 CHAIRMAN O'HARA: Yes.

44

45 MR. HEYANO: Mr. Chairman, I would move
46 we support Proposal 23 with the change of Remainder 9 --
47 Unit 9(C) remainder, one bull, December 15th to January
48 15th.

49

50 CHAIRMAN O'HARA: What are those dates,

00090

1 again, what?

2

3 MR. HEYANO: December 15th to January
4 15th.

5

6 CHAIRMAN O'HARA: Okay. Is there a
7 second to the motion.

8

9 MR. SAMUELSEN: Second.

10

11 CHAIRMAN O'HARA: Do you want to address
12 your motion?

13

14 MR. HEYANO: Yes, Mr. Chairman. I think
15 that, while I don't believe that it's the human harvest
16 that is affecting the low calf population, it's about the
17 only thing we can do now to add some limited benefit to
18 that moose population. I guess it's about the only thing
19 we can do right now but I fully expect this Council to
20 support some other regulatory action that is going to be
21 address the problem which is probably bear predation at
22 the next cycle.

23

24 CHAIRMAN O'HARA: Any other questions,
25 comments Council members.

26

27 (No comments)

28

29 CHAIRMAN O'HARA: Call for the question.

30

31 MR. SAMUELSEN: Question.

32

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

35

36 IN UNISON: Aye.

37

38 CHAIRMAN O'HARA: Opposed.

39

40 (No opposing votes)

41

42 CHAIRMAN O'HARA: Why don't we meet back
43 here tomorrow morning at 8:30. Recess until then.

44

45 (PROCEEDINGS TO BE CONTINUED)

00091

1 C E R T I F I C A T E

2

3 UNITED STATES OF AMERICA)

4)ss.

5 STATE OF ALASKA)

6

7 I, Joseph P. Kolasinski, Notary Public in and for
8 the state of Alaska and reporter for Computer Matrix, do
9 hereby certify:

10

11 THAT the foregoing pages numbered 02 through 90
12 contain a full, true and correct Transcript of the VOLUME
13 I, BRISTOL BAY FEDERAL SUBSISTENCE REGIONAL ADVISORY
14 COUNCIL MEETING, taken electronically by Salena Hile on
15 the 27th day of February 2003, beginning at the hour of
16 1:00 o'clock p.m. at the Assembly Chambers, Dillingham,
17 Alaska;

18

19 THAT the transcript is a true and correct
20 transcript requested to be transcribed and thereafter
21 transcribed by under my direction and reduced to print to
22 the best of our knowledge and ability;

23

24 THAT I am not an employee, attorney, or party
25 interested in any way in this action.

26

27 DATED at Anchorage, Alaska, this 13th day of
28 March 2003.

29

30

31

32

33

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 04/17/04