

1 YUKON-KUSKOKWIM DELTA FEDERAL
2 SUBSISTENCE REGIONAL ADVISORY COUNCIL

3
4 PUBLIC MEETING

5
6 VOLUME I
7 February 22, 2006

8
9 Emmonak, Alaska

10

11 COUNCIL MEMBERS PRESENT:

12

13 Harry Wilde, Sr., Chair

14 Philip Moses

15 Lester Wilde, Sr.

16 Mary Gregory

17 William Brown

18 Joseph Mike

19 Edgar Hoelscher

20 Bob Aloysius

21

22 Alex Nick, Coordinator

23

24 Sophie Evan, Yup'ik Translator

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P R O C E E D I N G S

(Emmonak, AK - 2/22/2006)

(On record)

CHAIRMAN WILDE: Meeting come to order.
This morning roll call by Mary.

MS. GREGORY: Mr. Mike.

MR. MIKE: Here.

MS. GREGORY: Mr. Hoelscher.

MR. HOELSCHER: Yes.

MS. GREGORY: Phillip Moses.

MR. MOSES: Here.

MS. GREGORY: Lester.

MR. L. WILDE: Here.

MS. GREGORY: Myself. Harry.

CHAIRMAN WILDE: Yes.

MS. GREGORY: William Brown.

MR. BROWN: Here.

MS. GREGORY: Bob Aloysius.

MR. ALOYSIUS: Here.

MS. GREGORY: Beverly Hoffman.

MR. A. NICK: Mr. Chair. Beverly Hoffman sent a message this morning that she's sorry, she's unable to attend. I have her note here.

MS. GREGORY: Greg Roczicka.

MR. A. NICK: Mr. Chair. Greg Roczicka said he would be traveling this morning to Emmonak.

MS. GREGORY: There's eight people here and two absent. James Charles is excused. Eight to

1 three.

2

3 CHAIRMAN WILDE: We have a quorum.
4 James Charles is in Anchorage. Alex.

5

6 MR. A. NICK: Thank you, Mr. Chair,
7 Council Members. Mr. James Charles had to go to
8 Anchorage to be with his mom who was sick. I just
9 learned yesterday before I left Bethel that James
10 Charles' mother passed away. That's all the
11 information I got, Mr. Chair.

12

13 CHAIRMAN WILDE: We're going to have a
14 moment of silence for one of our Council Member's
15 mother, understanding she passed away.

16

17 (Moment of silence)

18

19 (Invocation)

20

21 CHAIRMAN WILDE: Thank you. This
22 morning I want to thank mostly the rest of the Council
23 that made it even though this weather isn't too good.
24 And also those that couldn't make it, hopefully some of
25 our Council will make it here today. If the Council is
26 okay, whichever you want, we're planning to have an
27 evening session tonight from 7:00 to 10:00. Also, we
28 want to thank the people that participate in this
29 meeting and maybe I could say I'm glad to see Tom Kron.
30 I've known Tom for quite a while, especially when we're
31 having negotiations. We had to go through the same
32 thing we've been going through in negotiations.

33

34 I think at this time it would be good
35 if we start from Bob Aloysius and go this way and go
36 over there, your name and where you're from.
37 Appreciate it.

38

39 MR. ALOYSIUS: Bob Aloysius from
40 Kalska, Alaska 99607.

41

42 MR. BROWN: My name is William F.
43 "Charlie" Brown from Eek.

44

45 CHAIRMAN WILDE: Harry Wilde from
46 Mountain Village, recently from Hooper Bay.

47

48 MS. GREGORY: Mary Gregory, Bethel.

49

50 MR. L. WILDE: Lester Wilde, Hooper

1 Bay.
2
3 MR. HOELSCHER: Edgar Hoelscher, Hooper
4 Bay.
5
6 MR. MIKE: Joseph Mike from Kotlik.
7
8 MS. GREGORY: Elder Phillip Moses is
9 from Toksook Bay. He's getting his interpreter.
10
11 CHAIRMAN WILDE: Our recorder and our
12 translator.
13
14 INTERPRETER: Sophie Evan, Bethel.
15
16 REPORTER: Salina, Anchorage.
17
18 MR. KRON: Tom Kron, OSM.
19
20 MR. KESSLER: Steve Kessler with the
21 Forest Service.
22
23 MS. MANUMIK: My name is Fortuna
24 Manumik. I work for the Rural Alaska Village
25 Environmental Network and I'm just here to listen.
26
27 MR. TUCKER: Good morning, Harry.
28 Somehow this looks kind of familiar. My name is Nick
29 Tucker. I'm from here. Lately I'm a subsistence
30 hunter and fisherman. I've been working with Harry and
31 Tom on the Federal and State for quite some time and I
32 want to thank you for being here.
33
34 MR. ANDREW: Edward Andrew. I'm a
35 resident of Emmonak and also a council member for
36 (indiscernible).
37
38 CHAIRMAN WILDE: Thank you. We'll
39 continue on our agenda and go down to review and
40 adoption of our draft agenda.
41
42 MR. L. WILDE: Mr. Chairman.
43
44 CHAIRMAN WILDE: Lester.
45
46 MR. L. WILDE: Was there a couple items
47 that you wanted to be placed on the agenda from our
48 discussion a couple days ago?
49
50 CHAIRMAN WILDE: Yeah, there's a couple

1 items that we would like to put down. One I think is
2 very important. Corporation representatives will be
3 here sometime hopefully today and they want to be put
4 down just about the last place to testify, like Alaska
5 Department of Fish and Game, Association of Village
6 Council Presidents, tribal representative, and F would
7 be corporation representatives. They'll be here.
8 We've been trying to get every year or a couple
9 meetings now Advisory Council officers. I don't know
10 if you want to do it before we finish the meeting or we
11 could wait until the rest of the Council Members are
12 available. So whichever you want.

13

14 MR. A. NICK: Mr. Chair. Would it be
15 appropriate to put that item under F, under Agency
16 Reports, 12(F)?

17

18 CHAIRMAN WILDE: I think it would be
19 good to put it right there, review of Council Charter.
20 Put it on maybe A, Regional Advisory Council officers,
21 then B, review of Council charter and then C, determine
22 dates and locations of next meeting.

23

24 MR. A. NICK: Mr. Chair. I think it
25 would appropriate if you put that item under agency
26 organization reports under 12(F).

27

28 MS. GREGORY: Before we get to other
29 business.

30

31 MR. L. WILDE: Mr. Chairman, I believe,
32 was talking about Council officer elections that was
33 supposed to have been placed on the agenda at this
34 meeting but it's not. I think that's what he was
35 suggesting, that it be placed up there under 12.

36

37 MR. A. NICK: Under 13(C), officer
38 elections.

39

40 MR. ALOYSIUS: Mr. Chairman. Can I
41 have some clarification on what you are talking about.
42 What kind of corporation?

43

44 MS. GREGORY: The corporation
45 representatives want to be heard and we just placed
46 them as F under 12, agency/organization reports.
47 That's what we were talking about. He's talking about
48 something else.

49

50 MR. ALOYSIUS: What corporations? You

1 mean the corporations that are in ANCSA?

2

3 CHAIRMAN WILDE: How about Council
4 officers?

5

6 MS. GREGORY: Election of officers?

7 That's the next item we want to put on the agenda.

8

9 MR. A. NICK: Mr. Chair. That should
10 go under Item 13(C).

11

12 MR. ALOYSIUS: Mr. Chairman. Under
13 Item 6, review and adoption of unapproved minutes from
14 October 13-14, 2005, that was a meeting in Bethel, not
15 in Toksook Bay.

16

17 MR. A. NICK: Mr. Chair. That is
18 correct. The one on the agenda is just a typo, a
19 mistake. Mr. Chair. I have a request from Russ
20 Holder. He wanted to add 2006 Yukon River initial
21 discussions concerning 2006 salmon outlook and pre-
22 season management plan, joint State and Federal
23 presentation. The presenter will be Gerald Maschmann,
24 an ADF&G representative, I believe. He would like that
25 under 10(D).

26

27 MR. HOELSCHER: Mr. Chairman. On Item
28 7 you have addressing Regional Council concerns and
29 comments and then Item 14 you also have closing
30 comments. So that would be okay?

31

32 MS. GREGORY: Yes.

33

34 MR. HOELSCHER: Quyana.

35

36 MR. L. WILDE: Mr. Chairman.

37

38 CHAIRMAN WILDE: Lester.

39

40 MR. L. WILDE: If there are no further
41 corrections to the agenda, I move that the agenda be
42 adopted.

43

44 CHAIRMAN WILDE: There's a motion on
45 the floor to adopt the agenda. Is there a second.

46

47 MR. HOELSCHER: Second.

48

49 CHAIRMAN WILDE: Second has been called
50 for. All in favor say aye.

1 MR. ALOYSIUS: Point of order. You
2 cannot call for the question until there's discussion.
3
4 CHAIRMAN WILDE: Okay. Discussion on
5 the motion.
6
7 (No comments)
8
9 MR. HOELSCHER: Question.
10
11 CHAIRMAN WILDE: The question has been
12 called for. All in favor say aye.
13
14 IN UNISON: Aye.
15
16 CHAIRMAN WILDE: Opposed say no.
17
18 (No opposing votes)
19
20 CHAIRMAN WILDE: Motion carried.
21 Review and adoption of the unapproved minutes from
22 October 13 and 14, 2005. Bob.
23
24 MR. ALOYSIUS: Mr. Chairman. I move
25 that we adopt the minutes of the October 13, 14, 2005
26 meeting in Bethel.
27
28 CHAIRMAN WILDE: Yeah, move meeting in
29 Bethel instead of Toksook Bay.
30
31 MR. L. WILDE: I'll second the motion,
32 Mr. Chairman.
33
34 CHAIRMAN WILDE: There's a motion on
35 the floor and a second. Any discussion.
36
37 MR. MIKE: Question.
38
39 CHAIRMAN WILDE: The question has been
40 called for. All in favor say aye.
41
42 IN UNISON: Aye.
43
44 CHAIRMAN WILDE: Opposed say no.
45
46 (No opposing votes)
47
48 CHAIRMAN WILDE: Motion carried. Next
49 on our agenda is Regional Advisory Council concern and
50 comments from Council. I think I'll be the first. I

1 think my concern is very important. Our agenda should
2 have been passed out more to include the city and
3 corporations in our villages because we have to do
4 extra work, like make a copy. I've been running around
5 sending it to some of the villages that want it. It's
6 kind of hard that the people don't have it. St. Mary's
7 asked what is the agenda. Some of the corporation
8 members are saying our land is not looked at even
9 though it's -- let's say National Wildlife Refuge talks
10 about corporation lands all the way from Russian
11 Mission to mouth of Yukon. Because of some of those
12 important things corporations would like to get the
13 agenda before the meeting starts. I think we should
14 think of that.

15
16 Not only that, you guys noticed that I
17 am not really active this year. Because I was taking
18 care of a year old baby while my wife was in the
19 hospital. That's the reason I didn't do -- they asked
20 me to go to Anchorage and I never go over there and all
21 that. It's kind of hard sometimes to think of many
22 things. They always so if you go to meeting you should
23 leave your troubles behind, but sometimes it's pretty
24 hard to leave your troubles behind. So that's my
25 concern and my comment.

26
27 We would like to have more young people
28 be on our Council, but young people, some of them I ask
29 why you don't want to be on the Council. Well, you
30 guys don't make no money. We don't want to leave our
31 jobs behind and all that. That's the only problem that
32 mostly some people are concerned with. I think it's
33 very hard for them to try to leave their job behind. I
34 do understand. That's all I have.

35
36 Is there anyone here from the Council
37 that has concerns or comments.

38
39 MR. ALOYSIUS: Mr. Chairman.

40
41 CHAIRMAN WILDE: Bob.

42
43 MR. ALOYSIUS: One item, number 8 on
44 the agenda, I strongly believe it should be moved up to
45 number 5 before we start getting into our business,
46 housekeeping and announcements, because that's
47 something that needs to be taken care of before we get
48 into our meeting.

49
50 The other major concern I have, I don't

1 know how many of you went to AFN this year in
2 Fairbanks. One of the things that really upset me was
3 the chairman of the statewide Federal Subsistence Board
4 attending those meetings in a conduct that was
5 totalling unbecoming of a person in that position. It
6 didn't look good when a person in a position like that
7 attended the meeting in the condition he was in. I
8 think it's something that this Regional Council should
9 address because it reflects on all of us. There's
10 people from all over the state of Alaska there and the
11 guy was there in the condition that he shouldn't have
12 even been there. That's a big concern I have and I
13 think it should be addressed some way, in a letter to
14 him or to the State Board.

15
16 CHAIRMAN WILDE: Thank you, Bob. Other
17 Council.

18
19 MR. HOELSCHER: Mr. Chairman.

20
21 CHAIRMAN WILDE: Yeah, go ahead.

22
23 MR. HOELSCHER: I was reviewing the
24 2005 minutes and the representatives of St. Mary's in
25 regards to import of subsistence fishers and there was
26 supposed to be a report to the Council. Would that be
27 coming up in the report? That's my question.

28
29 MR. A. NICK: Mr. Chair, Ed. I have no
30 knowledge of any reports that representatives from St.
31 Mary's will be giving at this meeting, but that is an
32 option they have. If they come down to attend this
33 meeting, they could report to the Council. You could
34 choose to listen to them when they arrive here. Mr.
35 Chair.

36
37 CHAIRMAN WILDE: Thank you.

38
39 MR. HOELSCHER: Mr. Chairman. The
40 reason I ask is because in the minutes it states that
41 this item be placed on the winter 2006 agenda for
42 discussion and follow up. That's why I asked. Thank
43 you.

44
45 CHAIRMAN WILDE: More Council concern.

46
47 MR. BROWN: Mr. Chairman. I would like
48 to express my appreciation. This is my first time I
49 come here. In the future I would like to have meetings
50 in Bethel because Bethel is across country for all the

1 villages. That's my concern, Mr. Chairman. Thank you.

2

3 MR. L. WILDE: Mr. Chairman.

4

5 CHAIRMAN WILDE: Lester.

6

7 MR. L. WILDE: I notice that one of our
8 people in the audience would like to make a comment if
9 that's possible.

10

11 MR. TUCKER: Mr. Chairman. Before we
12 get started, I heard a comment you made that you were
13 not able to take some part. We understand. You've
14 taken many, many years to help us on the Lower Yukon.
15 We can understand that.

16

17 The other thing is that before we get
18 started, just skimming through this, I'm a little
19 afraid. I'm sure you understand as a general request,
20 general topic, our Lower Yukon people depend on you to
21 speak for us to the Federal Board. It's important that
22 you do everything possible to continue to make a very,
23 very strong stand not to be overridden by the Federal
24 Board, especially on the subsistence issues that are a
25 matter of survival, practically life and death for our
26 region. I would like you to continue to do that. I
27 don't think we can be any more fortunate to have people
28 like Mr. Tom Kron that understands this region. We
29 want to support his understanding to work for us at the
30 Federal Board level. I just wanted to say we need your
31 help very hard.

32

33 Don't let the Federal Board or even the
34 Staff of the Federal Subsistence Board take any
35 advantage of you saying that they support a particular
36 proposal. They don't know us down here. They don't
37 know how we take care of ourselves inside the house and
38 in the wilderness and you all know that. They make
39 those regulations by unexperienced observations and
40 limited paperwork study and they come from Lower 48 and
41 they know it all, but we do.

42

43 So I urge you to keep this up because
44 we need you down here for every proposal that's coming
45 up, that has been and will be before us. Thank you.

46

47 CHAIRMAN WILDE: Thank you, Nick. We
48 try to be on our agenda. Is there any more comments or
49 concerns from Council.

50

1 MR. MIKE: Mr. Chairman.

2

3 CHAIRMAN WILDE: Joseph.

4

5 MR. MIKE: I talked with the Tribal
6 Councils. They all couldn't make it. The president
7 will be traveling and three of the Council members are
8 school employees and I have talked with the manager to
9 have representatives from Kotlik Group Corporation. He
10 was going to ask the board if they could not attend.
11 Thank you.

12

13 CHAIRMAN WILDE: Any more comments or
14 concerns.

15

16 MS. GREGORY: Mr. Chair. I will hold
17 mine until the end. When we finish our meeting, I will
18 have comments.

19

20 CHAIRMAN WILDE: If there's no more
21 comments or concerns from the Council, we'll go to the
22 next item on our agenda, housekeeping and
23 announcements.

24

25 MR. A. NICK: Thank you, Mr. Chair. It
26 has been a trying time and I think Tom would agree with
27 me. Staff at OSM was working very hard to get all the
28 Council meetings in 10 regions prepared for their
29 winter meetings. I contacted most of the Council
30 Members several times before this meeting and I'm glad
31 that most of you made it to this meeting. I apologize
32 to Bob. I think he will receive a message when he goes
33 back to Kalskag that I tried to contact him yesterday.
34 I apologize for that. I'm glad you're here, Bob.

35

36 We experienced minor problems this
37 morning, but I believe that's been corrected on the
38 teleconferencing. I believe it's going to work when
39 it's time to connect our Staff in Anchorage.

40

41 I think most of you know by now that
42 you have an option to eat breakfast at the school. For
43 a small fee you could pay right after you eat or you
44 could pay at the end of the three-day meeting. You
45 could eat breakfast and lunch at the school. The
46 school staff is aware of that, so that's an option for
47 everyone.

48

49 I also have a receipt book if you have
50 extra expenditures for your travel. Other than that, I

1 don't think I have anything else. Also, there's a
2 bathroom down the hall and we're hoping our coffee will
3 be in working order during the meeting. Also we have
4 some snack items that we need to kind of conserve for
5 the next couple days. Mr. Chair.

6
7 MS. GREGORY: Mr. Chairman. In other
8 meetings they used to give us cash. Since I have no
9 cash and Mr. Kron gave me a check, I'm going to borrow
10 some money from somebody to get the essentials this
11 afternoon. How do we get cash in Emmonak?

12
13 CHAIRMAN WILDE: Next on our agenda,
14 number nine. Pete DeMatteo is supposed to take care of
15 this proposal. You will take care of that?

16
17 MR. KRON: Mr. Chairman. We will need
18 to connect the telephone to Anchorage, so he will talk
19 to us over the speakerphone. If I could suggest we
20 take a short break and I will tell the office to let us
21 connect the phone. Would that be acceptable?

22
23 CHAIRMAN WILDE: While you're
24 connecting the telephones we're going to have a 10-
25 minute break.

26
27 (Off record)

28
29 (On record)

30
31 CHAIRMAN WILDE: Before we get into the
32 proposals, the public, if you want to have a comment on
33 the items on the agenda, please fill out these green
34 sheets on the desk over there and which item on the
35 agenda you want to talk about.

36
37 Also, before we start, I was asked by
38 William Brown here that maybe after this meeting he
39 could be excused to go back to Bethel and be with James
40 Charles and their family. So we will excuse him from
41 the meeting.

42
43 At this time we'll continue our
44 meeting, Federal 2006-2007 wildlife proposals for
45 Council review. Tom.

46
47 MR. KRON: Mr. Chair. Pete DeMatteo
48 and Don Rivard are on the teleconference and I believe
49 Pete is going to lead off on the explanation of
50 Proposal 01. Pete, are you still there?

1 MR. DeMATTEO: Yes.

2

3 MR. KRON: Go ahead.

4

5 MR. DeMATTEO: Thank you. Mr. Chair,
6 Members of the Council. The analysis of Proposal 01
7 begins in your book on Page 15. This proposal
8 addresses the commercial sales of handicrafts made from
9 bear claws. Last year we had a proposal that addressed
10 several elements of the bear handicraft regulations.
11 The Federal Subsistence Board adopted most elements of
12 the proposal as the definition of handicraft, the
13 definition of skin, hide, pelt, fur, language that
14 clarified that claws can be used in handicrafts for
15 sale. However, the Board deferred the part of the
16 proposal that addressed commercial sales to allow the
17 Councils to review the Board's modified language.

18

19 Remember handicrafts made from black
20 bears harvested on Federal lands statewide can be sold.
21 Handicrafts made from brown bears can only be sold if
22 the bear is harvested on Federal lands in the Eastern
23 Interior, Bristol Bay and the Southeast Regions. The
24 Board is considering regulation that limits commercial
25 sales of bear claws as handicrafts because an
26 opportunity to sell large quantities of bear claw
27 products may create an incentive for poaching. State
28 regulations allow the sale of handicraft made from
29 brown and black bear fur, not claws; therefore,
30 handicrafts with claws can only be sold under Federal
31 regulations.

32

33 The Board's proposed language would not
34 prohibit a subsistence user with a business license
35 from selling their handicrafts to individuals, such as
36 a craft show; however, it would not allow these
37 handicrafts to be sold to a business and it does not
38 allow a business to buy the bear claw handicrafts.
39 I'll repeat that just for clarity. The Board's
40 proposed language would not prohibit a subsistence user
41 with a business license from selling their handicrafts
42 to an individual, such as at a craft show, for
43 instance; however, it would not allow these handicraft
44 to be sold to a business and it does not allow a
45 business to buy the bear claw handicrafts.

46

47 Gift shops selling handicrafts under
48 consignment would also be prohibited if the gift shop
49 is generating a profit from this activity, from the
50 sale. This regulation will remove commercial

1 incentives for harvesting bears, thereby providing
2 additional protection from over harvest of bear
3 populations. The Board s intent in allowing the sale
4 of bear handicrafts is to provide for the customary and
5 traditional making and selling of handicrafts from
6 bears taken for subsistence, not to provide a
7 commercial incentive to harvest bears.

8

9 The State has recently adopted
10 regulations to provide a commercial incentive to
11 harvest bears in specific areas. A regulation adopted
12 by the Board of Game in January will allow bear hides
13 with claws attached from bears harvested in active
14 brown bear predator control areas, such as Unit 20(E)
15 and also Unit 12, and these are to be sold through the
16 use of a permit. Keep in mind this is not a handicraft
17 regulation. It applies to raw or tanned bear hides
18 with claws attached.

19

20 Mr. Chair, the preliminary conclusion
21 is to support this proposal with the modification to
22 remove the exemption of Southeast Alaska. The proposed
23 Southeast exemption will result in difficulty with
24 enforcement of the regulation. Allowing commercial
25 sales of handicrafts made from bear claws taken in any
26 part of the state without a tracking system will have a
27 significantly detrimental affect on the ability of
28 enforcement officers to differentiate between
29 legitimate sales and the commercial sale of products
30 from poached bears, bears harvested under State
31 regulations and brown bears harvested under Federal
32 regulations in Eastern Interior and Bristol Bay
33 Regions.

34

35 Subsistence users in Southeast Alaska
36 should be able to carry out their customary and
37 traditional making and selling of bear claw handicrafts
38 from bear taken for subsistence uses without selling to
39 businesses or becoming a significant commercial
40 enterprise.

41

42 Mr. Chair, the proposed regulations
43 should read, and you can see those at the top of Page
44 18 in your Council books. The proposed language is
45 there with the modification to remove the Southeast
46 exemption. You can see it there until preliminary
47 conclusion at the top. You may not sell handicrafts
48 made from the claws of a black or brown bear to an
49 entity operating as a business as defined in Alaska
50 Statute 43.70.110(1). If you are a business as defined

1 under Alaska Statute 43.70.110(1), you may not purchase
2 handicrafts made from the claws of a black or brown
3 bear as part of your business transactions. Also, the
4 sale of handicrafts made from the non-edible byproducts
5 of black and brown bears, when authorized in this part,
6 may not constitute a significant commercial enterprise.

7
8 With that, Mr. Chair, I'll stop there
9 and answer any questions you may have. Thank you.

10
11 CHAIRMAN WILDE: Thank you. We will
12 use this presentation procedure of proposals the way
13 it's written here. Introduction. Next is Alaska
14 Department of Fish and Game comments. Do we have
15 someone?

16
17 (No comments)

18
19 CHAIRMAN WILDE: If there's not, we'll
20 have Federal, State and Tribal agency comments towards
21 this proposal.

22
23 (No comments)

24
25 CHAIRMAN WILDE: If there's not, we'll
26 go to InterAgency Staff Committee comments. Say your
27 name and who you represent.

28
29 MR. KESSLER: Mr. Chair and Council
30 Members. I'm Steve Kessler with the InterAgency Staff
31 Committee and I represent the U.S. Forest Service on
32 the Staff Committee. I just wanted to make the comment
33 for you that the Board at their last meeting a year ago
34 considered this language in a lot of detail. They
35 talked about it for a very long time and finally
36 decided that because there was going to be new language
37 they did not want to adopt it without going back out to
38 all the Councils to have the Councils review this. So
39 if they had done it at their last meeting, it would
40 have been new language that the Councils had not seen.
41 So that's why this is in front of you. This is the way
42 that the Board was leaning but they didn't feel they
43 had enough information to make a decision without
44 asking each Council for their comments on it. Mr.
45 Chairman.

46
47 CHAIRMAN WILDE: Thank you. Tom.

48
49 MR. KRON: Mr. Chairman. ADF&G
50 comments are included on Page 27 of your books.

1 They're printed there for you. I don't think there's
2 anyone here from ADF&G, but their comments are included
3 in your book. Thank you, Mr. Chair.

4
5 CHAIRMAN WILDE: Thank you. Number
6 five on our presentation procedures, Fish and Game
7 local advisory committee comments. Is there anyone
8 here that wants to comment on Proposal 01.

9
10 (No comments)

11
12 CHAIRMAN WILDE: If there's not, we'll
13 go to the next one, summary of written public comments.

14
15 MR. A. NICK: Mr. Chair. We received
16 two public comments. The first one is support with
17 amendment deleting Unit 1-5 exemption. The sale of
18 claws to businesses as defined in
19 Alaska Statute 43.70.110 (1) should apply to all game
20 management units. Without further justification, there
21 is no reason to exempt Units 1-5. The sale of claws
22 has been closely restricted in state regulation for the
23 obvious commercial incentive involved and the relative
24 ease of procurement, handling and transfer of these
25 desired items in the broad commercial market,
26 Exceptions for parts of the state are inconsistent and
27 raise serious monitoring and enforcement problems for
28 State and Federal agencies. This comment is from
29 Defenders of Wildlife.

30
31 The second comment is that they do not
32 support WP06-01 as proposed; however, we support small
33 sales by rural residents of handicrafts made from claws
34 of black and brown bears taken under Federal
35 subsistence hunting regulations. This is from Ahtna
36 Tene Nene Subsistence Committee, Linda Tyone, Chair,
37 Glennallen. Mr. Chair.

38
39 CHAIRMAN WILDE: Thank you. Now number
40 seven of procedures, public testimony. I have three
41 green testimony forms, but I didn't see what they want
42 to testify on. So I ask the public do you have
43 anything to testify on Proposal 01. Nick Tucker.

44
45 MR. TUCKER: Mr. Chairman. I requested
46 on my green card pertinent. That means as each
47 proposal comes up, if it affects our Native way of
48 life, I would like to say a few things if I may on each
49 proposal. With regard to Proposal 01, I support the
50 State position very much because what it does is

1 continues to protect our customary and traditional use
2 anywhere.

3
4 If it happens in the areas that have
5 larger or more bear population, it could translate very
6 easily into our other subsistence impacts, like the
7 moose antlers and so forth. I think the State position
8 protects our Native customary and traditional practice
9 of anything affected, whether it's a bear or moose or
10 other animal. It opens up invariably maybe a
11 commercial use. We are protected under Federal
12 government for any commercial sale of this type of a
13 thing. It's a dangerous proposition. So I support
14 what you call a status quo or rather maybe stronger I
15 do not support this proposal. Thank you very much.

16
17 CHAIRMAN WILDE: Thank you, Nick.
18 Other public who want to testify on this Proposal 01.

19
20 (No comments)

21
22 CHAIRMAN WILDE: If there's not any
23 more, Regional Advisory Council deliberations,
24 recommendation and justification on Proposal 01.

25
26 MR. L. WILDE: Mr. Chairman.

27
28 CHAIRMAN WILDE: Lester.

29
30 MR. L. WILDE: Mr. Chairman. I,
31 personally, am going to be opposing this proposal
32 because traveling through the state some of our
33 indigenous people that live within the areas outside of
34 this area have different beliefs than we do about the
35 animals they use for subsistence. Black bear and brown
36 bear, the tradition of beliefs of the spirit of the
37 animal we get for subsistence is stronger in the
38 Southeast. Talking with some of the people that are in
39 the councils from the Southeast have asked me,
40 personally, to oppose this because of the beliefs they
41 have in the food that they gather, so I will be
42 opposing this.

43
44 CHAIRMAN WILDE: Anymore discussion of
45 Council on Proposal 01.

46
47 MS. GREGORY: Mr. Chair.

48
49 CHAIRMAN WILDE: Mary.

50

1 MS. GREGORY: I'm in the middle of the
2 road here because sometimes for ceremonial purposes
3 they can use bear claws in their regalia and I've seen
4 that in necklaces and stuff like that. I would like to
5 maybe support the first part of that wherever Unit 1-5
6 is, but it doesn't tell me you're not going to go to
7 the stores and sell these things. I, myself, am a
8 subsistence food non-edible part skin sewer and we use
9 those things for decorations. So I'm kind of in the
10 middle. I haven't seen a lot of those in the area, but
11 like Mr. Lester Wilde says, they have their own way and
12 those people speak on behalf of the people who uses
13 these things. So I'm kind of mixed up here and I'm in
14 the middle of the road. I'm not for it and I don't
15 necessarily not support it.

16
17 CHAIRMAN WILDE: Any more comments or
18 recommendations from Council. Steve.

19
20 MR. KESSLER: Mr. Chairman. Steve
21 Kessler with the InterAgency Staff Committee. I just
22 want to be sure that you understand what this proposal
23 is. If this proposal does not go through, if it is not
24 adopted, then this language will not be included in the
25 Federal regulations and then there will be no
26 regulations that refer to who may sell handicraft
27 between a business and purchasing as a business and
28 there will be no language that would say that this may
29 not constitute a significant commercial enterprise.

30
31 So what this proposal does is it takes
32 a very large allowance, right now actually there's
33 nothing in regulation, and then diminishes that. If
34 you recommend to support it, it takes what right now is
35 something that's very large with no regulations about
36 selling handicrafts made with bear claws to businesses
37 or from businesses. So if you adopt this, it
38 diminishes that. If you recommend not supporting, then
39 it just leaves it wide open.

40
41 I don't know if you have the regulatory
42 book, but that language is on Page 24 of this book.
43 Let me just read it to you. It says you may sell
44 handicraft articles made from the skin, hide, pelt or
45 fur of black bear, including claws. You may sell
46 handicraft articles made from the skin, hide, pelt or
47 fur of brown bear, including claws, taken from Units 1-
48 5, which include Southeast, Eastern Interior and
49 Bristol Bay.

50

1 So if there is no adoption of this or
2 something similar, it's sort of wide open. If there is
3 adoption of this, it makes it less as far as what's
4 allowed to be done as far as commercial enterprises and
5 selling between a person and a business. I don't know
6 if that helps clarify what this does. If you have any
7 further questions on that, I could answer them.
8
9 CHAIRMAN WILDE: Any more
10 recommendation from Council.
11
12 (No comments)
13
14 CHAIRMAN WILDE: If there's none, we
15 need a motion.
16
17 MS. GREGORY: Mr. Chairman. I move
18 that we adopt Proposal No. WP06-01.
19
20 MR. L. WILDE: I'll second for
21 discussion, Mr. Chairman.
22
23 CHAIRMAN WILDE: There's a motion on
24 the floor to accept Proposal 01 and a second for
25 discussion. Any more discussion.
26
27 MR. L. WILDE: Mr. Chairman.
28
29 CHAIRMAN WILDE: Lester.
30
31 MR. L. WILDE: I'd like to address Mr.
32 DeMatteo. Are you still on?
33
34 (No response)
35
36 MR. L. WILDE: I take it that the
37 proposal was submitted by whom?
38
39 MR. KRON: Mr. Chairman, Lester. It
40 was submitted by the Federal Subsistence Board.
41
42 MR. L. WILDE: Thank you.
43
44 CHAIRMAN WILDE: Any more discussion
45 from Council.
46
47 MR. ALOYSIUS: Mr. Chairman.
48
49 CHAIRMAN WILDE: Bob.
50

1 MR. ALOYSIUS: The more I hear from
2 different people, the more confused I get. This is
3 regulation language addressing the commercial sales of
4 handicraft made from bear claws. It's very specific.
5 It says you may not sell handicraft made from the claws
6 of black or brown bear to an entity operating as a
7 business. It says further if you are a business as
8 defined under Alaska, you may not purchase handicraft
9 made from claws of black or brown bear as part of your
10 business transactions with the exception to Unit 1 to 5
11 again. It further says that the sale of handicrafts
12 made from the non-edible byproduct of brown or black
13 bears may not constitute a significant commercial
14 enterprise. It's ambiguous. It's confusing. So I have
15 no real clear definition from anybody on what this
16 regulation is doing.

17
18 CHAIRMAN WILDE: Any more discussion
19 from Council.

20
21 MS. GREGORY: Mr. Chairman. Can you
22 tell me what are Units 1-5 again.

23
24 MR. KRON: Mr. Chairman, Mary. Units
25 1-5 are Southeast Alaska and Yakutat area, basically
26 the southern portion of the state. Thank you, Mr.
27 Chairman.

28
29 MS. GREGORY: Didn't Mr. Kessler say
30 Dillingham as well?

31
32 MR. KESSLER: Mr. Chair, Ms. Gregory.
33 What I was talking about when I talked about the other
34 areas was the existing regulation which allows the sale
35 of handicrafts made from brown bear, including claws,
36 from Southeast, Eastern Interior and Bristol Bay.
37 That's currently in the regulation. So they allow the
38 sale of handicrafts.

39
40 Now, what this proposed regulation does
41 is it talks about businesses. The sale of handicrafts
42 was in the current regulation selling it to businesses
43 or businesses purchasing. That is what the topic is of
44 the current regulation. What happened last year was
45 all of this was in front of the Federal Board and the
46 Federal Board made certain decisions based on
47 recommendations of the Councils. But this part,
48 actually the language in this proposal, essentially
49 that language originally came from the Eastern Interior
50 region and they had suggested some of this language

1 last year. The Board thought this language might be
2 good language, but because none of the other Councils
3 had seen it, only the Eastern Interior Council had seen
4 it, they felt that all the Councils should see it
5 before the Board makes a final regulation on the sale
6 of handicrafts to and from businesses. Does that help?

7
8 MS. GREGORY: That helps. Thank you.

9
10 MR. HOELSCHER: Mr. Chairman.

11
12 CHAIRMAN WILDE: Edgar.

13
14 MR. HOELSCHER: Steve, could you get
15 back on there, please. Steve, on the proposed Federal
16 regulations .25(j)8(a) individual to individual can
17 sell, but an individual cannot sell to a business. Can
18 you elaborate on that a little? Thank you.

19
20 MR. KESSLER: .25(j)8(a) says you may
21 not sell handicrafts from the claws of black or brown
22 bear to an entity operating as a business. So if you
23 were to make a handicraft, then you cannot sell that to
24 a business. You can sell it to somebody else, but you
25 can't sell it to a business as defined Alaska Statute.
26 8(b), if you are a business, you may not purchase the
27 handicrafts made from the claws of a black or brown
28 bear as part of your business transactions. The reason
29 for that last part, as part of your business
30 transaction, was put in there is because if you are a
31 person and happen to have a business but that business
32 has nothing to do with handicrafts. Say that you own
33 the local utility or whatever it might be, there's no
34 reason to prohibit you from purchasing handicrafts from
35 somebody because your business has nothing to do with
36 selling of handicrafts. So that's why that last
37 language was put in there. There was not a desire to
38 prohibit or inhibit someone from purchasing handicraft
39 just because they have an unrelated business.

40
41 MR. BROWN: Mr. Chairman. I have a
42 question. You were talking about Units 1 through 5.
43 Is it going to affect the Western area, too, like Unit
44 18?

45
46 MR. KESSLER: The original proposal was
47 the exception for Units 1 to 5 so that in Units 1
48 through 5 you could sell handicrafts to a business or a
49 business could purchase. Units 1 through 5, only
50 Southeast Alaska and Yakutat. So just the very

1 southern and eastern part of the state, not the western
2 at all. But you'll notice in the preliminary
3 conclusion on Page 18, and as Mr. DeMatteo discussed,
4 you can see that the preliminary conclusion was to take
5 that exception out so this regulation would apply
6 statewide.

7
8 MR. BROWN: Thank you.

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

11
12 INTERPRETER: In my village there are a
13 lot of people who sell their handicrafts to the stores.
14 When they're done with their handicraft, they are put
15 on consignment. When an artist places their handicraft
16 on consignment in a store and the store has no profit
17 or anything from that consigned item and then the sale
18 price would be given to the artisan. Now that I hear
19 that these handicrafts made of bear items, if they
20 cannot be brought in as a consignment into these
21 businesses with the name of the artisan on the
22 handicraft, the sale would be given to the artisan. I
23 guess his question is can these bear handicraft items
24 be put on consignment in a business.

25
26 MR. KESSLER: Mr. Chair, Mr. Moses. I
27 think this question needs to be addressed to Mr.
28 DeMatteo if we could because I know he talked about
29 that during his presentation on consignment.

30
31 MR. KRON: Pete, are you there?

32
33 MR. DeMATTEO: Yes, I am. Repeat your
34 question.

35
36 MR. KESSLER: The question had to do
37 with consignment. The question, if I understand
38 correctly, that Mr. Moses asked was if a handicraft is
39 put on consignment in a store and there's no profit at
40 all that the store makes, there's no money transaction,
41 no money that the store receives, would that be
42 acceptable. Is that the question?

43
44 MR. DeMATTEO: If I understand the
45 question correctly, there's no transaction of money,
46 then, therefore, it's not a true consignment sale.
47 Someone is doing a friend a favor by collecting money
48 for them. But if I understand it correctly, that
49 person who collected the money is not keeping any of
50 the money for himself, so it's not a true consignment

1 sale, no. Consignment means I'll sell something for
2 you for a certain percentage of the take. Does that
3 help?

4

5 CHAIRMAN WILDE: Alex.

6

7 MR. A. NICK: For the record, my name
8 is Alex Nick. I'm the Council coordinator. I think
9 there's a misunderstanding on Phillip Moses's comment
10 and question. I will try to interpret how I understood
11 Mr. Moses. What Mr. Moses seemed to have said in
12 Yup'ik is that if an individual walks into a business
13 and then sells handicrafts, an individual from that
14 building chooses to buy his or her items right there on
15 the spot, what will happen then is what I seem to hear
16 him ask. Is that how you understood it, Edgar?

17

18 MR. HOELSCHER: Mr. Chairman. In the
19 villages, stores are places where retail sales and et
20 cetera are happening. An individual has, say, a beaded
21 or a kuspuk or a fur hat and says to the store manager
22 I want to display this and see if an interested person
23 is willing to buy it. Like we say, the store manager
24 or the business does not buy that, but say, okay, we'll
25 display it for you, then they leave that person's name
26 and phone number if that person is interested in
27 purchasing it. That's the way I'm understanding.

28

29 MS. GREGORY: Mr. Chairman. That's
30 what happens. There's no money made for the
31 corporation or the store. It's just people helping
32 each other out and it's a common practice and I see
33 nothing wrong with that.

34

35 (Whispered conversation)

36

37 MS. GREGORY: Mr. Chairman. Mr. Moses
38 says he's okay. He had to ask that question to make
39 his mind at ease and that's good.

40

41 CHAIRMAN WILDE: Steve, did you want to
42 say something.

43

44 MR. KESSLER: Mr. Chairman. I think
45 that if I understood then what the question is and what
46 Mr. DeMatteo said, since there's no money being made by
47 the store, then this regulation wouldn't be affected.
48 You may not sell handicrafts to an entity operating as
49 a business. That's not happening. There's no money
50 exchanging hands to the business. So, in fact, what

1 seems to be happening then is the item is being sold by
2 the artisan, the handicraft maker, to another
3 individual and even if this regulation were in place
4 that would not be a problem. Is that how you
5 understand it, Pete, also?

6
7 MR. DeMATTEO: Yes, I do.

8
9 CHAIRMAN WILDE: Council, any more
10 discussion.

11
12 MS. GREGORY: Question, Mr. Chairman.

13
14 CHAIRMAN WILDE: The question has been
15 called for. I request a roll call vote.

16
17 MS. GREGORY: A yes vote will be a yes
18 vote. A no vote will be a no vote. Bob Aloysius.

19
20 MR. ALOYSIUS: No.

21
22 MS. GREGORY: Mr. Brown.

23
24 MR. BROWN: No.

25
26 MS. GREGORY: Harry Wilde.

27
28 CHAIRMAN WILDE: No.

29
30 MS. GREGORY: Myself, yes. Lester
31 Wilde.

32
33 MR. L. WILDE: No.

34
35 MS. GREGORY: Phillip Moses.

36
37 MR. MOSES: No.

38
39 MS. GREGORY: Edgar Hoelscher.

40
41 MR. HOELSCHER: No.

42
43 MS. GREGORY: Joseph Mike.

44
45 MR. MIKE: No.

46
47 MS. GREGORY: One yea and seven nays.

48 Motion failed.

49
50 CHAIRMAN WILDE: We're going to have a

1 break.

2

3 (Off record)

4

5 (On record)

6

7 CHAIRMAN WILDE: We'll go back to the
8 meeting. For you that would like to testify (in
9 Yup'ik).

10

11 INTERPRETER: I think most of you speak
12 Yup'ik, so these proposals that we will be addressing
13 and you want to make a comment, please fill out a
14 public comment form and the proposal you wish to
15 address. In following our protocol and our procedures
16 and that is how we will address each of these
17 proposals. We'll follow the presentation procedures.
18 When the Councils are done and everyone has been asked
19 a question, we get to number eight, Regional Advisory
20 Council deliberations, recommendations and
21 justification. So once those deliberations have been
22 done we will go on to the next item.

23

24 CHAIRMAN WILDE: We'll go on to our
25 next proposal, proposal to allow the sale of
26 handicrafts made from the non-edible byproduct of most
27 wildlife. Council, you'll find it on Page 28 of your
28 booklet. Pete.

29

30 MR. DeMATTEO: The analysis of Proposal
31 02 can be found on Page 30. Current Federal
32 regulations prohibit the sale of wildlife or byproducts
33 of wildlife unless specifically permitted in Federal
34 regulations.

35

36 Current Federal regulations only allow
37 the sale of handicrafts made from bear skin, hide,
38 pelts or fur including claws from some parts of the
39 state, the sale of handicrafts made from bear bones,
40 teeth, sinew or skulls taken in the Southeast portion
41 of Alaska, pelts from furbearers and subsistence
42 harvested fish under the customary trade regulations.

43

44 Under State regulations, many
45 handicrafts and parts of game can be sold, purchased or
46 bartered. They have a specific list of what cannot be
47 sold, such as most meat, bear parts, big game trophies,
48 et cetera. Therefore, many wildlife handicrafts,
49 individual antlers and horns, capes and other items can
50 be sold under State regulations, but they cannot be

1 sold from animals harvested on Federal public lands
2 under Federal regulations.

3
4 The purpose of this proposal is to make
5 Federal regulations consistent with existing State
6 regulations with respect to handicrafts. This action
7 will not alter existing harvest limits or seasons and,
8 therefore, should have no impact on wildlife
9 populations. This action will provide those
10 subsistence users who make handicrafts an opportunity
11 to sell those handicrafts made from wildlife harvested
12 under Federal subsistence regulations. This change
13 will be minimal because the activity is currently
14 allowed for wildlife harvested under State regulations.
15 This change will have no effect on other users.

16
17 Because this proposed regulation uses
18 the term big game and trophy, definitions are provided
19 for those terms. This proposed regulation also
20 prohibits sales from constituting a significant
21 commercial enterprise consistent with the sale of bear
22 claw handicrafts. Adoption of these new regulations
23 will provide Federally qualified subsistence hunters
24 the same opportunities that are currently available to
25 those harvesting under State regulations and it would
26 accommodate existing practices.

27
28 Mr. Chair, with that, the Staff
29 recommendation is to adopt the proposal with the
30 modifications that can be seen on Pages 32 and 33,
31 which are to remove the redundant reference to bear in
32 the regulatory language, to provide definitions of the
33 terms big game and trophy, and to prohibit sales from
34 constituting a significant commercial enterprise.
35 They're consistent with the sale of bear claw
36 handicrafts.

37
38 The modified proposed regulation should
39 read as follows: If you are a Federally qualified
40 subsistence user, you may sell handicraft articles made
41 from nonedible byproducts of wildlife harvested for
42 subsistence uses (excluding bear) to include skin,
43 hide, pelt, fur, claws, bones (except skulls of moose,
44 caribou, elk, deer, sheep, goat and muskox), teeth,
45 sinew, antlers and/or horns (if not attached to any
46 part of the skull or made to represent a big game
47 trophy) and hooves.

48
49 Under definitions, big game means black
50 bear, brown bear, bison, caribou, Sitka black-tailed

1 deer, elk, mountain
2 goat, moose, muskox, Dall sheep, wolf, and wolverine.
3 Those would all constitute big game.

4
5 Again, under definitions, the term
6 trophy means a mount of a big game animal, including
7 the skin of the head (cape) or the
8 entire skin, in a lifelike representation of the
9 animal, including a lifelike representation made from
10 any part of a big game animal. Trophy also includes a
11 European mount in
12 which the horns or antlers and the skull or a portion
13 of the skull are mounted for display.

14
15 Mr. Chair, the modified proposed
16 regulation would also include the language that would
17 read the sale of handicrafts made from the nonedible
18 byproducts of wildlife, when authorized
19 in this part, may not constitute a significant
20 commercial enterprise.

21
22 With that, Mr. Chair, I'll stop there
23 and answer any questions you may have. Thank you.

24
25 CHAIRMAN WILDE: Thank you, Pete.
26 Alaska Department of Fish and Game comment. Tom.

27
28 MR. KRON: Mr. Chairman. ADF&G
29 comments are included in your books on Page 33. I
30 don't know if they have anyone from ADF&G here. It
31 doesn't look like it. But, again, their comments are
32 provided there for your information. Thank you, Mr.
33 Chair.

34
35 CHAIRMAN WILDE: Federal, State and
36 Tribal agency comments. Come forward. Say your name
37 for the record and who you represent.

38
39 MR. HAMILTON: My name is Ted Hamilton.
40 I represent the Emmonak Tribal Council and the Natural
41 Resource Department. What I'd like to see is make
42 legal what we are doing today. So I'd like to support
43 this proposal. Thank you.

44
45 CHAIRMAN WILDE: Thank you.
46 InterAgency Staff Committee comments.

47
48 (No comments)

49
50 CHAIRMAN WILDE: Fish and Game Local

1 Advisory Committee comments.

2

3 (No comments)

4

5 CHAIRMAN WILDE: Summary of written
6 public comments.

7

8 MR. A. NICK: Mr. Chair. We received
9 two public comments. Public comment is from Ahtna Tene
10 Nene Subsistence Committee and they support WP06-02 so
11 that rural residents may sell handicrafts made from
12 nonedible byproducts of most wildlife. This practice
13 has been done under State regulation, but not under the
14 Federal
15 regulation, since there is no regulation in place under
16 Federal subsistence management.

17

18 The second comment is from Mentasta
19 Traditional Council. They support the proposal. Mr.
20 Chair.

21

22 CHAIRMAN WILDE: Thank you. Public
23 testimony on Proposal 02. Bill.

24

25 MR. CHARLES: Thank you, Mr. Chairman.
26 My name is Billy Charles and I represent my own point
27 of view in regards to this proposal. My concern is,
28 you know, is there in regulation or process that
29 identifies a Federal subsistence user. My concern is
30 when we open this to all these byproducts, I'm afraid,
31 you know, there's manufacturers out there that might do
32 mass production of these traditional or they could be
33 seen as handicraft and that was my concern. I'm hoping
34 there's a monitoring process that will identify
35 individuals that are Federally qualified and
36 identified. I'm hoping that process would put in
37 regulation maybe some form of tagging system when you
38 implement this rule. Thank you, Mr. Chairman.

39

40 CHAIRMAN WILDE: Thank you, Bill. Any
41 other public testimony. You may come forward to the
42 mike and say your name and who you represent.

43

44 MR. LAMONT: My name is John Lamont. I
45 work for Chuloonawick Native Village here in Emmonak.
46 I had a question about how we live as a tradition and
47 some of the arts we do, I see my mom do as a tradition,
48 some of that she sells. As you see, a subsistence user
49 in the state, however you identify as a Native, and the
50 products we make, how is it protected under the

1 regulation as a tradition, as a Native person, other
2 than a person that creates something out of
3 manufacture. Making the rules to where we get more,
4 you know, pointed down, getting smaller. That person
5 that goes out and does something and makes something
6 and don't that rule? To allow that change becomes the
7 poacher, how I see it, and that could hurt a person's
8 traditional way, you know, by breaking the rules that
9 used to exist and now it's been created. You know, to
10 better understand the Native way, the tradition, how we
11 do things, and protect that way and at the same time
12 see the differences from how the State limits the
13 amount what you do and who does what with the products.
14 Thank you.

15
16 CHAIRMAN WILDE: Thank you. Other
17 public testimony for Proposal 02.

18
19 (No comments)

20
21 CHAIRMAN WILDE: If there's not,
22 Regional Advisory Council deliberation, recommendation
23 and justification.

24
25 MR. L. WILDE: Mr. Chairman.

26
27 CHAIRMAN WILDE: Lester.

28
29 MR. L. WILDE: For the record, I would
30 like to have either Tom or our coordinator answer Mr.
31 Charles' question on what defines a Federally qualified
32 subsistence user.

33
34 MR. KRON: Mr. Chairman. That would be
35 based on the rural/non-rural classifications. So, for
36 example, in Unit 18 all of the residents in Unit 18
37 would be considered Federally qualified users. All the
38 villages here in the Yukon-Kuskokwim Delta are, anyone
39 living in those villages would be a Federally qualified
40 user. Thank you, Mr. Chair.

41
42 MR. CHARLES: Through the Chair,
43 Lester, and thank you, Tom. That addresses part of my
44 concern. If we have an identified qualified user, then
45 how do we monitor so that, you know, there's no
46 opportunity for mass production by some that are not
47 qualified. That was my concern. And if there was some
48 tagging or something for selling these byproducts, is
49 there a process. I guess that was my question or
50 concern.

1 MR. KRON: Maybe to follow up again.
2 Non-rural people would not be able to do this under the
3 Federal regulations. Fairbanks, Anchorage, Juneau, for
4 example, would be non-rural. Under the proposed
5 modified wording, we've added wording to say that you
6 may not do this in such a way that it would be a
7 significant commercial enterprise. The intent is to
8 prevent the kind of thing that Mr. Charles was talking
9 about to allow people to continue their traditional
10 practices but not for this to become a commercial
11 enterprise. That was the intent of that proposed
12 wording and modification. Thank you, Mr. Chair.

13
14 MR. CHARLES: Thank you, Lester, Mr.
15 Chair.

16
17 CHAIRMAN WILDE: Any motion.

18
19 MR. L. WILDE: Mr. Chairman.

20
21 CHAIRMAN WILDE: Lester.

22
23 MR. L. WILDE: I'd move that Proposal
24 WP06-02 be approved.

25
26 MS. GREGORY: Second the motion.

27
28 CHAIRMAN WILDE: There's a motion on
29 the floor from the Council to approve and seconded.
30 Discussion, Council.

31
32 MR. HOELSCHER: Discussion, Mr.
33 Chairman.

34
35 CHAIRMAN WILDE: Edgar.

36
37 MR. HOELSCHER: Thank you, Mr.
38 Chairman. Getting back with Mr. Charles' question, I
39 assume in the MOA somewhere there's a class in there in
40 regards to monitoring and et cetera.

41
42 MR. DeMATTEO: Can you help us out
43 here. What is monitoring and et cetera?

44
45 MR. HOELSCHER: I was just questioning
46 if it's in the MOA in regards to Mr. Charles' questions
47 about other than subsistence users coming in and
48 abusing the process of other products for handicraft
49 products.

50

1 MR. DeMATTEO: Tom, if you could repeat
2 the gentleman's question, I'd appreciate it.

3
4 MR. KRON: Mr. Hoelscher was asking
5 about what programs are in place to prevent abuse of
6 sales and I guess what comes to mind is basically
7 getting a law in place and then the enforcement of that
8 law to prevent commercialization of this sort of thing.

9
10 MR. DeMATTEO: To my knowledge, Mr.
11 Chair, that's the extent of the monitoring that would
12 be in place if this proposal was adopted. I don't know
13 of anything beyond that at this point.

14
15 CHAIRMAN WILDE: Any more discussion
16 from the Council.

17
18 MR. HOELSCHER: Question.

19
20 CHAIRMAN WILDE: The question has been
21 called for. I request a roll call vote.

22
23 MS. GREGORY: Proposal No. WP06-02. A
24 yes vote will approve the adoption. A nay vote will
25 not pass it. Harry Wilde.

26
27 CHAIRMAN WILDE: Yes.

28
29 MS. GREGORY: Joseph Mike.

30
31 MR. MIKE: I abstain. The reason for
32 abstaining is because there is no regulation in Federal
33 subsistence management.

34
35 MS. GREGORY: Phillip Moses.

36
37 MR. MOSES: (In Yup'ik)

38
39 (Ms. Gregory explains it in Yup'ik)

40
41 MR. MOSES: (In Yup'ik)

42
43 MS. GREGORY: Okay. Abstain. Edgar
44 Hoelscher.

45
46 MR. HOELSCHER: Yes.

47
48 MS. GREGORY: Lester Wilde.

49
50 MR. L. WILDE: Yes.

1 MS. GREGORY: Mr. Brown.
2
3 MR. BROWN: I abstain.
4
5 MS. GREGORY: Bob Aloysius.
6
7 MR. ALOYSIUS: Yes.
8
9 MS. GREGORY: Myself, yes. Five yeas,
10 three abstentions, 5-3.
11
12 CHAIRMAN WILDE: Motion carries. At
13 this time I was asked to have a lunch break, but before
14 lunch break there is a housekeeping. I don't know
15 what's that.
16
17 MR. DeMATTEO: I was visited by James
18 Charles yesterday and he informed me that his mother
19 passed. Did you know that?
20
21 MR. KRON: Yes. That was reported this
22 morning. We had a moment of silence for her.
23
24 MR. DeMATTEO: Okay. Thanks.
25
26 MR. A. NICK: Mr. Chairman. Alex Nick,
27 Regional Council coordinator. I was handed a sheet of
28 paper that tells us about the office telephone numbers
29 for messages. These are 949-1227, 949-1249, 949-1167
30 and hotline is 949-1231. These are the message phones.
31 For your information, the reason why I asked the Chair
32 if we could have an early lunch break, those of you who
33 want to go to school for lunch, I believe they will be
34 serving about 11:30. I'm not too sure about that, but
35 that's usual lunch break for some schools.
36
37 Also, at the request of some of the
38 locals here, they are making copies of the regional
39 proposals which we'll be taking up next so that people
40 who attend here will have copies to look at while we're
41 deliberating on the proposals. Mr. Chair.
42
43 CHAIRMAN WILDE: Bob.
44
45 MR. ALOYSIUS: Mr. Chair. Could you
46 post those numbers over by the door and in front of
47 your desk there so we could copy them. Thank you.
48
49 MR. A. NICK: Yes, I will do that.
50 Thank you.

1 MR. L. WILDE: Mr. Chairman.
2
3 CHAIRMAN WILDE: Lester.
4
5 MR. L. WILDE: Before we go for lunch,
6 I just want to stress to the people that are out there
7 the next three proposals will affect this area a lot.
8 We'd like to hear from the people in this area covering
9 these next three proposals. So if anybody is
10 interested that you talk to during lunchtime to discuss
11 the establishment of the controlled use area in Unit
12 18, which is this lower unit, you could have them come
13 over and testify on your behalf. I just want to make
14 sure that you guys knew that the next part of the
15 meeting we'll be discussing the regulations for our
16 area. Thank you, Mr. Chairman.
17
18 CHAIRMAN WILDE: We'll come back at
19 1:00 talking about the controlled use area. The map
20 will be hanging over there. Where is the controlled
21 use location, right there. Also, I have enough maps
22 here for Council to look at.
23
24 (Off record)
25
26 (On record)
27
28 CHAIRMAN WILDE: We'll put the meeting
29 back to order. We will not have an evening session
30 tonight. They want to use this hall for tonight.
31 Eskimo dance practice for potlucks, so we won't have an
32 evening session. Lester.
33
34 MR. L. WILDE: Mr. Chairman. I'd like
35 to move to reconsider Proposal WP06-01.
36
37 MR. HOELSCHER: Second.
38
39 CHAIRMAN WILDE: Discussion.
40
41 MR. HOELSCHER: Discussion, Mr.
42 Chairman. According to management Staff, there's a
43 misunderstanding and maybe we can have that
44 misunderstanding cleared up for the record. Thank you.
45
46 MR. L. WILDE: Mr. Chairman.
47
48 CHAIRMAN WILDE: Lester.
49
50 MR. L. WILDE: Pardon me, Mr. Chairman.

1 My understanding is that in the event that this
2 commercial sale and purchase of handicrafts goes as we
3 voted on this morning, if and when that should become
4 regulation, it would open up any commercial entity to
5 go ahead and start a business using these handicrafts
6 made of bear parts. I'd like to ask Mr. Tom Kron to
7 further clarify.

8

9

CHAIRMAN WILDE: Tom.

10

11

MR. KRON: Mr. Chairman. Proposal 01
12 was submitted by the Federal Subsistence Board. As
13 Lester and Edgar had just commented, currently there
14 are not restrictions on commercialization of sale.
15 Anybody can do it. Stores could buy products made from
16 bear parts, large numbers, and then re-sell them. What
17 the Board proposal was, was to try to restrict this so
18 that it wouldn't be a commercialized enterprise.
19 Individuals such as yourselves could sell products but
20 a big commercial business couldn't happen. You
21 couldn't sell them over Ebay as a business, for
22 example. So the intent was to narrow it down to try to
23 limit it to more traditional sales by subsistence users
24 and not allow it to become a big commercial business.
25 That was the intent of the proposal. Thank you, Mr.
26 Chair.

27

28

CHAIRMAN WILDE: Lester.

29

30

MR. L. WILDE: Mr. Chair. With that
31 understanding, I feel that the proposed regulation as
32 it is would have the tendency for other large
33 businesses to go into this even though I don't see the
34 possibility there. I've said that on some other
35 occasions where I've been wrong and I could be wrong
36 on this one. If there is going to be a regulation
37 that says handicrafts made from bear claws are put into
38 proposed regulation, I think that would be -- there's
39 no language in there that states Federally qualified
40 users. Is there a possibility where that could be
41 inserted as a recommendation from this Council into the
42 language of the proposal?

43

44

CHAIRMAN WILDE: Tom.

45

46

MR. KRON: Mr. Chairman. Maybe I could
47 ask Pete. In the proposed wording for Proposal 01 on
48 the Staff analysis and the modification, can you
49 discuss the Federally qualified user question that
50 Lester just asked.

1 MR. DeMATTEO: I'd be more than happy
2 to. Could you recap that question for me, please.

3
4 MR. KRON: Lester was asking about the
5 possibility of including the requirement that this
6 apply to Federally qualified users. I think there's
7 concern about making sure it's limiting this
8 opportunity just to rural residents.

9
10 MR. DeMATTEO: Well, if I understand it
11 correctly, this would only apply to Federally qualified
12 users. That would be the extent of the Board's
13 authority of that regulation. Then whatever provisions
14 were under State regulations would apply to non-
15 Federally qualified users. That's how I understand it.
16 Maybe yourself or others that are there may be able to
17 help out with that one.

18
19 MR. KRON: That was the same sort of
20 thing that I was thinking. Basically the regulations
21 passed by the Federal Board on an issue like this apply
22 to rural users, Federally qualified users. Thank you,
23 Mr. Chair.

24
25 MR. L. WILDE: The reason I questioned
26 that was because in other resolutions we've had that
27 included. I mean in other proposals we had that
28 included to where it states that only Federally
29 qualified subsistence users are eligible for the sale
30 of these handicrafts.

31
32 CHAIRMAN WILDE: Tom.

33
34 MR. KRON: Mr. Chairman. Again, the
35 Staff had proposed a modification on Page 18 and,
36 again, the Council could propose a modification of the
37 wording as well to specifically specify that it applies
38 to Federally qualified users if you would like to do
39 that. Thank you, Mr. Chair.

40
41 MS. GREGORY: Mr. Chairman. All Mr.
42 Wilde is asking is that you insert the word Federally
43 qualified. It's so noted?

44
45 MR. KRON: So noted.

46
47 CHAIRMAN WILDE: Steve.

48
49 MR. KESSLER: Mr. Chair. Earlier this
50 morning I had pointed everybody to Page 24 of this

1 regulation book. I don't know if you have it in front
2 of you. I know Ms. Gregory has it in front of her.
3 That's the language that talks about who may sell
4 handicrafts. The language that you're considering now
5 is who may not sell handicrafts or ways you may not
6 sell handicrafts. The language on Page 24, Mr. Wilde,
7 says you may sell handicrafts made from the skin, hide,
8 pelt or fur of black bear. You may sell handicraft
9 articles made from the skin, hide, pelt or fur of brown
10 bear, including claws taken from the certain Units. So
11 this is the regulation that says you may do it. This
12 book applies to Federally qualified users. Now the
13 only time this book applies to other people is where
14 there's a Federal closure of land, so sometimes there's
15 a Federal closure of land to non-Federally qualified
16 people. Then this book applies to other people, non-
17 Federally qualified. Otherwise the "you" in here is
18 applying to Federally qualified. So you may sell them
19 means the Federally qualified.

20

21 So this new language that's in front of
22 you is considering whether to put some side boards on
23 that. Instead of you can just sell handicrafts, all
24 handicrafts in general with no limitations, if you were
25 to adopt, support this proposal, then you are saying we
26 want to put some limitations on how much handicraft can
27 be sold. Can it be sold to a business, can a business
28 sell it, or can it be a significant commercial
29 enterprise. If you want to put limits on the amount of
30 selling that can occur, then you might want to consider
31 adopting this proposal. If you say, no, we don't want
32 to see any limits at all on the sale of handicrafts,
33 everything should be allowed, then you would probably
34 want to vote to reject this.

35

36 Your vote so far was to recommend
37 rejecting this, which means, at least in my
38 understanding, that as far as this Council is concerned
39 then it's okay to sell to a business or for a business
40 to sell handicrafts and it's okay if it would be a
41 significant commercial enterprise. So I hope that
42 clarifies what this proposal would do. It only applies
43 to Federally qualified because the word you in the
44 current book is only Federally qualified.

45

46 CHAIRMAN WILDE: Bob.

47

48 MR. ALOYSIUS: This proposal deals only
49 with claws of black or brown bear period.

50

1 MR. L. WILDE: I concur with Bob. I
2 think it just covers claws of bears. That's all it
3 states. According to the Book of Hoyle, what is the
4 process we use in order for me to re-introduce another
5 motion? Can I just go ahead and make a motion to
6 adopt or do I need to go through some other rule in
7 order to withdraw the first motion that was passed this
8 morning?

9
10 MR. KRON: Mr. Chairman. I would look
11 to Robert from Robert's Book of Order, but my
12 understanding is that you would first vote on the
13 reconsideration motion, which you made, which brings it
14 back on the table. If that is supported, then just
15 re-vote on whether or not to support the proposal. Am
16 I correct?

17
18 MR. L. WILDE: So another motion can be
19 introduced to any effect.

20
21 MR. KRON: Yes, but you would first
22 vote on the motion for reconsideration to make sure
23 there's support to reconsider.

24
25 MR. L. WILDE: Thank you.

26
27 CHAIRMAN WILDE: Bob.

28
29 MR. ALOYSIUS: There is a motion on the
30 floor for reconsideration on the vote that was taken
31 this morning. That's what the motion is, period. His
32 motion was to reconsider the vote and we're discussing
33 why we should reconsider what we voted on. Basically,
34 the way I understand it, it's simple. You may not sell
35 handicrafts made from claws of brown or black bear and
36 if you are a business as defined in Alaska statute, you
37 may not purchase handicrafts made from claws of brown
38 or black bear and that's all it contains in this
39 proposal. Everything else is status quo. So I would
40 go along with the call for another vote on the proposal
41 that we voted on this morning.

42
43 MS. GREGORY: Mr. Chairman. We have a
44 motion on the floor. We just need to vote on it.

45
46 MR. MOSES: (In Yup'ik)

47
48 INTERPRETER: And then this discussion
49 that they're talking about these handicrafts, I would
50 like to ask a question. Where did this proposal come

1 from? Who is trying to restrict commercial sales? We,
2 as Yup'ik people, are not the same. Some are poor and
3 earn income through handicrafts and it isn't a lot. As
4 he understands it, it's restricting commercial sales of
5 handicrafts. As an example himself and not having
6 enough cash a lot of times and everything is expensive
7 in our villages. However, it seems as though the
8 Yup'ik people -- we're attacking our people who make
9 these handicrafts. That a business as he said earlier
10 and that stores in the villages help local artisans
11 sell their handicrafts so maybe we shouldn't restrict
12 our people who make these handicrafts. Cash is scarce
13 and a lot of our people do not have jobs. They get by
14 on making and selling handicrafts. So it sounds like
15 you're restricting commercial sales. Maybe all of you
16 who are on this Council need to think of our people who
17 make these handicrafts for a little bit of income.

18
19 MR. HOELSCHER: Mr. Chairman, Mr.
20 Moses. (In Yup'ik)

21
22 INTERPRETER: The issue that you are
23 discussing pertains to No. 02, but Proposal 01 is just
24 discussing bear claws.

25
26 MR. ALOYSIUS: Mr. Chairman.

27
28 CHAIRMAN WILDE: Bob.

29
30 MR. ALOYSIUS: (In Yup'ik)

31
32 INTERPRETER: And I would like to add a
33 few comments that the handicrafts our people make will
34 not be affected by this proposal, but the bear claws.
35 If anybody makes anything with those bear claws, it's
36 just affecting commercial sale and purchase.

37
38 MR. HOELSCHER: Question on the motion.

39
40 CHAIRMAN WILDE: The question has been
41 called. We're going to vote.

42
43 MS. GREGORY: To reconsider.

44
45 CHAIRMAN WILDE: To reconsider.

46
47 MS. GREGORY: Proposal No. 01.

48
49 CHAIRMAN WILDE: Proposal No. 01.
50 We're going to vote to reconsider. So make it cleaner

1 maybe. If you agree with this proposal the way it's
2 written, you'll say yes.
3
4 MR. ALOYSIUS: Mr. Chairman. Point of
5 order. You're just voting on the motion to reconsider.
6 That's all. You're not voting on the proposal.
7
8 CHAIRMAN WILDE: Okay. All in favor
9 say aye.
10
11 IN UNISON: Aye.
12
13 CHAIRMAN WILDE: Opposed say no.
14
15 (No opposing votes)
16
17 CHAIRMAN WILDE: Motion carried.
18
19 MR. ALOYSIUS: Mr. Chairman.
20
21 CHAIRMAN WILDE: Bob.
22
23 MR. ALOYSIUS: May I ask Lester if
24 you're going to introduce the motion.
25
26 MR. L. WILDE: Yes, Mr. Chairman. I'd
27 just like to insert, even though we got the explanation
28 from two Staff members on whether Federally qualified
29 subsistence users can or cannot according to the
30 language that's on there, I just want to make sure
31 that's inserted on .25(j)(8(a), that is only Federally
32 qualified subsistence users may not sell handicrafts
33 made from claws of black or brown bear to an entity
34 operating as a business as defined in Alaska Statute
35 43.70.110(1) unless the bear was taken in Units 1 to 5.
36 Insert only Federally qualified subsistence users. Am
37 I understood?
38
39 MR. HOELSCHER: What page are you
40 reading that off of, Lester?
41
42 MR. L. WILDE: Page 13.
43
44 CHAIRMAN WILDE: I'm going to let Mary
45 chair the meeting for a while. I've got to make a
46 telephone call.
47
48 ACTING CHAIR GREGORY: We're discussing
49 Proposal WP06-01, which we rejected this morning. Let
50 me remind you it was rejected this morning by a vote of

1 seven nays and one yea.

2

3 MR. ALOYSIUS: Point of order. There's
4 no second on the motion. You cannot discuss it.
5 Lester is making a motion.

6

7 MR. L. WILDE: I make a motion to
8 adopt.

9

10 ACTING CHAIR GREGORY: Is there a
11 second to the motion to adopt Proposal WP06-01.

12

13 MR. MIKE: Second.

14

15 ACTING CHAIR GREGORY: Mr. Mike
16 seconded the motion. Now we're in discussion.
17 Discussion on the motion to adopt Proposal 01.

18

19 MR. HOELSCHER: Question.

20

21 MR. ALOYSIUS: Madame Chairman. I have
22 a concern. If you insert the language that Mr. Wilde
23 is proposing, you're leaving it wide open for anybody
24 else to sell handicrafts made from claws of black and
25 brown bear.

26

27 MR. L. WILDE: Okay, Bob, I stand
28 corrected. Can I get some help from Staff on the
29 language. Only Federally qualified subsistence users
30 may -- that's not right either, is it.

31

32 MR. ALOYSIUS: Madame Chairman.

33

34 ACTING CHAIR GREGORY: Mr. Aloysius.

35

36 MR. ALOYSIUS: The language is very
37 clear to me that this proposal states you may not sell
38 handicrafts and, to me, that includes everybody, not a
39 selected few, unless the bears were taken in Units 1 to
40 5.

41

42 MR. L. WILDE: Bob, the reason I wanted
43 to include that language in there was so that only
44 subsistence users that catch the bear for subsistence
45 uses can sell those parts that they've already gotten
46 that they're not going to use, but I just need some
47 help on the language on this if you could help me.

48

49 ACTING CHAIR GREGORY: Mr. Wilde, if
50 you turn to Page 16 under use determinations.

1 MR. L. WILDE: Just to make sure that
2 everybody understands, it's Page 16 under regulatory
3 history. The following is a brief summary of
4 regulatory actions taken by the Board regarding the
5 sale of handicrafts made from bear parts. In May 2002
6 the Board adopted regulations allowing the sale of
7 handicrafts made from the fur of black bear, a
8 statewide regulation.

9
10 In May 2004 the Board adopted
11 regulations allowing the sale of handicrafts made from
12 the fur of brown bear taken in Eastern Interior,
13 Bristol Bay and Southeast regions. The Board also
14 clarified their intent to maintain the Federal
15 definition of fur, which includes claws.

16
17 In May 2005 the Board adopted
18 regulations that modified the definition of the term
19 handicraft; modified the definition of the terms skin,
20 hide, pelt and fur; modified regulatory language to
21 clarify that bear claws can be used in handicrafts for
22 sale.

23
24 The previous language allowing the sale
25 of handicrafts made with bear claws specifically
26 referred to bear fur, with the reference to claws
27 contained in the definition of fur. With the old
28 language it was not obvious to most readers that the
29 use of claws was permitted. This action by the Board
30 did not authorize any new uses. They adopted
31 regulations to allow the sale of handicrafts in Units 1
32 to 5 made from bones, teeth, sinew, or skulls of bears
33 taken in those units.

34
35 During the May 2005 meeting, the Board
36 discussed, but did not adopt, any regulatory language
37 addressing commercial sales of handicrafts. The absence
38 of regulatory language addressing commercial sales of
39 handicrafts made with bear parts continues. A detailed
40 regulatory history can be found in the
41 analysis of the original proposal.

42
43 So, I guess even without that language
44 we'd be protected. So the proposed regulation seems to
45 be okay as it stands. So I would like to move that the
46 proposed regulation as is be approved.

47
48 ACTING CHAIR GREGORY: Mr. Mike
49 seconded the motion. Any more discussion.
50

1 MR. ALOYSIUS: Madame Chairman. Point
2 of clarification. We have two conflicting motions on
3 the floor now. It's proper for Lester to withdraw his
4 original motion with the added language.
5
6 MR. L. WILDE: Thank you. I'm glad we
7 have a bulldog like you. I withdraw my prior motion.
8
9 MR. MIKE: I withdraw my second.
10
11 MR. L. WILDE: Madame Chair. I move we
12 adopt Proposal WP06-01 as is, as written.
13
14 MR. ALOYSIUS: Second.
15
16 ACTING CHAIR GREGORY: Moved and
17 seconded that we adopt Proposal WP-06-01. Any
18 discussion.
19
20 MR. HOELSCHER: Question.
21
22 ACTING CHAIR GREGORY: The question has
23 been called. Do you want to take a roll call. I'll
24 appoint Lester to take the roll call.
25
26 MR. L. WILDE: Mr. Mike.
27
28 MR. MIKE: Yes.
29
30 MR. L. WILDE: Mr. Hoelscher.
31
32 MR. HOELSCHER: Yes.
33
34 MR. L. WILDE: Mr. Moses.
35
36 MR. MOSES: Yes.
37
38 MR. L. WILDE: Me, yes. Ms. Gregory.
39
40 ACTING CHAIR GREGORY: Yes, again.
41
42 MR. L. WILDE: Mr. Harry Wilde.
43
44 CHAIRMAN WILDE: Yes.
45
46 MR. L. WILDE: Mr. Brown.
47
48 MR. BROWN: Yes.
49
50 MR. L. WILDE: Mr. Aloysius.

1 MR. ALOYSIUS: Yes.
2
3 MR. L. WILDE: The yeas have it.
4
5 ACTING CHAIR GREGORY: Motion passed.
6 Thank you. I will turn the chair back to Mr. Harry
7 Wilde.
8
9 CHAIRMAN WILDE: We'll go to Proposal
10 WP06-27, establish a controlled use area for moose in
11 Unit 18. Council, you'll find it on Page 35. Alex.
12
13 MR. A. NICK: Thank you, Mr. Chair.
14 For Council's and also audience information, there are
15 limited copies on the table of Proposal 27, 28, 29 and
16 30.
17
18 CHAIRMAN WILDE: This Proposal you'll
19 find on Page 35 in the Council book. Tom.
20
21 MR. KRON: Mr. Chairman. Pete, are you
22 there?
23
24 MR. DeMATTEO: Yes, I am. The analysis
25 of Proposal 27 begins in your books on Page 36 and this
26 proposal was submitted by the Yukon-Kuskokwim Delta
27 Subsistence Regional Advisory Council. The Council
28 requests the establishment of a Federal Controlled Use
29 Area for all moose seasons in the lower Yukon River
30 drainage within Unit 18. This proposal was originally
31 deferred by the Board as Proposal WP05-11 at the
32 Board's May 2005 meeting.
33
34 The Board's decision to defer action on
35 Proposal 11 was based on its limited jurisdiction to
36 implement effective controlled use areas because of the
37 mixed land jurisdictions within the affected area of
38 the proposal. The Council also submitted a companion
39 proposal to the Alaska Board of Game, which became
40 State Proposal No. 9, and you did so at your October
41 2005 meeting. The Alaska Board of Game rejected
42 Proposal 9 at its November 2005 meeting based on their
43 conclusion that the current level of impacts from
44 fly-in hunters on the resource and on
45 affected users are insignificant.
46
47 Proposals 11, from last year, and this
48 Proposal 27 and State Proposal No. 9 were submitted
49 because of local concerns of aerial moose spotting by
50 lower Unit 18 moose hunters who fly from the areas

1 south of the Yukon River drainage to the lower portion
2 of the Yukon River to hunt moose.

3
4 Local residents have reported seeing
5 non-local fly-in hunters spotting moose from
6 privately-owned aircraft during the Federal moose
7 season in the lower Yukon River drainage.

8
9 Mr. Chair, the proposed regulations can
10 be seen on Page 37 of your Council book under the
11 heading of proposed Federal regulations. The language
12 that would describe the controlled use area is at the
13 very bottom of the page.

14
15 The reported total harvest of one moose
16 taken in the affected area of this proposal by fly-in
17 hunters from south of Yukon River drainage in Unit 18
18 during the period of 1998 1999 through the regulatory
19 year of 2003 2004.

20
21 If this proposal is adopted by the
22 Board, Federally qualified subsistence users would be
23 restricted from accessing
24 traditional hunt areas in the lower Yukon River
25 drainage with privately-owned aircraft for moose.

26
27 If this proposal is adopted by the
28 Board, it would fail to address the proponent's
29 concerns because of the complex land
30 ownership within the affected area. The Federal
31 Subsistence Board's jurisdiction does not include
32 flight rules for pilots and their passengers who spot
33 moose over Federal jurisdictions and those who spot
34 moose and access State jurisdictions via
35 privately-owned aircraft.

36
37 Mr. Chair, it's important to mention
38 that the Board has not established any Federal-only
39 controlled use areas in Alaska. Controlled use areas
40 are established by the State of Alaska and the State
41 access restrictions within the controlled use areas are
42 mirrored in the Federal subsistence regulations. Local
43 concerns about aerial moose spotting should be directed
44 toward the local State and Federal land managers who
45 can address these issues through the proper law
46 enforcement channels.

47
48 With that, Mr. Chair, the preliminary
49 conclusion is to oppose the proposal. Thank you.

50

1 CHAIRMAN WILDE: Thank you. ADF&G
2 comments.

3
4 (No comments)

5
6 CHAIRMAN WILDE: If none, Federal,
7 State and Tribal agency comments. Tribal, do you have
8 a comment on this proposal. Will you come forward
9 here.

10
11 MR. HAMILTON: Thank you, Mr. Chair.
12 Ted Hamilton, Emmonak Tribal Council. We would like to
13 see some type of language. If it can't be done at this
14 board, maybe we need to go to the State meeting. We'd
15 like to see some type of control over these aircrafts
16 that come in and spot moose. What happens is there's a
17 whole bunch of hunters down here in the Lower Yukon
18 delta and we all go traditional. We use boats,
19 outboards. We don't use airplanes or VHF's for
20 communication. We've seen this happen throughout these
21 years since we opened down here and it gives these guys
22 with the airplane an unfair advantage to those of us
23 that don't use VHF's to contact airplanes.

24
25 So, therefore, we would like to see
26 some type of proposal or modification to a proposal
27 just like this one to have a 24-hour wait or a 36-hour
28 wait or a 72-hour wait or even a whole week because
29 some of these hunters go out for a few days and they
30 come home with nothing. Not to say there were no moose
31 in this area or that these guys were bad hunters, it's
32 just that they were in the wrong place at the wrong
33 time. Thank you.

34
35 CHAIRMAN WILDE: Thank you. Other
36 Tribal comments. Come right here to the loudspeaker
37 there. Say your name and who you represent.

38
39 UNIDENTIFIED SPEAKER: (In Yup'ik)

40
41 INTERPRETER: A lot of people talked to
42 him about aerial moose hunters in this area. As Ted
43 Hamilton said earlier, a lot of these local hunters who
44 travel and hunt by boat do not always come home with a
45 moose. And with the fuel prices rising, there are a
46 lot of local hunters from here who do not appreciate
47 that competition from hunters who spot moose from the
48 air and then go out after them. So there are a lot of
49 local residents who do want some sort of controlled use
50 area.

1 Have you seen this map? It is hanging
2 over there, somewhere there's a map. So this map that
3 is hanging on the wall right now shows that it covers
4 Unit 18 and this is the area that we want to restrict
5 aerial moose hunters in and then Unit 21(A) they used
6 to have that but those people are not like us since
7 they are not fighting against each other. They drew up
8 a map and restricted aerial moose hunting, calling it a
9 no-fly zone.

10
11 A lot of times people complain of
12 aerial moose hunters. That is why they came up with
13 this map from north of Kotlik to Mountain Village.
14 That people in there, the subsistence hunters, could
15 come down to Scammon Bay to the end of their mountains
16 and along the coast to maybe back up to Kotlik. But it
17 is up to you. What do you all feel about it? I'm
18 speaking in Yup'ik because it's so hard to try to speak
19 in English. He says he's been trying to speak English
20 and trying to make sure everyone understands and
21 there's a clear line of communication.

22
23 But this proposal is now brought up to
24 you and we are now on the Federal, State and Tribal
25 agency portion of the procedure for proposals. As a
26 Tribal member and having heard this issue discussed
27 before, thank you for this time to share.

28
29 CHAIRMAN WILDE: Yeah, okay. Federal,
30 State and Tribal agency comments. Yeah.

31
32 MR. JIMMY: I'm just a Tribal member.
33 Stan Jimmy from Emmonak and I'm a subsistence hunter.
34 (In Yup'ik)

35
36 INTERPRETER: If this proposal is going
37 to restrict aerial moose hunting, he does support that
38 idea and does support these Tribal officials here. We
39 here on the Yukon River drainage do not welcome aerial
40 moose hunters. When local people observe aerial moose
41 hunters a conflict arises between the two coming from
42 another area of the state in a plane and then us local
43 hunters who do not have access to planes and we are
44 trying to feed our families, our children, and
45 sometimes it takes 30 days. They used to even travel
46 all the way upriver to try to catch a moose and
47 sometimes would come home empty-handed.

48
49 It is not good to observe these rich
50 hunters in their airplanes hunting moose from our area,

1 creating conflict. So he is supporting the Tribal
2 stand limiting or restricting aerial moose hunt. Thank
3 you.

4
5 CHAIRMAN WILDE: (In Yup'ik)

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

8
9 INTERPRETER: This is Peter Moore.
10 He's with a Tribal organization here and addressing
11 this controlled use area for Unit 18. Not only do they
12 have aircraft to help them spot moose but they use
13 their GPS's. So he's concerned about use of GPS's
14 during the hunt as well. As an older hunter who is not
15 technologically inclined to use a GPS, he feels someone
16 has an unfair advantage.

17
18 CHAIRMAN WILDE: (In Yup'ik)

19
20 (Changed interpreters)

21
22 MR. TUCKER: (In Yup'ik)

23
24 INTERPRETER: This is Ben Tucker from
25 Emmonak. A lot of the local folks know who I am. In
26 regards to this proposal, regarding the use of
27 aircraft, the fly-in hunt in Unit 18, we locally adhere
28 to Fish and Game and Wildlife regulations towards
29 moose. With the moratorium from the recent past and
30 the increase in moose numbers, there's been changes in
31 regulation towards moose. Because of the increase in
32 moose numbers, there is a move to allow non-resident
33 hunting in the area. We observe and adhere to the
34 moratorium to allow the increase of moose numbers.
35 Many of us here in the Yukon want the increase in
36 numbers and there was close monitoring of increase in
37 moose numbers in the area. Any move towards sport
38 hunting we do not agree with in this area if it's not
39 for the consumption of meat, particularly for those
40 non-resident hunters that come in and fly in and use
41 our resources here. Thank you.

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

44
45 INTERPRETER: Evan Rivers. I had heard
46 that moose would be open at some point for hunt by
47 aircraft fly-in because the moose is easily spotted,
48 more accessible by aircraft. Many of these hunters
49 that are flying in are sport hunters for antlers or
50 horns. That is all I have regarding this proposal.

1 CHAIRMAN WILDE: Anybody else.

2

3 MR. MANUMIK: Good afternoon, Council
4 Members. It's been a long time since I faced the
5 Council Members for any subsistence use of game. I am
6 against airplane spotting in Game Management Unit 18 or
7 anywhere Unit 18 covers.

8

9 MS. GREGORY: Your name.

10

11 MR. MANUMIK: I'm sorry. My name is
12 Paul Manumik from Nunam Iqua and I represent the Swan
13 Lake Corporation. I have heard many different pilots
14 stating that they've spotted moose and entered them
15 into their GPS on the aircraft. That's why I'm against
16 this flying and spotting moose with an airplane. That
17 doesn't help our Native people.

18

19 I heard Mr. Moore saying they enter the
20 moose in their GPS and go out and go after the moose
21 and get it. Whereas a person that doesn't have a GPS
22 will not find one unless he runs into one on foot or
23 wherever that moose is available. Many a hunter will
24 tell you they've gone out and came home empty for their
25 mother's dinner table. We survive on what we get, our
26 Native people, and that's why I'm against this flying
27 and spotting moose with an aircraft.

28

29 There's needs to be a language put
30 forth in the regulation to protect our people from
31 being -- their game taken away by people who spot by
32 airplane. It's the livelihood and our mainstay of our
33 people in the Lower Yukon. That language needs to be
34 brought forth so it will protect Game Management Unit
35 18 totally and our people, our hunters.

36

37 Today there are five, six-year-olds
38 going out and catching moose being taught by their
39 parents. What is going to happen when those five-year-
40 olds become 30-year-old people and there's no game for
41 them to go after. Too many spotters, too many game
42 guides. They'll be controlling that in the future.
43 Those five or six-year-old children today will not have
44 any game to hunt after 30 years from now if this
45 spotting continues from the aircraft.

46

47 I'm definitely against that and I hope
48 you bring forth a good proposed language so that Unit
49 18 will be protected and its hunters. In closing, I'd
50 like to thank you all for doing what you are doing

1 today. It's been a long time, Harry. Keep it up.
2 Quyana.

3
4 MR. WASKA: My name is Ray Waska. I'm
5 from Emmonak. To kind of add on to what Peter Moore
6 and Paul Manumik said, it's not fair when you have a
7 commercial pilot spotting for somebody. So we have to
8 put some kind of language in there controlling the
9 commercial pilots.

10
11 Not only that, I could be wrong, I
12 don't know, but I want to say it anyway, the
13 passengers. We have Grant Aviation flying all the time
14 and we have A. Hagram (ph) flying all the time. All
15 the time they're flying they have passengers. I could
16 be wrong but I'm going to say it anyway. A passenger
17 coming home from Bethel in some area he'd spot a moose
18 but he wouldn't say anything until he gets home and
19 tells his sons or his family I saw a moose over there.
20 The family would then go over and get the moose.

21
22 So this controlling by air, it's not
23 working out right for us. We try hard. We travel by
24 boat or travel in trees, walking the trees. We need to
25 control it. We need to put a no flying zone in our
26 area. We started this moose season not too long ago.
27 We wanted to have it keep building up. It's our
28 source, our way of life now. It wasn't before. We
29 sacrificed for five years. We tried to follow that,
30 most of us did. But now it's here, we need to have
31 some kind of control. Thank you.

32
33 MR. HOOTCH: Hello. My name is Wilbur
34 Hootch. I'm a tribal member from Emmonak Tribal
35 Council. About these regulations on moratorium, we
36 should follow these regulations that were brought up
37 when they started that five-year moratorium and use
38 them against that proposal that is proposing for
39 spotters and sport hunters. Like these elders said,
40 this is our way of life and we pass it on and we need
41 to use it that way.

42
43 These regulations that were made back
44 in the late '80s and '90s, sacrificing for five years,
45 let's use those regulations, the Board, against the
46 spotters and sport hunting because our younger people
47 are not educated enough to understand. We need to
48 bring our young people here and educate them about this
49 thing that's going on with the Federal government and
50 our people. We need to pass it on. Our younger people

1 are getting more and we're losing our elders. We need
2 to use that and respect our people. Thank you.

3

4 MR. LAMONT: My name is John Lamont for
5 Chuloonawick Native Village member from Emmonak. In
6 the past I have flown with my dad, who was a private
7 pilot before, looking at moose and that was like in the
8 '70s, '80s. There is a great advantage of flying,
9 privately or through commercial, so you can spot moose.
10 There's a great advantage. That is by the altitude you
11 fly, too. I know commercial is regulated by a flight
12 plan to fly to and from. They should also be regulated
13 by the altitude they fly during a seasonal hunt to give
14 them a higher, like 1,000 feet or more, or have the
15 disadvantage of flying 500 feet or lower at a common
16 speed or a slow flight in area.

17

18 Also the language to show what the
19 tools of a traditional hunter uses or that of a sport
20 hunter. That changes with whose got the money in their
21 pocket and who doesn't. Some people could afford to go
22 out and charter a plan or buy a plane and go fly around
23 and hunt, but there's some of us that have to buy gas
24 and stuff and go out for days and you're limited to
25 those amount of supplies and the equipment could be
26 worn out, broken, or just barely getting by. Thank
27 you.

28

29 CHAIRMAN WILDE: If no more Tribal
30 agencies have a comment, we will ask the next one, Fish
31 and Game Local Advisory Committees comments. Do we
32 have any here.

33

34 MR. HAMILTON: Mr. Chairman. I'm an
35 alternate for Robert Moore, but I don't know if I
36 qualify to provide comments.

37

38 CHAIRMAN WILDE: Maybe you qualify.

39

40 INTERPRETER: Lower Yukon Advisory
41 Committee.

42

43 MR. HAMILTON: Thank you. Ted
44 Hamilton. I'm the alternate for Robert Moore, who is
45 on the advisory board or committee for the State. If
46 this board right here does not have jurisdiction to
47 handle this issue, I would like to see it passed on.
48 From our people's testimonies you see that these guys
49 that own airplanes have an unfair advantage over those
50 of us that don't. If it needs to be passed on, please

1 pass it on and we'll take care of it there. Thank you.

2

3

CHAIRMAN WILDE: Tom.

4

5

6 follow up a little bit. This is identified in the
7 analysis as well. One of the concerns that the Staff
8 had was that the Federal Board's jurisdiction does not
9 include access restrictions to State and private lands
10 or the jurisdiction necessary to control aerial moose
11 spotting as requested. The Federal Subsistence Board
12 has not established any Federal controlled use areas
13 during the existence of the Federal Subsistence
14 Management Program. I just wanted to make sure
15 everyone was aware of that. Thank you.

16

17

18 MR. L. WILDE: Mr. Chairman. I know
19 Tom is not afraid to get his feet wet, so I don't see
20 why we can't pass it whether they have jurisdiction or
21 not.

21

22

23 MS. GREGORY: Mr. Chairman. I happen
24 to agree with Mr. Wilde because we are speaking for the
25 people we represent.

25

26

27 CHAIRMAN WILDE: We will continue
28 summary of written public comments. Oh, just one more
29 here who wanted to testify.

29

30

MR. ANDREW: (In Yup'ik)

31

32

33 INTERPRETER: I'm Edward Andrew from
34 Emmonak. I wanted to add to what was said by the
35 Tribal representatives. I do not support this proposal
36 as far as spotting by aircraft because we, as
37 subsistence users, travel by land and by water and on
38 foot. I think the spotting by aircraft will have a
39 detrimental effect on the moose populations for those
40 of us subsistence users that travel by land because we
41 have hunters that travel by land and by watercraft and
42 many times they come home without a catch. We follow
43 regulations as they are set from the time the moose
44 season opens. Sometimes our local hunters do not
45 harvest by the time the moose season is closed. I feel
46 that this spotting by aircraft will not be fair to
47 those of us hunting and harvesting by land.

47

48

49 CHAIRMAN WILDE: Written public
50 comments.

50

1 MR. A. NICK: Mr. Chair. For the
2 record, I'm Alex Nick, Regional Council coordinator.
3 There are no written public comments unless there were
4 some received by our Staff in Anchorage while we were
5 traveling to this meeting. Maybe Pete DeMatteo could
6 verify whether or not any comments were received.
7 Pete, are you online?

8
9 MR. DeMATTEO: Tom, could you repeat
10 that question? I am listening, but there's so much
11 echo in the room I can't catch it all.

12
13 MR. KRON: Pete, this is Tom. Alex was
14 asking if you're aware of any public comments that have
15 come in on this proposal that we haven't seen here.

16
17 MR. DeMATTEO: No, I am not.

18
19 CHAIRMAN WILDE: I think we're hearing
20 enough from the public. When you see this map here, it
21 starts (in Yup'ik).

22
23 INTERPRETER: This map starts from the
24 mouth of the Pastolik River and it extends up to
25 Mountain Village.

26
27 CHAIRMAN WILDE: From Mountain Village
28 they go straight line down to mouth of Scammon Bay.

29
30 MR. L. WILDE: Cape Romanzof.

31
32 CHAIRMAN WILDE: Cape Romanzof.
33 Scammon Bay mountains, each of them west all the way
34 down to Cape Romanzof. From Cape Romanzof it goes all
35 the way up to where Pastolik follows the coast. (In
36 Yup'ik)

37
38 INTERPRETER: This proposal has
39 boundaries of Unit 18 where there will be no fly-in
40 hunting but they, under this proposal, will be able to
41 land and harvest moose by land from a neighboring
42 community. Non-resident hunters will be able to fly
43 into a community and proceed from there to a site where
44 they've spotted the moose.

45
46 CHAIRMAN WILDE: I think right now
47 we've heard enough people testify concerning this map
48 here. Regional Advisory Council.....

49
50 MR. ALOYSIUS: Mr. Chairman. Point of

1 order. All the testimony you heard prior to this has
2 been from agency and agency connected people. It is
3 now time for public, that means anybody else, that
4 wants to speak on this proposal. It is now their time.
5 Whoever is not connected with any agency, tribe,
6 organization, anybody from the public it's now open to
7 participate in discussion of this proposal.

8

9 CHAIRMAN WILDE: (In Yup'ik)

10

11 INTERPRETER: As the Council Member
12 said, the public can speak to this proposal before we
13 proceed.

14

15 MR. HOOTCH: My name is Wilbur Hootch.
16 I'm a subsistence user, a community member, I'm a
17 father of five. The way I understood this regulation,
18 years ago, under this moratorium, only subsistence
19 users and Federally subsistence users could subsistence
20 hunt. That's the way I understood it. No other
21 proposal would be introduced to this moratorium that
22 happened years ago. Pertaining to this proposal, if
23 I'm right, submitted by the Federal to do spot planing
24 and bringing somebody out there from outside our area,
25 Mountain Village on down, Unit 18, you know, I'm
26 against that regulation or proposal they're
27 introducing.

28

29 MR. TUCKER: This is Ben Tucker.
30 Regarding the fly in and spotting, I just wanted to say
31 I'm opposed to this and my concern is the repercussions
32 on the local person who transports the hunter from
33 whatever community they spot as far as hunting
34 violations.

35

36 MR. JIMMY: Stan Jimmy, member of the
37 Emmonak Tribe. This proposal regarding the fly-in hunt
38 after spotting, I believe this will not be a good
39 practice and may have terminal effects. When this
40 proposal passes and is open to non-resident hunting by
41 aircraft, if that was to pass, I am against this
42 proposal and the prospects of flying by aircraft and
43 flying into local communities. I think for our
44 subsistence users, the non-resident hunters that fly in
45 will not help the population of moose within our unit.

46

47 CHAIRMAN WILDE: Alex.

48

49 MR. A. NICK: Mr. Chairman. Alex Nick,
50 Council coordinator. With Tom's help, I would like to

1 explain the purpose of this proposal. I think our
2 audience is getting mixed up between Proposal 27 and
3 also Proposal 30. The purpose of this proposal is to
4 establish Federal controlled use area in the area which
5 is pointed out in your map right there. What it means
6 is that people would not be able to fly in and hunt in
7 that area. They would park their aircraft in
8 established airport, like Emmonak or elsewhere, and
9 then go hunting from there. They would not be able to
10 transport moose meat out of the kill site. They would
11 have to bring it to the airport and then transport it
12 elsewhere, like from Emmonak to wherever. That's how I
13 understand it.

14
15 This Proposal 27, like it was explained
16 earlier, was deferred by the Board last May 2005 and
17 the Board directed the Staff or the proponents to
18 submit a proposal to Board of Game and then follow up
19 with a Federal proposal like what we're doing. So this
20 proposal is not to bring in the out-of-town hunters,
21 it's to restrict people from flying into the area and
22 hunting moose. If this proposal is adopted, it would
23 allow those people to come like to Emmonak and then go
24 hunting from here instead of landing in the hunting
25 areas. That's how I understand it and Tom could
26 probably explain that a little further.

27
28 CHAIRMAN WILDE: (In Yup'ik)

29
30 INTERPRETER: Harry is advising Alex to
31 translate into Yup'ik.

32
33 MR. A. NICK: (In Yup'ik)

34
35 INTERPRETER: I am Alex Nick. This
36 Proposal 27, the language does not imply the hunting
37 will be open to aircraft for a fly-in hunt. This
38 proposal would allow hunters that fly in with an
39 aircraft to a community with an established airport.
40 As I've been listening to people that have been
41 speaking from the public, some seem to understand.
42 This was brought up at the spring meeting. Harry
43 Wilde, John Hanson, Joe Mike worked together regarding
44 Unit 18 from Pastolik to Mountain Village and those
45 boundaries and down to Kusilvak Mountains or Cape
46 Romanzof, to Cape Romanzof and up the coast to
47 Pastolik. The language that was proposed by members of
48 this Council was to not allow a fly-in hunt within Unit
49 18 but to allow hunters coming in by aircraft to come
50 to an established airport, park, and to proceed with

1 their hunt from there.

2

3

CHAIRMAN WILDE: Tom.

4

5

MR. KRON: Mr. Chairman. I guess it
6 would be best maybe to hand off to Pete DeMatteo.
7 Pete, are you still there? Could you follow up on
8 Alex's clarification of what the controlled use area
9 would mean in terms of aircraft access and the
10 implication to hunters.

11

12

MR. DeMATTEO: Yes. Mr. Chair. If the
13 Board were to adopt the proposal and if the Board were
14 to implement a Federal-only controlled use area,
15 essentially that would affect only Federally-qualified
16 users, just affect Federal lands. The controlled use
17 area would not apply to State or private lands. The
18 Federal lands found in the Lower Yukon River area.
19 Keep in mind it would not fully address the concerns of
20 the proposal and that is to keep people from spotting
21 moose because the Board's authority does not extend to
22 controlling people spotting moose from an airplane.
23 Also people accessing the area to harvest moose once
24 they've spotted it from the airplane. The Board's
25 authority does not control what's called the flight
26 rules that the FAA has jurisdiction over. So because
27 of the lack of the Board's authority to meet the
28 proponent's concerns, this proposal, if it was adopted,
29 it would not meet all the conditions of the proposed
30 regulations.

31

32

CHAIRMAN WILDE: Any more public
33 testimony.

34

35

MR. HOOTCH: My name is Herman Hootch.
36 I'm from Emmonak. Due to the fact that the hunters
37 come into Unit 18 and hunt, whether they are Federal or
38 State, I'd be totally against it because they come and
39 a lot of times maybe a sport hunter coming with the
40 airlines maybe just take a portion, like the head, and
41 take it for a trophy and leave the meat. I'm opposed
42 to that. Also the commercial airlines bringing a group
43 of hunters in and they do whatever they do after they
44 land at the airport. I'd be totally against that, too.
45 Quyana.

46

47

CHAIRMAN WILDE: Any more public
48 comment.

49

50

MR. MOORE: To me, I was thinking of

1 this proposal, listening to these other comments that
2 came up. I think when we open this airplane fly-in
3 stuff, are we going to open up sports hunting? We have
4 seen a lot of those up in Holy Cross area before we get
5 all the moose down here and we don't want such a thing.
6 Once this thing is passed, we're going to open up that
7 right away. They're going to use that hole. That's
8 what they're looking for. We have sacrificed enough to
9 get all our moose down here for five years already. We
10 don't want them to come around and start making all
11 kinds of trouble down here, what we have done to get
12 our moose growed up. And we don't want no subsistence
13 in this area. We've seen too many wasted subsistence
14 area in Innoko, when we used to go up to Innoko River.
15 We saw them all with no heads, just laying around on
16 the beach. We don't want to see that around here.

17
18 Once this thing is passed, that's the
19 hole. They're trying to make a hole. Once they make
20 this hole, they're going to go right in there. That's
21 what they're going to use. We couldn't even fight
22 back. We've got to watch out for that. Thank you.

23
24 MR. ALOYSIUS: Mr. Chairman.

25
26 CHAIRMAN WILDE: Bob.

27
28 MR. ALOYSIUS: Once again, there is no
29 proposal presented here to open up aircraft hunting.
30 Please remember that. This proposal is strictly to
31 limit or not allow aircraft to be used to hunt. Bring
32 hunters in or take moose out. That's all it is.
33 There's nothing in there that says they're going to
34 open it up.

35
36 Point of clarification for what Mr.
37 Moore was talking about. He said that subsistence
38 hunting in the Innoko. He meant sport hunting. Please
39 remember that. Subsistence hunters do not take the
40 heads and leave the meat behind. I know that for a
41 fact and I hunt up there and that's been a problem that
42 the people have had with sport hunters. They come in
43 there, kill the moose, take the antlers, leave the meat
44 behind. I want that to be very clear that it's not
45 subsistence hunters that are doing that. Thank you.

46 CHAIRMAN WILDE: (In Yup'ik)

47
48 INTERPRETER: Bob, this proposal will
49 be able to translate to the public here. The
50 boundaries within this area it's almost circular. It's

1 set up right now, but if this proposal is adopted there
2 will be no fly-in hunts in the area, within the area,
3 if it is adopted. If this proposal is adopted, this
4 will open up a possible guiding operation for people.
5 As Bob stated, sport hunters will not be open to this
6 area.

7
8
9

MS. GREGORY: (In Yup'ik)

10 INTERPRETER: As I read this, the
11 language does not say that. It says in the Federal
12 controlled use areas those that are able to hunt that
13 own aircraft will not be able to do that. This does
14 not.....

15
16

MS. GREGORY: I'm just pointing that
17 out on Page 40, the effects of the proposal. It states
18 that it's only those Federally qualified users who
19 happen to own privately-owned aircraft will not do
20 that. It does not address sport hunters and all other
21 hunters that come in by plane. We need to address that
22 before we pass this. (In Yup'ik)

23
24
25
26
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29

INTERPRETER: Since the concerns does
not address the language of the proposal, this
addresses all people that own aircraft, include
privately-owned aircraft who are Federally qualified to
hunt in Unit 18.

30
31
32
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36

MS. GREGORY: Nowhere in this analysis
do I find that. It's just for those people who are
subsistence users who own private planes. It doesn't
address those people who bring in big hunters from
France and other places as trophy hunters. It doesn't
address that.

37
38
39
40
41
42
43
44

MR. ANDREW: I work for Fish and
Wildlife Service as a records information technician.
When there's communication activities going on by
commercial airlines communicating with a certain person
in this community, they call me. What are you going to
do about that. Is that in this proposal or will it
come later?

45
46
47
48
49

The aircraft communicating with a
certain hunter and the hunter say I'll be right there
to look for that moose, that's what's happening here in
Emmonak. That's why I think there's a mix up.

50

CHAIRMAN WILDE: My understanding

1 you're not supposed to use CB or anything to tell
2 someone where the bull moose are. It's my
3 understanding you can't use communication during your
4 hunting to communicate with each other. Tom.

5
6 MR. KRON: Mr. Chairman. Again, I'd
7 look to Pete if you're there. My understanding is the
8 same as Harry's, but can you clarify that? Do you have
9 the State regs handy?

10
11 MR. DeMATTEO: Again, I apologize, I
12 couldn't really hear the entire question. Could you
13 recap that, please.

14
15 MR. KRON: Basically Harry was asking
16 if you can use electronic communications during
17 hunting. If you could basically have a spotter pilot
18 communicating with people on the ground via a CB or
19 other electronic communications and I guess my
20 understanding is the answer is no based on State regs.
21 Can you follow up on that.

22
23 MR. DeMATTEO: Thank you, Tom. Mr.
24 Kron is correct. During hunting or on the way to a
25 hunt or returning from a hunt a hunter cannot have any
26 type of electronic communication with a pilot for
27 purposes of gaining information of what the pilot sees
28 from the air, particularly like moose spotting. State
29 and Federal law prohibits this. Thank you.

30
31 MR. ANDREW: Qu yana.

32
33 CHAIRMAN WILDE: Ray.

34
35 MR. WASKA: Mr. Chairman. Ray Waska in
36 Emo. Before we put what we're going to talk about,
37 please explain what it is about and read like what was
38 just read a minute ago. Read what's the main purpose
39 of the area so we wouldn't go off track and start
40 talking about something else. So we need to do that.
41 So I'm asking you get the wording on what the proposal
42 is so that way we wouldn't be talking about my finger
43 and my other finger here. So we stay on one subject.
44 I think we'll make more progress and maybe understand
45 more. Thank you.

46
47 MR. HOELSCHER: Mr. Chairman.

48
49 CHAIRMAN WILDE: Edgar.

50

1 MR. HOELSCHER: Quyana, Mr. Chairman.
2 The current existing regulations is one sentence.
3 Federal public lands in Unit 18 are closed to the
4 hunting of moose except for rural Alaska residents
5 included in the above customary and traditional use
6 determinations during Federal open seasons. It's a
7 proposal. It's what we're talking about. Use of
8 aircraft is closed. They can only land like in
9 Emmonak. They cannot fly in and transport and et
10 cetera.

11
12 CHAIRMAN WILDE: State your name and
13 where you're from.

14
15 MR. JIMMY: Stan Jimmy, Emmonak. In
16 the proposal it says limit. I don't know who made this
17 proposal limiting aircraft spotting. What do you mean
18 by limit on Federal grounds. Just that word there,
19 limit. How far does the limit go? How about we use
20 other language saying that it's restricted from using
21 aircraft to spot moose. In this unit area it's new to
22 us. The moose population grew so fast and now we're
23 coming up with these proposed regulations on Federal
24 lands which this area is a majority of, Federal land.
25 How does this proposal limit? I'm kind of concerned
26 about that. Is this proposal going to be under that
27 limit or can it be changed? This kind of language is
28 kind of hard for an ordinary citizen or member to
29 understand sometimes and our elders, too. That's why
30 we're going around and around here, getting confused.
31 Thank you.

32
33 CHAIRMAN WILDE: Right now we're going
34 to have 10 minutes break.

35
36 (Off record)

37
38 (Change interpreters)

39
40 (On record)

41
42 CHAIRMAN WILDE: Tom is going to
43 explain about this map here, why it's there.

44
45 MR. KRON: Mr. Chairman. The area on
46 the map that you described, and if you look at the
47 wording on Page 37 in your book at the very bottom,
48 that area under this proposal would be closed during
49 moose hunting season to the use of aircraft for moose
50 hunting, including transportation of any moose hunter

1 or moose parts. However, this does not apply to
2 transportation of a moose or moose part by aircraft
3 between publicly-owned airports within the Lower Yukon
4 Controlled Use Area and points outside of the area.

5
6 So people could fly in and out of the
7 airports at the villages, they could fly moose in and
8 out of the village airports, but they could not use a
9 plane to land on the river, they could not land on a
10 lake to hunt moose and basically this would -- I know
11 there are some people in these Lower Yukon villages who
12 do have planes. They would not, even those people that
13 live in Alakanuk for example, be able to use their
14 plane to fly out to go moose hunting. They would be
15 restricted as well under this proposal.

16
17 There's another proposal that you'll
18 address later, Proposal 30, is basically a proposal to
19 open up the area to hunters from outside, open it up to
20 sport hunting. That is a different proposal in the
21 book. This proposal only restricts aircraft access.
22 So, again, there are a number of different issues here,
23 but this particular issue is aircraft access.

24
25 Thank you, Mr. Chair.

26
27 CHAIRMAN WILDE: Alex, translate.

28
29 MR. A. NICK: This proposal that's on
30 the table now says it is for Unit 18 from the Pastolik
31 River to Mountain Village, from Mountain Village to the
32 easterly point of Askinuk Mountains and he's reading
33 the description of the map where the Lower Yukon
34 Controlled Use area, that they cannot spot moose but
35 can use the village runways to come in or leave the
36 area.

37
38 So the Proposal 30 that was mentioned
39 earlier talks about during the fall that Federal lands
40 are open to sport hunting. And that's the proposal
41 that's on the table.

42
43 CHAIRMAN WILDE: (In Yup'ik)

44
45 MR. HOOTCH: My name is Wilbur Hootch.
46 I want to understand what he said about limited access
47 to aircraft. We need to make our people understand
48 what he said about limited access to aircrafts. We
49 need to make our people understand this so it would be
50 easier for us to emphasis the proposal.

1 CHAIRMAN WILDE: Anyone else want to
2 speak towards this proposal.

3
4 MR. BROWN: Mr. Chairman. I have
5 question, Tom. Thank you, Mr. Chairman. I have a
6 question about between moose hunting and sport fishing.
7 Could you explain more between moose hunting and sport
8 fishing because there's two ways. I'm kind of
9 complicated.

10
11 MR. KRON: Mr. Chairman, Mr. Brown.
12 This area is already currently restricted to rural
13 residents, the people of this area, being able to hunt
14 here now. The proposal before you would further
15 restrict to aircraft only in this area. Proposal 30,
16 which you will address later today, is the proposal
17 that was submitted basically to open it back up so it
18 would not have this restriction to people, rural
19 residents only. So people from Anchorage, for example,
20 could come up. But that's Proposal 30. That's a
21 different issue. This is an aircraft access proposal.
22 Thank you, Mr. Chairman.

23
24 MR. BROWN: Could this sport fishing
25 going to be on moose harvest season. I'm trying to
26 find out moose hunting and sport fishing season. You
27 bring it out like two ways. There's a closure on the
28 aircraft during the moose season time and then you were
29 talking about sport fishing restrictions on the moose
30 site.

31
32 MR. KRON: Mr. Chairman. Again, this
33 is a hunting regulation only and it would apply only
34 to, again, the moose hunting season. During the moose
35 hunting season, if this were approved, you would not be
36 able to use an aircraft to fly in to a hunting area to
37 land on the river, to land on the lake to hunt, to
38 transport hunters, to transport moose. You could fly
39 into the airports, but we're not talking about sport
40 fishing here. It's what I mentioned, a non-subsistence
41 hunting, sport hunting, that's the issue around
42 Proposal 30. It's not the issue here because this area
43 is currently closed to non-subsistence hunting for
44 moose. It's currently closed.

45
46 MR. BROWN: Because in my area in Unit
47 18 where I'm from there's mostly charters appointing
48 the most hunters. This group of sport hunters they
49 just like to camp in our area during the moose season
50 time. That's what I'm trying to find out. Thank you.

1 MR. KRON: I think we'll get into this
2 issue more on Proposal 30, but as the people from the
3 Lower Yukon know, the moose population here in the
4 Lower Yukon was very low 10 years ago and there were
5 special regulations put in place, working with the
6 communities. The communities took the lead, wanting to
7 rebuild the moose populations to protect the cows so we
8 could have more calves and the moose population has
9 expanded. Based on that expansion now, in Proposal 30,
10 there is a proposal to open it back up. But, to date,
11 it's basically limited to only rural residents that
12 live here. Thank you, Mr. Chair.

13

14 CHAIRMAN WILDE: I think we've had
15 enough discussing this proposal, Proposal 27. Regional
16 Advisory Council now will deliberate, recommendation
17 and justification on this Proposal 27.

18

19 MS. GREGORY: Mr. Chairman.

20

21 CHAIRMAN WILDE: Mary.

22

23 MS. GREGORY: On Page 38 I have a
24 question. Under your resident and non-resident
25 openings, on the second, which is remainder, residents
26 one bull from September 1 to 30, a 10-day season may be
27 announced later. But the second non-residents one
28 bull, what does that mean?

29

30 MR. KRON: Tom. Mary is on Page 38,
31 looking at the existing State regulations, and her
32 question relates to resident and non-resident seasons
33 and dates and the 10-day season. Can you address that
34 a little bit?

35

36 MR. DeMATTEO: I certainly can address
37 the winter season. What is the question about the
38 season?

39

40 MS. GREGORY: Mr. Pete, my question is
41 the second one under remainder. It says non-residents
42 are allowed one bull from September 1 to September 30.
43 What does that mean?

44

45 MR. DeMATTEO: Under remainder, Unit
46 18, the harvest limit is one bull September 1 to
47 September 30, is that your question?

48

49 MR. KRON: Yes.

50

1 MR. DeMATTEO: You can harvest a
2 maximum of one bull during the month of September and
3 then also currently there's a 10-day winter season
4 that's to be announced. That's still a regulation for
5 the winter season, but we'll deal with that in the next
6 proposal.

7
8 MR. KRON: Her question, Pete, related
9 to the non-resident one bull September 1 to September
10 30th in Unit 18 remainder and maybe the question is to
11 describe Unit 18 remainder. What area is that?

12
13 MR. DeMATTEO: Oh. Hold on one second.

14
15 MR. KRON: Again, these are State regs.

16
17 MR. DeMATTEO: Correct.

18
19 MR. ALOYSIUS: Mr. Chairman.

20
21 CHAIRMAN WILDE: Bob.

22
23 MR. ALOYSIUS: What that means
24 basically is that you have two areas of hunting, that
25 portion south of Eek River drainage and north of the
26 Goodnews Bay River. Residents are allowed one moose
27 from September 1 to 30, and non-residents have no open
28 season, but the remainder of Unit 18 specifically
29 allows one bull to be caught by residents in the same
30 time period and one bull to be caught by non-residents
31 in the same period. It's as simple as that.

32
33 MR. DeMATTEO: Mr. Chair. According to
34 the State of Alaska regulations, there are three hunt
35 areas. The first one from Unit 18 is the Lower
36 Kuskokwim closed area. The second one is Unit 18, that
37 portion south of the Eek River drainage and north of
38 the Goodnews River drainage. Then the remainder is all
39 the rest, which includes the Yukon drainage and the
40 areas that are north of between the Goodnews River and
41 the Kuskokwim River drainage and I believe that's all.
42 So we're dealing with the remainder, which is
43 essentially the Yukon River drainage for this proposal.

44
45 MS. GREGORY: Thank you, Pete. No
46 further questions, Mr. Chairman.

47
48 (Change interpreters)

49
50 CHAIRMAN WILDE: (In Yup'ik)

1 INTERPRETER: If you don't have any
2 more questions, I am grateful to the local people for
3 participating. It's been a while that I've been a part
4 of this Council. I'm grateful since I've joined this
5 Council this is the most community participation that
6 we seem to have had in our biannual meeting. We work
7 on issues that are affecting us, but they also affect
8 you because these are regulations that affect you in
9 the area. I appreciate your comments and concerns on
10 these issues. We work to enhance and improve our
11 subsistence lifestyle and we work and meet every fall
12 and spring twice a year. It is our responsibility to
13 address these proposals. Federal Fish and Wildlife and
14 Fish and Game personnel and agency representatives are
15 normally in these meetings, but I am not seeing anybody
16 from Fish and Game and you are here in their place as a
17 community.

18
19 I just wanted to comment on the
20 participation and the level of community participation
21 from this community.

22
23 MR. ALOYSIUS: Mr. Chairman.

24
25 CHAIRMAN WILDE: Bob.

26
27 MR. ALOYSIUS: (In Yup'ik)

28
29 INTERPRETER: I want to thank the
30 members of this community for their participation.

31
32 MR. ALOYSIUS: First of all, I thank
33 all you guys from Emmonak and the surrounding area for
34 attending this meeting. I wish more people would
35 attend meetings like this from my home area, which is
36 the upper part of Unit 18. They're pretty much
37 scattered out population-wise and there are very few
38 villages. You guys are lucky you're in a cluster here.
39 It's good to hear people voice their opinion on things.
40 Most of all I want to thank Ray Waska for clarifying
41 what needs to be done before any proposals are
42 presented to the public. Make sure that they
43 understand exactly what we're talking about. Like we
44 saw earlier there are a lot of misunderstandings and
45 people get upset because they think they're talking
46 about this issue and, in actuality, they're talking
47 about this thing. It's very important that this group
48 here clarifies what the agenda item is so that people
49 understand and not waver from it.

50

1 Mostly I thank you guys for being here
2 to help us because we don't know what's in your heart,
3 your mind and your spirit about what you need for us to
4 hear and what we need to pass on to the people, the
5 controllers. We're just an Advisory Council. We don't
6 make any rules or regulations. We just advise the
7 Board based on your wishes. It's very important that
8 we don't -- we're caught in between. For me it's very
9 difficult (in Yup'ik).

10
11 INTERPRETER: As Yup'ik people we
12 subsist off the land and are residents of Alaska and
13 are regulated from outside.

14
15 MR. ALOYSIUS: I'm caught in a very
16 dramatic situation here. I'm a Native Alaskan and I
17 depend on the land for food. I've always done that and
18 my ancestors did the same thing. Yet we are caught in
19 the turmoil of being regulated by paper by people who
20 don't understand what we are doing here and how we live
21 here. Most importantly, we are the eyes and ears of
22 people here and hopefully we have enough influence to
23 influence the people who make the decisions on how we
24 are to be regulated. There's no getting away from it.
25 We are regulated. We're going to be regulated. But we
26 need the voice of the people to be heard so that we can
27 very clearly make sure the people we are reporting to
28 understand the wishes of the people beforehand.

29
30 With that, I thank you guys again
31 because it's really important that you voice your
32 opinions. Never be afraid to do it. Thank you again.

33
34 MR. L. WILDE: Mr. Chairman.

35
36 CHAIRMAN WILDE: Lester.

37
38 MR. L. WILDE: Mr. Chairman. I move
39 that we adopt Proposal WP06-27.

40
41 MR. HOELSCHER: Second.

42
43 CHAIRMAN WILDE: There's a motion to
44 accept Proposal 27 and second. Discussion.

45
46 MR. HOELSCHER: Question.

47
48 CHAIRMAN WILDE: Alex Nick.

49
50 MR. A. NICK: Thank you, Mr. Chair.

1 For the record, I'm Alex Nick, Council coordinator. I
2 just wanted to point out something on Page 38 where it
3 says residents September 1 to September 30 and then it
4 says here 10-day winter season may be announced. This
5 is old information. It actually is talking about State
6 regulations.....

7
8 MR. L. WILDE: Point of order, Mr.
9 Chairman. We are discussing the no control zone.
10 We're not discussing openings. If it's pertinent to our
11 discussion on this proposal, then fine.

12
13 MR. A. NICK: It is pertinent to this
14 proposal, Mr. Chair. Maybe Tom can explain that
15 because there are existing State regulations allowing
16 December 20 to January 10 moose hunting in Unit 18 that
17 was adopted by the Board of Game. Mr. Chair.

18
19 CHAIRMAN WILDE: The first thing for
20 Council to recommend and say something towards this
21 proposal. I said me, myself, supporting this proposal
22 for one condition. I've been hunting moose up in 21(A)
23 for 56 years. Almost every fall. I've been seeing
24 people, sport hunters, flying, catching the moose,
25 chase them toward the river and one shoot them. I was
26 offered to go up there with them, the plane, to catch a
27 moose for \$300, guarantee bull for \$300. I happen go
28 up there. I use more than \$300. Last year I went up
29 to 21(A), Paimiut Slough, where Bob Aloysius grew up
30 and know that country. I went up there. Cost us 2,000
31 just for gas. We don't want this happen down here.
32 That's why I'm supporting this. I grew up really poor,
33 nothing to eat. I don't want that person having a hard
34 time trying to get what he want where he grew up and
35 where he lived. (In Yup'ik)

36
37 INTERPRETER: I don't want our children
38 to grow up as we did without food. I have experienced
39 just eating fish eggs during the day. There were five
40 of us fishing and we caught two tom cods and that's
41 what we ate and survived on before welfare, before food
42 stamps. Remembering that, I am in support of this
43 proposal but with some certain language. Bob.

44
45 MR. ALOYSIUS: Mr. Chairman.

46
47 CHAIRMAN WILDE: Bob.

48
49 MR. ALOYSIUS: Thank you. I totally
50 support this proposal based on the simple fact that,

1 you know, no matter how many times in my life we have
2 tried and tried to limit access to our game by the head
3 hunters, better known as sport hunters, yet they
4 continue to be a scourge under subsistence efforts of
5 our people. We always sacrifice and I'm talking about
6 21(E) and 19(A). Our people always sacrifice. We
7 don't have a November moose hunt anymore, we don't have
8 a February moose hunt anymore, yet the head hunters are
9 allowed to come in there and hunt at their leisure.

10

11 I remember when I was young, there was
12 so many moose in 21(E) that there was no restriction on
13 how to hunt up there. You could land and shoot on the
14 same day. I was part of that scenario because I was a
15 packer for my uncle. We had people coming all the way
16 from Platinium, go up to Aniak and we flew them out to
17 the Innoko River area and Paimiut Slough area, help
18 them get their moose, fly them back to Aniak and they
19 were doing great. There was no restriction on predator
20 control. It was same day shooting of wolves. There
21 was aerial hunting of wolves. There was no restriction
22 on the amount of moose people get. There were even cow
23 seasons at that time.

24

25 The influx of the head hunters came in
26 here and today that area, 21(E), 19(A) are pretty well
27 decimated of moose. You can ask the Department of Fish
28 and Game if you don't believe me that the population of
29 moose in those two areas are damn near decimated
30 because of head hunters. People that just come in
31 there for the fun of it, to land and be left behind,
32 and the only thing they bring back is the antlers. No
33 matter how much noise the residents make it doesn't
34 count because there's no money involved in subsistence
35 hunting. Yet, like he said, we spend lots of our own
36 money and money is very scarce with the price of oil
37 and gas going up.

38

39 You guys down here are very fortunate
40 that you have the abundance of moose that you do
41 because you sacrifice for five or more years to bring
42 the moose population back up here. Upriver they're
43 hurting because the moose are pretty damn near wiped
44 out.

45

46 So I'm going to support this proposal
47 because I don't want this area being decimated of moose
48 just because it's a free-for-all for head hunters.
49 It's time that the State really looked at the people
50 that have been here for 30,000 years and they are by

1 far the most conservative people because they know when
2 to hunt and fish and when to leave things alone. It's
3 time that the State and the Feds learn from the people
4 who have been here for all these years on what works
5 and what doesn't work.

6
7 Most of all I want to make sure that we
8 continue to have the abundance of moose that we have
9 down in this area. The more we can restrict access to
10 that moose, the better off it's going to be for our
11 people who live in this area.

12
13 MR. MIKE: Mr. Chairman. Joe Mike from
14 Kotlik. (In Yup'ik)

15
16 INTERPRETER: One fall when I used to
17 hunt in Paimiut I travelled through Paimiut, we came
18 across two people on a raft. We stopped and asked them
19 where they were from. They said they were from New
20 York. I do support this proposal, remembering that
21 incident.

22
23 MR. MANUMIK: Quyana, Mr. Chairman.
24 Paul Manumik from Nunam Iqua. Last chance to get your
25 gas and crackers before you hit the Bering Sea.

26
27 MR. ALOYSIUS: Point of order, Mr.
28 Chairman.

29
30 MR. MANUMIK: Earlier when I spoke I
31 did not clarify myself.

32
33 MR. ALOYSIUS: Point of order. This is
34 for the RAC Committee turn.

35
36 MR. MANUMIK: This is for Proposal 27.

37
38 MR. ALOYSIUS: This is the RAC's turn
39 for deliberations. We are the last on the procedures,
40 number eight on the procedures, to testify for or
41 against this proposal.

42
43 MR. MANUMIK: That's what I'm trying to
44 clarify, Mr. Aloysius. When I testified earlier, I
45 didn't clarify myself enough for you to understand me
46 or for the public to understand me. My concern was
47 against the use of aircraft and I didn't say I
48 supported this proposal, which I should have done.

49
50 What I would also like to ask is one of

1 you, Mr. Aloysius, the younger Mr. Wilde or Mr. Wilde
2 himself, clarify when you vote on this issue, this
3 proposal, if you vote yes, it's against the use of
4 aircraft. If you vote no, it's open to possible use of
5 aircraft in Unit 18. You need to explain that to the
6 audience. When you vote yes on this issue, it goes
7 from this Advisory Council to the Federal Subsistence
8 Board. Your recommendation will go there for them to
9 adopt or disapprove. Thank you.

10

11 CHAIRMAN WILDE: Any more discussion
12 from Council.

13

14 (No comments)

15

16 CHAIRMAN WILDE: If there's not, we're
17 ready for a vote.

18

19 MR. HOELSCHER: Question.

20

21 CHAIRMAN WILDE: The question has been
22 called for.

23

24 MR. L. WILDE: Roll call vote, Mr.
25 Chair.

26

27 CHAIRMAN WILDE: Roll call.

28

29 MS. GREGORY: This is Proposal 27. We
30 are determining to put a Federal controlled use area
31 for the map our chairman has been showing. A yes vote
32 will adopt the proposal, a nay vote will reject it.
33 Mr. Hoelscher.

34

35 MR. HOELSCHER: Yes.

36

37 MS. GREGORY: Harry Wilde.

38

39 CHAIRMAN WILDE: Yes.

40

41 MS. GREGORY: Robert Aloysius.

42

43 MR. ALOYSIUS: Yes.

44

45 MS. GREGORY: William Brown.

46

47 MR. BROWN: Yes.

48

49 MS. GREGORY: Lester Wilde.

50

1 MR. L. WILDE: Yes.
2
3 MS. GREGORY: Myself, yes. Joseph
4 Mike.
5
6 MR. MIKE: Yes.
7
8 MS. GREGORY: Mr. Moses.
9
10 MR. MOSES: Yes.
11
12 MS. GREGORY: Eight yeses, zero nays.
13
14 CHAIRMAN WILDE: Motion carried.
15
16 (Applause from audience)
17
18 MR. ALOYSIUS: Mr Chairman. I would
19 ask for a suspension of the rules and move Proposal 30
20 to be next instead of 28 and 29.
21
22 MR. L. WILDE: Mr. Chairman. I would
23 like to oppose because that Proposal 29 is just as
24 important to some of these people that are here
25 attending this meeting as is Proposal 30.
26
27 MR. ALOYSIUS: Mr. Chairman. The
28 reason I ask that is because I was asked by several of
29 the people. Fine. I withdraw my request.
30
31 MS. GREGORY: So we'll go as planned,
32 Proposal 28 and 29.
33
34 CHAIRMAN WILDE: Okay. Proposal 28 and
35 29, replace 10-day announced winter season with a set
36 20-day season, and allow the harvest of calves during
37 the winter season in the Lower Yukon area. You'll find
38 this on Page 43. Tom.
39
40 MR. KRON: Mr. Chairman. Pete, are you
41 there? Can you lead us through 28 and 29.
42
43 MR. DeMATTEO: Mr. Chair. The analysis
44 of Proposals 28 and 29, they're analyzed together as
45 one analysis and that begins in your Council books on
46 Page 44. Proposals 28 and 29 were submitted by the
47 Yukon Delta National Wildlife Refuge. Proposal 28
48 requests a change in the existing 10-day to be
49 announced winter moose season to December 20 to
50 January 10 for the remainder of Unit 18. The intent of

1 Proposal 28 is to provide Federally qualified
2 subsistence users with a 22-day winter season for the
3 remainder of Unit 18 and for that portion north and
4 west of the line from Cape Romanzof to Kusilvak
5 Mountain to Mountain Village and excluding all Yukon
6 River drainage upstream from Mountain Village.

7
8 Mr. Chair, the intent of Proposal 29 is
9 to provide Federally qualified subsistence users with
10 opportunity to harvest either one-antlered bull or one
11 moose calf in that portion north and west of the line
12 from Cape Romanzof to Kusilvak Mountain to Mountain
13 Village and excluding all Yukon River drainages
14 upstream from Mountain Village. The proposed 22-day
15 winter moose season and the proposed calf harvest will
16 put into State and Federal regulations for the 2005-
17 2006 regulatory year by State emergency order and by
18 Federal special action.

19
20 At it's November 2005 meeting, the
21 Alaska Board of Game also adopted the 22-day winter
22 moose season and the expanded harvest limit for calves
23 that are also proposed in this proposal.

24
25 Mr. Chair, the proposed regulations can
26 be seen on Page 45 of your Council books at the top of
27 the page under proposed Federal regulations.

28
29 The moose population along the Yukon
30 River to the coast has grown substantially, as we
31 mentioned in 27, and this has occurred in recent years.
32 This population continues to grow rapidly with high
33 production and survival rates of calves. If Proposals
34 28 and 29 are adopted by the Board, any additional
35 harvests of the moose population that would occur from
36 the proposed action may slow the rate of population
37 growth down somewhat; however, no detrimental impacts
38 to the population are anticipated.

39
40 Adoption of the proposed actions would
41 also provide Federally qualified users additional
42 opportunity to harvest moose and would align the
43 Federal and State winter seasons and harvest
44 limits for the affected areas in these proposals.
45 Adverse impacts to the adult moose and abundant calf
46 populations are not anticipated as a result of adoption
47 of Proposals 28 and 29.

48
49 With that, Mr. Chair, the preliminary
50 conclusions with Proposal 28 is to support the

1 proposal. With Proposal 29 is to support the proposal
2 with the modification to delegate the authority to the
3 refuge manager to close the calf season should it be
4 necessary and to adopt the State definition of calf as
5 current Federal regulatory definitions lack the
6 definition for calf. The regulatory definition would
7 read as calf, which is a moose, caribou, elk, muskox,
8 or bison that is less than 12 months
9 old.

10

11 With that, Mr. Chair, I'll stop there
12 and answer any questions you may have. Thank you.

13

14 CHAIRMAN WILDE: Procedure on
15 presentation, Alaska Department of Fish and Game. Tom.

16

17 MR. KRON: Mr. Chairman. The ADF&G
18 comments are included on Page 49 in your book. Thank
19 you, Mr. Chair.

20

21 CHAIRMAN WILDE: Federal, State and
22 Tribal Agency comments.

23

24 MR. SUNDOWN: Thank you, Mr. Chairman.
25 My name is Robert Sundown. I'm a subsistence resource
26 specialist with the Yukon Delta National Wildlife
27 Refuge. With me is Hollis Twitchell. He's the new
28 assistant manager that just started with the Refuge at
29 the beginning of February. So the first couple weeks
30 on the job. We'll be seeing a lot more of Hollis.
31 Hollis has moved from the Park Service over in Denali
32 to the Refuge and is going to be permanently stationed
33 in Bethel. So if you guys have any additional
34 questions about these two proposals that Pete hasn't
35 covered, we'd be glad to answer any of them.

36

37 MS. GREGORY: Mr. Chairman.

38

39 CHAIRMAN WILDE: Mary.

40

41 MS. GREGORY: (In Yup'ik)

42

43 INTERPRETER: Regarding Mr. Manumik's
44 comments, Mary wants to explain the procedures, the
45 process for addressing a proposal. It will be
46 introduced, then agencies, State Fish and Game, next
47 Federal and Tribal agencies and Staff, then Fish and
48 Game Advisory Committees, then public testimony and
49 then the Council will deliberate on the proposal. I
50 wanted to clarify that to follow up on the question

1 Paul Manumik had earlier.

2

3 CHAIRMAN WILDE: InterAgency Staff
4 Committee comments.

5

6 MR. KESSLER: No comments.

7

8 CHAIRMAN WILDE: Fish and Game Local
9 Advisory Committee comments. Your name and who you
10 represent.

11

12 MR. MOORE: Thank you. My name is
13 Robert Moore and I'm currently the chair for the Lower
14 Yukon Advisory Committee. We discussed this issue
15 quite a few times on the taking of calves, but after
16 the fact we found out there was already a definition of
17 what a calf is. Local and area understanding was that
18 a calf is a moose that's still with its mother, but
19 apparently that wasn't so. Apparently one person got
20 cited over this last winter season. Most of the people
21 I did have a chance to talk to, a calf that is 12
22 months or younger is not even worth catching. The
23 local and area understanding of a calf was a moose
24 that's still with its mother.

25

26 I was hoping to avoid any citations in
27 the future on issues of not being informed. We weren't
28 informed there was already a definition for calf, so
29 that was something that was unfortunate and one guy got
30 cited for it. In the local area, I believe, a calf is
31 any animal that's still with its mother. That's just
32 the comment I wanted to make.

33

34 CHAIRMAN WILDE: Quyana.

35

36 MR. SUNDOWN: Mr. Chairman. If we
37 could address the comment made by the public. Again,
38 my name is Robert Sundown. I'm one of the enforcement
39 officers as well for the Refuge, along with Hollis.
40 We'd like to make a public apology for the lack of
41 definitions that were before this first calf hunt.
42 This is the first year that we've ever had a calf hunt
43 authorized along the refuges and along the river
44 corridors with the State, so there were some things we
45 were working through. One of the things we were
46 working through this season, a growing pain, was
47 properly defining a calf, at least on the Federal side.
48 The State had it pretty well defined, but the Federal
49 side didn't. So we would like to apologize to the
50 public by the Refuge.

1 MR. TWITCHELL: Hollis Twitchell with
2 Yukon Delta Refuge. I'm going to defer most of the
3 time to Robert since I'm so new and don't know the
4 issues and resources as well as he does, but in
5 speaking with the Refuge manager, Mike Rearden, he
6 assured us that the Refuge would make an effort to
7 communicate better with the communities to let the
8 local users know what the definitions are for a calf to
9 try to get information out to the public so there won't
10 be as much misunderstandings as there was in the past.
11 Again, the Refuge manager offers his apologies and
12 didn't anticipate that there would be this discussion.
13 Thank you.

14
15 MR. A. NICK: Mr. Chair. Alex Nick,
16 Council coordinator. To my knowledge we did not
17 receive any public comments for Proposals 28 and 29.
18 Pete, if you're on line, if you received any comments
19 on these proposals, maybe you could read those into the
20 record. Pete.

21
22 (No response)

23
24 CHAIRMAN WILDE: Go ahead.

25
26 MR. TWITCHELL: Mr. Chair and Council
27 Members. While Tom is trying to get Pete back on the
28 line again, I'll take just a minute to introduce
29 myself. Hollis Twitchell. I worked 27 years in the
30 headwaters of the Kuskokwim, Lake Clark National Park
31 and Denali National Park. I'm very happy to actually
32 come down drainage. In a way, it's coming home. My
33 family is from the Bethel area. Elias Enos is my step-
34 father, the Twitchell family from the Aniak/Akiak area.
35 I grew up myself in Takotna. So, in a way, I am coming
36 home. Much of the Lower Yukon and Kuskokwim is new
37 country to me. I look forward to learning the people,
38 the resource and the needs and issues. I'm very
39 delighted to be here. I'll ask for your indulgence as
40 I get my feet on the ground and get a better idea of
41 the area. Again, for most of the issues here today,
42 I'll defer to Robert Sundown since he has a much better
43 grasp of the issues than I do at this time. Thank you.

44
45 MR. SUNDOWN: Mr. Chair, Members of the
46 Council. Just some additional concerns we may have
47 heard of while Tom is trying to get Pete back on the
48 line here. Some of the other concerns that we've heard
49 are the additional harvest of calves in the Lower Yukon
50 may decrease the population such that it destabilizes

1 it or that we don't have the ability to close the calf
2 season in times where we have a harsh winter or high
3 levels of predation from wolves.

4
5 Just to reassure you guys, the
6 management tools are there to close the calf season in
7 case there are times when we have high levels of death
8 from a harsh winter or high mortality from predators.
9 So the management at the Refuge can adapt to times when
10 the harvest from calves is too high or the mortality
11 from bad winters or predators is too high as well. So
12 just to let you guys know that the management has that
13 capability to close the season and those were some of
14 the concerns that we heard locally in Bethel.

15
16 MR. KRON: Are you there, Pete?

17
18 MR. DeMATTEO: Yes, I am, Tom.

19
20 MR. KRON: I forget what the question
21 was for Pete.

22
23 MR. ALOYSIUS: Was there any written
24 comments on this proposal.

25
26 MR. KRON: Pete, any additional written
27 public comments on
28 these two proposals.

29
30 MR. DeMATTEO: None that I'm aware of.

31
32 CHAIRMAN WILDE: Public testimony. (In
33 Yup'ik)

34
35 INTERPRETER: It is now open for public
36 testimony. The proposal submitted by the Yukon Delta
37 National Wildlife Refuge would change the existing 10-
38 day "to be announced" winter moose season to December
39 20th to January 10th for the remainder of Unit 18. To
40 open the winter calf season on the Lower Yukon. That
41 is what this proposal is addressing, a winter harvest
42 of calves, and it is open to the public right now.
43 Should we add the number of days we're keeping this
44 moose calf season open this winter? Nick.

45
46 MR. TUCKER: Good afternoon, Mr.
47 Chairman and Board Members. I support this Proposal
48 28, 29, mainly because we need the resource and the
49 last few years have shown us that during the
50 summertime, especially on the Lower Yukon, we have been

1 restricted by river conditions in the sloughs and
2 creeks, restricted to a small area of moose hunting.
3 Also the calf to cow ratio is very high right now from
4 recent study in November, 92 calves per 100. I don't
5 think there's any danger of overtaking the calves.
6 It's difficult right now. Winter hunting is limited in
7 a lot of ways and with the price of gasoline that we
8 have. I think this proposal is more than reasonable
9 for our people that are having a hard enough time
10 today. The reasons each one of you know from different
11 sources that are affecting our people. Thank you, Mr.
12 Chairman.

13
14 MR. L. WILDE: Mr. Chairman. Nick,
15 I've got a question for you.

16
17 CHAIRMAN WILDE: Lester.

18
19 MR. L. WILDE: I kind of missed the
20 portion of your comment on calves. What did you think
21 of including the calves in the winter season hunt?

22
23 MR. TUCKER: The way I understand the
24 proposal is just to include -- not fall time, but the
25 proposal addresses only taking of calves during winter.
26 I support both of them.

27
28 CHAIRMAN WILDE: Anyone else want to
29 speak on this proposal.

30
31 MR. MOORE: Yes.

32
33 CHAIRMAN WILDE: Come on up here and
34 state your name for the record and if you represent
35 someone.

36
37 MR. MOORE: I'm going to be just
38 representing myself as a subsistence hunter. If
39 there's any way for this portion of the Lower Yukon if
40 we can change the definition of calf, that would
41 probably take away a lot of the confusion for the
42 winter hunt. In the summertime, when you go hunting,
43 the ratio of the calf, sometimes there's three per cow
44 and two. Rarely do you ever see one calf per one cow.
45 It's mainly two or three.

46
47 On the advisory level, we're really
48 watching and getting pretty good information on the
49 moose population in this portion. So, if it's
50 possible, I'd like to see a change of definition for

1 this area since predation is low, there's hardly any
2 wolves, maybe one or two around, but they're not
3 devastating the population. The same way with the
4 brown and black bear. The calf population is healthy
5 and I'm sure the Department will watch. Like they said
6 earlier, if there's a danger, they have the power to
7 stop it.

8

9 Especially with the price of gasoline
10 the way it is and with no improvement in sight right
11 now. The locals I know would want as much meat as
12 possible for what they're going after. The way things
13 are moving right now, the moose population from the
14 last report I got is still healthy and growing. We're
15 going to probably be looking at a possible cow season
16 within two, three or four years on the State side, too.
17 So, if there's a way we can change that definition just
18 for this area, the hardship is really here. It is
19 here.

20

21 MR. L. WILDE: Mr. Chairman.

22

23 CHAIRMAN WILDE: Lester.

24

25 MR. L. WILDE: Mr. Robert Moore. Are
26 you disagreeing with the definition now that reads calf
27 is moose, caribou, elk, muskox, bison less than 12
28 months old?

29

30 MR. MOORE: Yes, I do disagree with
31 that 12 months because that's a pretty small moose.
32 Some of the moose calves you see here are just about as
33 big as their mom. A definition preferably is a calf in
34 Unit 18 below that line, whatever, is a calf that's
35 still with its mother, the cow.

36

37 MR. L. WILDE: Why would that be?

38

39 MR. MOORE: Because a lot of cows still
40 keep their calves for about a year or two years.
41 Usually you know when a calf is under 12 months.
42 They're pretty small. A lot of complaints I did get is
43 the calves are slimy, they do have slimy meat. So a
44 change of definition for the local villages here
45 anyway, local area. Thank you.

46

47 CHAIRMAN WILDE: Robert, can you
48 estimate how many calves were harvested this year?

49

50 MR. SUNDOWN: No, Mr. Chairman. We

1 have not received preliminary numbers from the Alaska
2 Department of Fish and Game. All the harvest
3 information that people were asked to fill, those
4 numbers have not started coming back yet. The little
5 green tags that people fill out once they harvest.

6
7 MR. L. WILDE: There was no area for a
8 calf harvest.

9
10 MR. SUNDOWN: Yeah, but the allowance
11 was for a moose in the absence of the fact that you
12 didn't harvest a bull in the fall time.

13
14 Just to maybe add to some of the
15 questions that were brought up on changing the
16 definitions of the calf. The Refuge might be a little
17 hesitant to go that route because it would make two
18 definitions of what's allowable to hunt in Unit 18 in
19 the lower portion of the Yukon. When you move from one
20 area to another, you quickly change from State to
21 Federal lands and when people assume they're allowed to
22 hunt anything that is with a cow, that might not be
23 true on State lands closer to the river corridor even
24 though it may be true on Federal lands. So it sets up
25 people to get citations by the State officers.

26
27 The second reason is that once you have
28 calves that get older, they start adding to the
29 reproductive success of your current moose population
30 and help sustain the population that you have. The
31 whole rationale for adding the calf hunt was to start
32 to thin the moose population without adversely
33 affecting reproduction rates. So, as the calf gets
34 older and they start contributing to the reproduction
35 rate, then the possibility of harvesting older moose
36 that are adding to the reproduction success in the
37 Lower Yukon, that could start to hurt it. So these are
38 different ways you can start to thin the moose
39 population without hurting reproduction rates.

40
41 MR. BROWN: How do you indicate your
42 numbers when you're counting those moose populations?
43 Are you indicating them by the collars or by flying?
44

45 MR. SUNDOWN: Mr. Chairman, Mr. Brown.
46 There's two ways that we do a moose census. We do a
47 high-density and a low-density moose census. They're
48 basically the airplane flies the different assigned
49 sections of the Lower Yukon. Biologists physically
50 count moose in different areas and they use math magic

1 to get an estimate of the moose population and that's
2 how it's done.

3

4 MR. BROWN: Lately I've been hearing
5 about what you call it, chips. Is that just a rumor?
6 Because those chips being traced by your satellite
7 indicators, has that occurred this year other than the
8 collars.

9

10 MR. SUNDOWN: Mr. Chairman, Mr. Brown.
11 I'm not aware of any chips that the biologists use.
12 I'm aware that the current tools they use are moose
13 collars and those are the only tools I'm aware of that
14 are used, at least by the Federal Staff.

15

16 MR. BROWN: Thank you.

17

18 CHAIRMAN WILDE: State your name and
19 where you're from.

20

21 MR. KELLY: John Kelly, myself. There
22 was a question here last fall that if I go out hunting
23 for that winter opening, that I will not be able to get
24 my moose in the fall season. I just want a
25 clarification on that. Thank you.

26

27 MR. SUNDOWN: Mr. Chairman, Members of
28 the Board. That is not true. The regulatory year for
29 the moose completely changes over on the first of June.
30 So the connecting year are the fall and the winter.
31 Once the winter season is over, you're in a brand new
32 cycle, so you're eligible to hunt moose again during
33 the following fall after the winter hunt.

34

35 CHAIRMAN WILDE: Say your name for the
36 record and who you represent.

37

38 MR. JIMMY: Stan Jimmy, just a citizen,
39 Emmonak. I support those two proposals except the word
40 calf. Calf is a calf. Like Robert Moore said, there
41 needs to be a definition. A lot of subsistence hunters
42 down here can't distinguish what a calf is. How old
43 can a calf be to catch it? A calf is a calf. That's
44 the only concern I've got. There needs to be a
45 definition to educate subsistence hunters down here.
46 If there's no definition and when it's time to hunt
47 these calves, there's no limit to me. Some of these
48 older folks can't distinguish. If there's a word out
49 saying they can hunt calves, okay, they start picturing
50 small and they're with their mom. That's the only

1 concern I've got.

2

3 Although I support these two proposals.
4 It's good for us down here because of the moose
5 population down here. I don't think I'm the only one
6 concerned on that one word, calf. I'm thinking about
7 the future. If people down here in that one season
8 decide to go out when it's their chance to hunt calves
9 and a lot of our elders, because the calves got tender
10 meat, they prefer the calf than the bull. I think
11 there needs to be work on this one to define the word
12 calf. Thank you.

13

14 MR. L. WILDE: Mr. Chairman. In your
15 opinion, how would you define calf so you could live
16 comfortable with it? Would you describe it as Robert
17 described it, as a younger four-legged animal that is
18 still with its mother or would you define it as a four-
19 legged young animal up to a year old?

20

21 Just asking that question, I can
22 visualize trying to figure out when I see a calf along
23 with a moose how old that calf is. So I think a
24 definition is definitely needed here. My feeling that
25 the best definition for a calf would probably be an
26 animal still with its mother. I think if nothing else
27 we could request that.

28

29 MR. JIMMY: Lester. Yeah, just like
30 what Robert Moore said, a calf with the mother. A calf
31 cannot survive without the mother and the subsistence
32 hunters down here, making it clear what calf is, what
33 Robert Moore said is with its mother. It depends on
34 the mother. The local hunters here, there's a lot of
35 them that have enough respect to the animal that when
36 they see a calf with a mother they know how big it is.
37 It's a danger too, the word calf, means you can hunt a
38 calf with its mother no matter how big or old it is.
39 That's my concern.

40

41 CHAIRMAN WILDE: Robert.

42

43 MR. SUNDOWN: Thank you, Mr. Chairman,
44 Members of the Board. Like we apologized earlier, the
45 Refuge has done a really bad job providing definitions
46 for the first hunt that we had this year. It's a
47 brand-new hunt and we agree completely with the members
48 of the public and the Board that we did not have very
49 good definitions going into the hunt. The Refuge
50 management has pledged that Fish and Wildlife Service

1 will do a much better job for the next hunt in defining
2 what a calf is.

3

4 The standards that we hope to meet are
5 the same standards. When you look in a regulation book,
6 in the State or Federal regulation book, and they
7 perfectly define what a spiked fork moose is, they
8 perfectly define how to spot antlers over 50 inches,
9 they perfectly define how to identify female caribou,
10 they perfectly describe or as perfectly as you can get
11 how to define a full curl ram, we will try to meet
12 those standards with pictures, definitions and answers
13 on what a calf will be for the next season and put it
14 in print and make it available for all the hunters
15 here.

16

17 CHAIRMAN WILDE: Robert. Why did we
18 start harvesting calves? What reason? There are too
19 many calves in this area?

20

21 MR. SUNDOWN: Well, we don't have an
22 exact estimate of the calves, but we do know the level
23 of twinning rates and the ratio of calves with cows for
24 the areas that we do censuses on with airplanes. What
25 we know is at some point there's going to be so many
26 moose they're going to eat all the available food that
27 they have in the Lower Yukon and if you look at the
28 Lower Yukon, and you guys live here and know this just
29 as much as everybody, that there's a limited area where
30 you have willows and forage food that moose have and at
31 some point they're going to grow to a point where they
32 eat themselves out of their own food and the population
33 starts to crash. What this attempts to do is keep a
34 level of harvest on the bull moose or calf moose where
35 you control their growth rate and allow a high
36 sustainable harvest for people who hunt and are in need
37 of moose.

38

39 CHAIRMAN WILDE: Identify your name.

40

41 MR. KELLY: Andrew Kelly, Jr. from
42 Emmonak. I have a question. On the hunting license,
43 is that December 31 and the new year January 1? Also
44 the harvest tickets, are they for January 1 to December
45 31? It needs to be clarified because I don't
46 understand. If you look at it, you have three chances
47 in one year to catch a moose. That's January 1 to 10,
48 September 1 to 30, December 20 to 31st. I don't know
49 if I'm the only one who wonders about that. I don't
50 know who to ask.

1 MR. L. WILDE: He's sitting next to
2 you.

3
4 MR. SUNDOWN: Thank you, Mr. Chairman,
5 Members of the Board. Yes, you're absolutely right.
6 It is a very confusing topic as far as licenses go.
7 Maybe that's one thing we can add more to pamphlets we
8 produce for defining calves. The hunting license that
9 you purchase is good for one regulatory year because
10 the 1st of January to the 31st of December. The
11 harvest ticket that you get is good from the 1st of
12 June until the end -- it's basically summer to summer
13 for the harvest ticket and the calendar year for the
14 hunting license. So while your fall harvest ticket is
15 still good in the winter, you need to buy a new hunting
16 license on the 1st of January.

17
18 MR. ALOYSIUS: Mr. Chairman. Point of
19 clarification. The regulatory year starts July 1, not
20 June 1.

21
22 MR. SUNDOWN: You're absolutely right.
23 I apologize for that.

24
25 MR. KELLY: But the hunting license
26 year is different, January to December.

27
28 MR. SUNDOWN: Yes.

29
30 MR. KELLY: Thank you.

31
32 CHAIRMAN WILDE: Robert. This harvest
33 ticket, there's guys in Mountain Village they went out
34 hunting. They didn't catch no moose that summer, that
35 fall, but went hunting and caught a bull moose and they
36 were cited \$300 because they got no harvest ticket.
37 They forgot the harvest ticket in their home. The same
38 day they were cited for that amount. They say they
39 could go above and farther more than \$300 just to kill
40 a moose even though they have hunting license. Both of
41 them had hunting license, but they got no harvest
42 ticket. They got harvest ticket but they left them
43 home. It seems to me it's pretty hard for people
44 around here that you always have to have two things,
45 harvest ticket and license. Like me, I don't need a
46 license because I'm old enough just to get a harvest
47 ticket. A 15-year-old person that went out hunting,
48 got a moose, all he needs is a harvest ticket, is that
49 right, don't need a license?

50

1 MR. SUNDOWN: Mr. Chairman. That is
2 correct. If you're over 10 years old, you need a
3 harvest ticket. If you're under 16 years old, you're
4 not required to buy a license. So while the 15 year
5 old is required to have a harvest ticket with him, he's
6 not required to have a license. And for those that are
7 over the age of 16 it is required that you have both
8 the harvest ticket and the hunting license on you when
9 you hunt.

10
11 CHAIRMAN WILDE: Go ahead. Say your
12 name and who you represent or where you're from.

13
14 MR. HOOTCH: Herman Hootch from
15 Emmonak, representing no one but myself. The question
16 I'd like to ask Robert, too, and probably some people
17 that hadn't come here would think why go for the calf.
18 In the long range, will it affect the population? We
19 know here in Emmonak, Unit 18 in this area, the
20 population when it was closed. It went up, but my
21 thinking too is what happens when we let people kill
22 the calves. The calves could be male or female. Some
23 of the questions that come about is what happens to the
24 population when you kill only the bull. Those are some
25 of the concerns I'd like to hear from maybe Robert.
26 Why kill calves and what is the effects in the long
27 range, what's going to happen? I know it's going to be
28 an annual thing, but next year we do it again, what's
29 going to be the effects? Will it deplete the moose
30 population? If that's going to happen, I'd like to say
31 I'm against the regulation to kill calves.

32
33 CHAIRMAN WILDE: Tim.

34
35 MR. ANDREW: Thank you, Mr. Chairman.
36 For the record, my name is Timothy Andrew. I'm the
37 director of wildlife resources for AVCP. I'm here just
38 to explain my current position. We've had a change in
39 our administration or a change in how we conduct
40 business at AVCP. We're now in two divisions. The
41 Natural Resources Department has divided it into two,
42 one being wildlife resources and the other being
43 fisheries and water resources. But I'm the director of
44 wildlife resources. Jennifer Hooper currently is the
45 director of fisheries and water resources. That's why
46 I came up with a title change in my department.

47
48 This proposal here, when the State
49 Board of Game took it up in their Kotzebue meeting,
50 ACVP stood in support of this proposal because it will

1 provide additional opportunity for the people in the
2 Lower Yukon portion to harvest food for their freezers.
3 At that time I didn't fully understand exactly what was
4 a calf as well, as many of the other people have
5 testified. It was not until after the regulation was
6 implemented and when the hunting started then we
7 started hearing about citations occurring across the
8 Lower Yukon portion. Then I called the wildlife
9 conservation department of the Department of Fish and
10 Game in Bethel and they indicated that a definition of
11 moose calf was less than 12 months old and I was
12 shocked, just as everyone else was. Roger had told me
13 for the following hunting season that's going to occur
14 in 2006-2007 they are going to try to do a better job
15 of educating people, just as Robert said earlier, in
16 explaining what a calf is.

17
18 The other alternative is to perhaps put
19 in for a regulation change to expand what a calf is.
20 My personal understanding of what a calf was was a
21 moose that's still with its mother and I think it's
22 pretty much commonly understood across the Delta,
23 across the area that have traditionally hunted moose
24 that a calf is an animal that is still with its mother.

25
26 I'd like to go on record stating that
27 we continue to support this proposal because it's
28 consistent with the State's regulatory system, which we
29 advocated for, because the Lower Yukon Fishing Advisory
30 Committee supported this proposal and we supported and
31 provided testimony at the Kotzebue meeting. Thank you,
32 Mr. Chair.

33
34 CHAIRMAN WILDE: Thank you, Tim. Come
35 in front here and state your name and where you're from
36 for the record.

37
38 MR. HAMILTON: Thank you, Mr. Chair.
39 Ted Hamilton from Emmonak. I agree with Tim on the
40 definition of a calf. It's like what are we talking
41 here. How can you tell that a calf is less than 12
42 months of age? I can stand next to him and we'll be
43 different sizes. Who's older, him or me? Or my other
44 buddy over here. Just because I might be taller than
45 him does that mean he's a calf and I'm the adult? No.
46 It doesn't make sense. I'd like to see that definition
47 changed just to make sure nobody else gets in trouble.
48 Thank you.

49
50 CHAIRMAN WILDE: Thank you.

1 MR. MOORE: My name is Peter Moore.
2 I'm on the Tribal Council. Harvesting a moose calf,
3 let's take a compare. It's just going to be wasting.
4 A family of 12, a calf wouldn't last a month or so. If
5 you get a 14-point moose, you take a hind and quarter,
6 that's how much the meat is, just one hind quarter.
7 You're wasting time. A family is going to starve. If
8 you get a calf, you'll need maybe four of them for a
9 season. That would be enough, just like moose. A calf
10 is not a moose. What's wrong with you guys? A lot of
11 families are starving. Energy crisis out there. A big
12 family is going to suffer getting a calf which is just
13 as big as one hind quarter. A family needs meat, not a
14 calf that's as big as one hind quarter. You allow us
15 to have only one in the year. Take a calf and the hind
16 quarter of a 14-point moose and compare them. Get one
17 family to eat the same size and see who finishes first.
18 Think about those things.

19
20 CHAIRMAN WILDE: Any more public
21 testimony on the calf.

22
23 MR. RIVERS: (In Yup'ik)

24
25 INTERPRETER: The food consumed by our
26 ancestors and what we are labeling now and defining
27 were without regard to definition as far as openings
28 for harvest, including those for fish, as they are
29 regulated now. Perhaps for the winter season it would
30 be better to open it earlier because of the condition
31 of the animal. That was the time when our predecessors
32 hunted prior to regulation. Keep in mind the food and
33 the quality in considering time in openings.

34
35 CHAIRMAN WILDE: Quyana. Any more
36 public to testify on Proposal 28, 29.

37
38 (No comments)

39
40 CHAIRMAN WILDE: If not, Council are
41 you ready.

42
43 MR. BROWN: Mr. Chairman. I have a
44 concern about my own experiences, like when I'm hunting
45 caribous. When I see a young caribou depending on the
46 mother, I don't like to kill. I don't want to bother
47 those kind of game. If I kill a mother, I wouldn't be
48 satisfied with my game, so I try to avoid killing a
49 dependant mother. I think it's the same way where I'm
50 from. I'm told from my elders we have to respect the

1 food and that's how I feel when I'm hunting, to stay
2 away from those dependant game. That's my concern.
3 Thank you.

4

CHAIRMAN WILDE: Robert.

6

7 MR. SUNDOWN: Thank you, Mr. Chairman,
8 Mr. Brown. Yes, and that's probably a lot more true
9 for caribou than it would be for moose. With caribou,
10 the food that they eat, their range is pretty large.
11 You have a large area from which they can choose food,
12 tundra. You can choose tundra anywhere from here to
13 Anchorage and all the way up north to Barrow. With
14 moose, you have a limited amount of food that they can
15 eat and that food is right there along the Lower Yukon
16 on the willow browse.

17

18 If you gave a chance for moose to grow
19 unharvested, the cycle would be they'd go up, they'd
20 eat all their food, and they'd crash because they ran
21 out of food. Then they'd go up again some years down
22 the line and come down again. Much like rabbits do.
23 Every 10 years or so you see a big increase in rabbits
24 and you see a big decrease when they eat all their
25 food.

26

27 What this management strategy tries to
28 do is allow a sustained harvest by subsistence users
29 where they keep the growing moose population in check
30 in the Lower Yukon and that way you're less likely to
31 see a large crash based on the moose eating all their
32 food.

33

MR. MIKE: Mr. Chairman. Joe Mike.

35 (In Yup'ik)

36

37 INTERPRETER: I have a question.
38 During the fall season we avoid shooting the cows and
39 people that shoot cows are given sanctions or fines.
40 Does that regulation apply to calves?

41

CHAIRMAN WILDE: Robert.

43

44 MR. SUNDOWN: No. If a calf is shot in
45 the winter season and the calf is female, there's no
46 penalty. It's a calf under the definition and it's
47 allowed for harvest. Everybody is well aware by this
48 point the reason you discourage people from shooting
49 cows is because they're the reproductive machine to
50 keep the level of moose going. A calf, whether it's a

1 male or female, has not reached the point where it
2 could continually add more moose. So it's for those
3 reasons.

4

5 CHAIRMAN WILDE: Edgar.

6

7 MR. HOELSCHER: Thank you, Mr.
8 Chairman. Getting back to the harvest ticket on your
9 winter kill, you make your report on size, time and et
10 cetera. If you shoot your calf and you see a moose,
11 you're not able to shoot the moose because of your
12 harvest ticket?

13

14 MR. SUNDOWN: Mr. Chairman, Mr.
15 Hoelscher. Yes. You're allowed a moose a season. All
16 this does is allow you to choose a wider range of time
17 which you could harvest that moose and different type
18 of moose you can harvest. So it expands the time.
19 Instead of just hunting in the fall, it allows you a
20 winter season by regulation and it allows you your
21 choice of a calf or a 14-point bull.

22

23 MR. ALOYSIUS: Mr. Chairman.

24

25 CHAIRMAN WILDE: Bob.

26

27 MR. ALOYSIUS: I have had a lot of
28 people talk to me about the calf season down here. It
29 doesn't affect us upriver, but their thinking is why
30 calves. It doesn't make sense to them that we're
31 allowed to shoot calves because calves are the next
32 grown up moose that we're trying to populate this area
33 with. The rationale is why are we trying to help the
34 natural predators. It doesn't go good with the old
35 people. It's not customary and traditional to hunt and
36 shoot calves. It's just as simple as that.

37

38 The other thing, I'm glad these guys
39 are bringing up the question what is a calf. A calf
40 could be two years old. It's still with its mother.
41 It's not turned loose from its mother yet, so it's
42 still a calf. That definition of 12 months or younger
43 just doesn't go. The most tender meat I know of is a
44 yearling, especially a yearling that's still a calf,
45 still with its mother. We need a really good
46 definition.

47

48 Just like in Proposal 28 they changed
49 the wording from bull to antlered bull. It makes
50 sense. When you have a 22-day opening in December and

1 January that you're allowed to take one antlered bull
2 instead of just one bull, because many times the bulls
3 have shed their antlers and you have to be really good
4 or Superman to see, you know, if there's snow up to the
5 chest of a moose you can't see the bottom silhouette,
6 so you can't tell if it's a cow or bull, but if it has
7 antlers you know it's a bull.

8

9 So I think calf really has to be
10 defined in a way that's more appropriate for the people
11 who are going to go out and hunt for calves. Thank
12 you.

13

14 CHAIRMAN WILDE: Robert. My
15 understanding of what you say is that too many calves.
16 And you could kill a calf that might be a cow calf or a
17 bull calf. It doesn't have to have a horn as long as
18 it's a calf, is that right?

19

20 MR. SUNDOWN: Yes, Mr. Chairman, that's
21 correct.

22

23 CHAIRMAN WILDE: (In Yup'ik)

24

25 INTERPRETER: This proposal applies
26 only to the winter openings. If and when a hunter does
27 not harvest a bull moose in the fall, a subsistence
28 hunter will be able to harvest a calf regardless of
29 gender in the lower portion of the Yukon. The habitat
30 for moose is not abundant in the Lower Yukon regions.
31 The biologist said that the census or the count of
32 moose populations in the lower area estimate at about
33 500 cows. I am to search for a bull moose. I have not
34 harvested a calf in all of my hunting life, but it is
35 up to you. We, as a Council, sitting here will convey
36 your wishes to the Federal Subsistence Board. After we
37 listen to your concerns, we review this proposal and
38 deliberate and then ultimately vote on the proposal.
39 Edgar.

40

41 MR. HOELSCHER: Quyana, Mr. Chairman.
42 The way the proposal was written it's to change the 10-
43 day hunt to a 22-day winter hunt.

44

45 CHAIRMAN WILDE: Is there more comment
46 from the Council.

47

48 MR. BROWN: Mr. Chair.

49

50 CHAIRMAN WILDE: William.

1 MR. BROWN: I've got a question for
2 you, Robert. During the wintertime when the bulls lose
3 their antlers, what month?

4
5 MR. SUNDOWN: It's not set in stone,
6 but Tom might be able to answer that better than I can.
7 The bulls start to lose their horns pretty heavily in
8 January. There's still a good number of bulls that
9 have horns left. I don't exactly know what those
10 numbers are.

11
12 CHAIRMAN WILDE: Tom.

13
14 MR. KRON: Mr. Chairman, Mr. Brown. It
15 depends on the size of the bull. The large bulls
16 you'll see some, and I'm sure people here see them,
17 late November some of the big, big bulls have lost
18 their antlers. A lot more lose their antlers in
19 December. Some of the really small bulls keep their
20 antlers all the way through February. So it depends on
21 how big the bull is whether or not it keeps its antlers
22 and how long it keeps it.

23
24 MR. BROWN: Suppose someone killed a
25 cow. Sometimes when they don't have antlers they're
26 pretty hard to tell male from female. Is there a
27 citation for that mistake?

28
29 MR. SUNDOWN: Mr. Chairman, Mr. Brown.
30 If I understand your question correctly, if you harvest
31 a bull with no antlers is there a citation? Yes, there
32 is. The requirements are that the bull be antlered.
33 So every bull that's harvested during the winter season
34 has to have antlers. Like Mr. Aloysius suggested
35 earlier to keep a better definition of a bull from a
36 cow. That way there's little mistake in identifying a
37 bull.

38
39 CHAIRMAN WILDE: Any more discussion.

40
41 (No comments)

42
43 MR. ALOYSIUS: Mr. Chairman. I move
44 that we adopt Proposal WP06-28 and 29.

45
46 CHAIRMAN WILDE: Any second to the
47 motion.

48
49 MR. L. WILDE: Mr. Chair. I'll second
50 the motion but I would like to make an addendum to the

1 motion if possible that calves during the winter season
2 be described as an animal or an ungulate still with its
3 mother.

4
5 MR. ALOYSIUS: I have no problem with
6 that.

7
8 CHAIRMAN WILDE: Discussion.

9
10 MR. ALOYSIUS: Mr. Chairman. It's
11 obvious to me we discussed it during our deliberations
12 and recommendations and justification, so I feel
13 there's no need for further discussion.

14
15 MR. L. WILDE: Question, Mr. Chairman.

16
17 CHAIRMAN WILDE: The question has been
18 called. We will vote on the motion to adopt. If you
19 support this use a yes. Roll call. Lester, will you.

20
21 MR. L. WILDE: Well, since I've been
22 appointed even though I wasn't volunteering to be the
23 secretary, I might as well. Bob Aloysius.

24
25 MR. ALOYSIUS: Yes.

26
27 MR. L. WILDE: William Brown.

28
29 MR. BROWN: Yes.

30
31 MR. L. WILDE: Harry Wilde.

32
33 CHAIRMAN WILDE: Yes.

34
35 MR. L. WILDE: Joe Mike.

36
37 MR. MIKE: Yes.

38
39 MR. L. WILDE: Edgar Hoelscher.

40
41 MR. HOELSCHER: Yes.

42
43 MR. L. WILDE: Phillip Moses.

44
45 MR. MOSES: Yes.

46
47 MR. L. WILDE: Lester Wilde says yes.
48 We have seven yeses. Two Councilmen excused, two
49 unexcused.

50

1 CHAIRMAN WILDE: Motion carried.
2
3 MR. ALOYSIUS: Mr. Chairman.
4
5 CHAIRMAN WILDE: Bob.
6
7 MR. ALOYSIUS: I move that we recess
8 until tomorrow morning.
9
10 CHAIRMAN WILDE: Yeah, we recess until
11 tomorrow morning.
12
13 (Off record)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

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Joseph P. Kolasinski
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