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SEWARD PENINSULA FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING

PUBLIC MEETING

VOLUME I

Aurora Inn
Nome, Alaska
February 23, 2005
8:20 o'clock a.m.

COUNCIL MEMBERS PRESENT:

- Grace Cross, Chairman
- Peter Buck
- Vance Grishkowsky
- Thomas Gray
- Leonard Kobuk
- Jake Olanna
- Charles Saccheus
- Elmer Seetot, Jr.
- Myron Savetilik
- Regional Council Coordinator - Barbara Armstrong

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P R O C E E D I N G S

(Nome, Alaska - 2/23/2005)

(On record)

CHAIRWOMAN CROSS: Good morning. I'll call the meeting to order. It is now 8:20. Roll call, please.

MR. KOBUK: Clifford Weyiouanna.

CHAIRWOMAN CROSS: Excused.

MR. KOBUK: Peter Buck.

MR. BUCK: Here.

MR. KOBUK: Myron Savetilik.

MR. SAVETILIK: Here.

MR. KOBUK: Vance Grishkowsky.

MR. GRISHKOWSKY: Here.

MR. KOBUK: Grace Cross.

CHAIRWOMAN CROSS: Here.

MR. KOBUK: Myself, Leonard Kobuk, here. Jacob Olanna, Sr.

CHAIRWOMAN CROSS: Absent.

MR. KOBUK: Elmer Seetot, Jr.

MR. SEETOT: Just made it.

MR. KOBUK: Charles Saccheus, Sr.

CHAIRWOMAN CROSS: Excused. (Joins meeting later)

MR. KOBUK: Thomas Gray.

CHAIRWOMAN CROSS: Excused. (Joins meeting later) Usually I think we should do some introductions, so we'll start from this end and introduce ourselves.

1 MR. BUCK: Peter Buck, White Mountain.
2
3 MR. SEETOT: Elmer Seetot from Brevig
4 Mission.
5
6 MR. KOBUK: Leonard Kobuk from St.
7 Michael, also representing Stebbins.
8
9 CHAIRWOMAN CROSS: Grace Cross, Nome.
10
11 MR. GRISHKOWSKY: Vance Grishkowsky from
12 Unalakleet representing sport fishing and I also work as
13 a registered guide and outfitter down there.
14
15 MR. SAVETILIK: Myron Savetilik from
16 Shaktoolik.
17
18 CHAIRWOMAN CROSS: I forgot to mention we
19 do have a quorum. Once again I welcome all of you.
20 We've already done our introductions. Looks like I'm not
21 in the loop this morning. I'm just tired. Couldn't go
22 to sleep last night.
23
24 I'm glad everybody is here. There are so
25 many things that are going on in Nome right now, so I'm
26 not sure if we're going to have much of an audience
27 again. Kawerak is having a regional conference, which is
28 ongoing right now. In fact, there's a potluck going on
29 for those of you who are interested in going tonight and
30 also some Eskimo dancing. There's a trial, kind of a
31 high-profile trial going on too that many people are
32 attending.
33
34 Other than that, I'm glad to see all of
35 you here and I hope we get a little more participation
36 from the community today because I think there's some
37 proposals that we're going to work on that are going to
38 be kind of hot and may have problems in the future. I
39 hope not.
40
41 But, anyway, once again, I'm glad to see
42 you here and we'll go on to number 4, election of
43 officers. Barb.
44
45 MS. B. ARMSTRONG: We'll have your
46 election of officers. We have nominations open for
47 chair.
48
49 MR. SEETOT: Ms. Chair, do we need the
50 full membership in order to have election of officers?

1 Leave the officers as is?
2
3 MS. B. ARMSTRONG: We can do that if you
4 want.
5
6 CHAIRWOMAN CROSS: What does the rest of
7 the RAC think? I think it would be wise if we get the
8 whole group here before we do election of officers.
9
10 MS. B. ARMSTRONG: So you want to defer
11 to your fall meeting?
12
13 CHAIRWOMAN CROSS: We have three members
14 that are absent.
15
16 MR. SAVETILIK: I think for election of
17 officers we need a full board.
18
19 CHAIRWOMAN CROSS: So we'll just defer
20 the election of officers to the next meeting.
21
22 MS. B. ARMSTRONG: Okay.
23
24 CHAIRWOMAN CROSS: And talking about our
25 RAC, where does it stand on having 13 members?
26
27 MS. B. ARMSTRONG: That would have to be
28 addressed by, I think, Ms. Wilkinson.
29
30 CHAIRWOMAN CROSS: Okay. We'll add it on
31 the agenda for later.
32
33 MS. B. ARMSTRONG: Yeah, we'll get to
34 that later.
35
36 CHAIRWOMAN CROSS: Our election of
37 officers has now been cancelled until our next meeting.
38 Number 5, review and adoption of agenda. One addition we
39 just talked about was to add -- Ann, aren't you already
40 on the.....
41
42 MS. B. ARMSTRONG: She should be there on
43 other business.
44
45 CHAIRWOMAN CROSS: I thought she was
46 already on the agenda. No?
47
48 MS. B. ARMSTRONG: Ann, could you get on
49 a mike and tell them where you're going to be. I have
50 you down under 13, other business.

1 MS. WILKINSON: Yes. Under Council
2 comments to the Federal Subsistence Board will be fine.
3
4 CHAIRWOMAN CROSS: Okay. So Ann
5 Wilkinson will be under other business, B.
6
7 MS. B. ARMSTRONG: 13(B).
8
9 CHAIRWOMAN CROSS: And then I'd also like
10 to add as C the letter of response we got from Henri
11 Bisson and the BLM letter. See if we want to respond to
12 it. So we can go over it and then maybe just for
13 information or for a little bit of discussion because it
14 relates to many things.
15
16 MS. B. ARMSTRONG: Okay.
17
18 CHAIRWOMAN CROSS: Any other things that
19 you guys want to add on?
20
21 MS. B. ARMSTRONG: Ms. Chair, we need to
22 delete from the agenda Proposal WP05-02. The statewide
23 proposal has nothing to do with Unit 22, so that needs to
24 be stricken from your agenda.
25
26 CHAIRWOMAN CROSS: That's the proposal on
27 the wolf. Anybody just interested in looking at it for
28 informational purposes or just delete it?
29
30 (No comments)
31
32 CHAIRWOMAN CROSS: Okay. We'll take it
33 away. It's deleted.
34
35 MS. B. ARMSTRONG: And also under number
36 12, agency reports, Marine waters jurisdiction, will be
37 given oral report by Dan LaPlant. And number 13, other
38 business, 13(A) is by me instead of Dan LaPlant. Then
39 we've added Ann there. Your fall meeting will be October
40 12 and 13, 2005. That's about all I have unless someone
41 has anything else. Oh, Dan will be presenting Proposal
42 WP05-01. That's all I have.
43
44 CHAIRWOMAN CROSS: Anybody else have any
45 additions?
46
47 MR. SEETOT: Madame Chair, under 12,
48 maybe E, West Arctic Caribou Herd report.
49
50 CHAIRWOMAN CROSS: Number 12(E).

1 Anything further?
2
3 (No comments)
4
5 CHAIRWOMAN CROSS: Would somebody like to
6 make a motion to adopt the agenda as amended.
7
8 MR. SAVETILIK: I move to adopt the
9 agenda.
10
11 MR. BUCK: Second.
12
13 CHAIRWOMAN CROSS: There's a motion on
14 the floor to adopt the agenda as amended. Everybody in
15 favor of the motion signify by stating aye.
16
17 IN UNISON: Aye.
18
19 CHAIRWOMAN CROSS: All those opposed same
20 sign.
21
22 (No opposing votes)
23
24 CHAIRWOMAN CROSS: Motion carries.
25 Number 6, review and adoption of minutes. Leonard.
26 We'll just go page by page again.
27
28 MR. KOBUK: The minutes of the last
29 meeting was held here in Nome, Alaska on September 22 and
30 23, 2004. Members present, Grace Cross, Nome; Jake
31 Olanna, Nome; Leonard Kobuk, St. Michael, Elmer Seetot,
32 Jr., Brevig Mission; Myron Savetilik, Shaktoolik; Peter
33 Buck, White Mountain; Tom Gray, White Mountain. Excused
34 were Vance Grishkowsky. Absent was William Johnson,
35 Unalakleet and Elmer Saccheus of Elim.
36
37 Ms. Grace Cross, Chair, called the
38 meeting to order at 9:05 a.m. in Nome at the Aurora Inn
39 Conference Room. Any corrections to this page?
40
41 (No comments)
42
43 MR. KOBUK: Hearing none, moving on to
44 Page 2.
45
46 CHAIRWOMAN CROSS: I have a question on
47 Page 2. Starting in the very first paragraph with all
48 moose issues for the region will be moved up for
49 discussion by Kate Persons of ADF&G, Kyle Joly of BLM and
50 Kawerak. I wanted to add a name. I don't remember.

1 There was comments from Kawerak regarding the issuance of
2 the recreational permits. I don't remember Kawerak being
3 a part of -- well, maybe moose issues because of that.

4
5 MR. KOBUK: Madame Chair, I think it was Ms.
6 Fosdick. She Kawerak vice-president of natural resources
7 and she does help communities with wildlife or fish
8 issues that request help.

9
10 CHAIRWOMAN CROSS: She did come up and
11 talk to us about bringing a BLM issue. So can we add her
12 name to that so we have a name with Kawerak. Moving
13 along.

14
15 MR. KOBUK: Madame Chair, paragraph one, line two,
16 Raymond Seetot should be changed to Seetook. Anymore
17 comments or changes for Page 2.

18
19 (No comments)

20
21 MR. KOBUK: Hearing none. Page 3.

22
23 (No comments)

24
25 MR. KOBUK: Moving on. Page 4. Let me know if I'm
26 going too fast, please.

27
28 (No comments)

29
30 MR. KOBUK: Page 5. Any corrections.

31
32 (No comments)

33
34 MR. KOBUK: Hearing none. Page 6.

35
36 CHAIRWOMAN CROSS: On page 6 under
37 special recreation permits, seven lines down, it's Robert
38 Kauer, K-A-U-E-R, I believe. Are we talking about the
39 same Robert Kauer, the game guide from Nome.

40
41 MR. KOBUK: Any more changes need to be made on Page
42 6.

43
44 (No comments)

45
46 MR. KOBUK: Hearing nothing. Page 7. Any changes
47 need to be made to that page.

48
49 (No comments)

50

1 MR. KOBUK: Hearing none. Page 8.
2
3 UNIDENTIFIED SPEAKER: Can we go back to
4 Page 7.
5
6 MR. KOBUK: Going back to Page 7.
7
8 UNIDENTIFIED SPEAKER: Under Wales
9 Special Action, Adkisson is spelled wrong.
10
11 MR. KOBUK: Wales Special Action, Mr. Ken
12 Adkisson. Any more for that page.
13
14 (No comments)
15
16 MR. KOBUK: Hearing none, then we'll go
17 back to Page 8. Any corrections for Page 8.
18
19 (No comments)
20
21 MR. KOBUK: Hearing none. Page 9.
22
23 MR. SAVETILIK: Madame Chair. Under BLM,
24 line eight, they counted smelts or would that be smolt.
25
26 MR. KOBUK: Any more corrections for that
27 page.
28
29 (No comments)
30
31 MR. KOBUK: Hearing none. Go to Page 10.
32
33 CHAIRWOMAN CROSS: Down at the very
34 bottom where it says National Park Service, Ken's last
35 name is misspelled again.
36
37 MR. SAVETILIK: The word Niukluk is
38 spelled wrong, too.
39
40 CHAIRWOMAN CROSS: Under Alaska
41 Department of Fish and Game, Myron?
42
43 MR. SAVETILIK: Yeah.
44
45 CHAIRWOMAN CROSS: Is that the third line
46 down from Alaska Department of Fish and Game?
47
48 MR. SAVETILIK: Fourth paragraph and then
49 the second sentence down from where it says this season
50 with exception of the Eldorado chum; Fish & Niukluk.

1 CHAIRWOMAN CROSS: Instead of Nuluk?
2
3 MR. SAVETILIK: Yeah.
4
5 CHAIRWOMAN CROSS: And Ken's name.
6
7 MR. KOBUK: Any more corrections for Page
8 10.
9
10 (No comments)
11
12 MR. KOBUK: Hearing none. Page 11. Any
13 corrections for Page 11.
14
15 (No comments)
16
17 MR. KOBUK: Hearing none. We're on Page
18 12.
19
20 (No comments)
21
22 MR. KOBUK: Okay. Hearing none for that
23 page, that concludes that and turn it over to the Chair.
24
25 CHAIRWOMAN CROSS: I need a motion to
26 adopt the.....
27
28 MR. KOBUK: I move to adopt the minutes
29 with the changes that were made.
30
31 MR. BUCK: Second it.
32
33 CHAIRWOMAN CROSS: There's a motion on
34 the floor to adopt the minutes as corrected.
35
36 MR. SAVETILIK: Question called for.
37
38 CHAIRWOMAN CROSS: All those in favor of
39 the motion signify by saying aye.
40
41 IN UNISON: Aye.
42
43 CHAIRWOMAN CROSS: All those opposed same
44 sign.
45
46 (No opposing votes)
47
48 CHAIRWOMAN CROSS: Motion carries.
49 Number 7, Council member reports and ethics disclosure.
50 We'll begin with Council member reports and then we'll

1 clarify ethics disclosure. Start with Peter Buck.
2 Anything to report?

3

4 MR. BUCK: So far we've had a pretty
5 decent winter. The moose was okay. It wasn't great, but
6 we did get our moose. Right now we're having trouble
7 with our crab. We haven't gotten our crab this winter.
8 We get very, very few in White Mountain and very, very
9 few in Elim area, so it really concerns us with the crab
10 fishing area. Other than that, I think the caribou are
11 still hanging around my mountain. We're having a pretty
12 good winter. That's all I have.

13

14 CHAIRWOMAN CROSS: Elmer.

15

16 MR. SEETOT: I apologize for being late.
17 I got marshaled this morning by our coordinator. I
18 forgot we were on government time. Other than that, no
19 muskox taken within Federal lands or very few of the
20 muskox have been harvested. Caribou are pretty much
21 wherever they winter or wherever the predators chase them
22 or wherever they find to feed. Mostly they're in the
23 Bendeleben Mountain range or Serpentine Hot Springs area.
24 We had a good front row seat of the October 19th storm.
25 It pretty much undercut the banks around Brevig Lagoon
26 and Grantley Harbor and Port Clarence base. The storm
27 probably also affected smolt mortality rate. I'm not
28 really too sure or if anyone knows what high water can do
29 to the fish that hatch over the past year, so that will
30 be something that we as a community need to look at, if
31 the fish runs are low. Most of the time we place the
32 blame on people, areas when fish are depleted. I think
33 we need to look at other circumstances involving this.
34 They're under stress all the time. People clamoring to
35 get these resources for when they're in season. I think
36 that's something that is overlooked too, the natural
37 doings of the wildlife resources. That's all I have.

38

39 MR. BUCK: I'd like to comment on
40 Elmer's. During the storm in White Mountain in the high
41 water the tom cod got left up on the beach and they were
42 stranded, so I don't know what kind of effect that's
43 going to have on our tom cods.

44

45 CHAIRWOMAN CROSS: Thank you, Peter.
46 Leonard.

47

48 MR. KOBUK: That seemed to be the same
49 problem at St. Michael, the high water. A lot of fish on
50 lakes. Last year we seen what happened. There were a

1 lot of dead tom cods all over where the water went up and
2 they got stranded there because when the ice went back
3 down or the tide went down, they were stuck. That's
4 going to be the same problem.
5

6 The other problem, the residents of St.
7 Michael and Stebbins mostly was complaining because of
8 the weather this year, the way it was. It was good for a
9 while and then it warmed up. Those residents were
10 wishing that the moose season could be extended because
11 the caribou have gotten a little closer this year.
12 People, including myself, have to go to Unalakleet to
13 catch caribou. The residents of both villages seem to
14 think not enough caribou are being allowed to pass
15 certain villages and it kind of makes it hazardous for
16 both villages to go all the way beyond Unalakleet. The
17 weather being the way it was was pretty bad because we
18 happened to get caught in one of those heading back to
19 St. Michael, which turned out to be okay. But that was
20 the main problem, was having to use the south river up to
21 Unalakleet to get to Unalakleet. The other way didn't
22 have enough snow.
23

24 Other than that the villages were wishing
25 that the moose season could have been extended a little
26 longer. That was their main complaint that I got from
27 both villages and residents. I have nothing more.
28

29 CHAIRWOMAN CROSS: Thank you, Leonard.
30 Vance.
31

32 MR. GRISHKOWSKY: In Unalakleet, I think
33 everybody is pretty happy down there with the return of
34 the caribou. I think for the most part everybody has got
35 as much as they need. On the darker side, our king run
36 is of grave concern down there I think to everybody. It
37 was closed last year, I believe, with emergency closure.
38 The moose situation is still pretty grim. The silver run
39 was real good, at least subsistence-wise. I think
40 everybody got an adequate amount of fish. There was
41 smelting taking place this late fall, early winter, and
42 that seemed to be real good. The tom cods were okay. I
43 think, overall, things aren't too bad down there. That's
44 all I have.
45

46 CHAIRWOMAN CROSS: Myron.
47

48 MR. SAVETILIK: With everything that's
49 been going on with our global warming, it seems like
50 everything has been on hold. Other than that, the

1 species of fish that we've been catching they're pretty
2 good. Our caribou you can take your pick. I mean we had
3 over 200,000 in our area for just about two weeks and
4 they're slowly moving on right now. Other than that,
5 everything that's been going on, my health, I'm okay. It
6 seems like everything is just going the way -- our
7 subsistence is doing good. The meat, the fish we catch,
8 are good. Thanks.

9
10 CHAIRWOMAN CROSS: It's been a good
11 fishing -- the last fishing season was very good for Nome
12 area. I guess for the first time in the longest period
13 of time I saw fish hanging on the racks and it was very
14 good to see that. The caribou is not that far from
15 around here, so people have been reporting about getting
16 caribou and nobody has been complaining about their
17 reindeer being taken yet, that I'm aware of. Of course,
18 our moose season, as usual, was dismal, but apparently we
19 caught the number allowable pretty fast. For myself, I
20 didn't see a single moose this year. Other than that, we
21 had plenty of snow this year, except our weather has been
22 kind of fluctuating. It's kind of uncertain to go
23 further off on a snowmachine because you don't know
24 whether it's going to be very cold the next two days or
25 very warm where it's kind of melting. We do have some
26 ice this year, too, which were helping with crabbing and
27 other types of fish like tom cods. That's basically it.

28
29 I guess I have a question about the
30 ethics disclosure. Barb.

31
32 MS. B. ARMSTRONG: There's a thing right
33 here that I handed out with information on operations
34 manual and ethics disclosure. This was mailed out to you
35 in a letter back in November 2004, so it's a copy of what
36 I sent to you.

37
38 CHAIRWOMAN CROSS: Is this something we
39 should be doing now?

40
41 MS. B. ARMSTRONG: Yes, ma'am.

42
43 CHAIRWOMAN CROSS: Then we'll talk about
44 it now. Ann.

45
46 MS. WILKINSON: The ethics disclosures
47 are part of your charter and the intention is to ensure
48 that the integrity of the Council is not impugned by the
49 activities of Council members having to do with money and
50 the take of fish and wildlife and that is basically what

1 we were told from the Ethics Office at the Department in
2 Washington, D.C. This was put into the charters in 2003
3 for Council members to start doing it.

4
5 It's very simple. For subsistence users,
6 there is not much required because no subsistence use is
7 considered to have a financial gain. But for commercial
8 and sport activities, it's possible that someone might
9 have financial interests that could be affected by a
10 proposal or other issue that's coming before the Council,
11 so that's why they decided to institute the ethics
12 disclosure and financial statements. There are some
13 examples on this page of what Council members might use.
14 Do you have any questions so far?

15
16 MS. B. ARMSTRONG: They could start with
17 Peter Buck and use one of the examples, like number 1.

18
19 MS. WILKINSON: I would rather wait until
20 after the discussion if that's okay.

21
22 CHAIRWOMAN CROSS: I guess my question is
23 what if the Federal lands or waters are not in
24 consideration in this meeting, does the individual still
25 have to disclose.....

26
27 MS. WILKINSON: If you're not discussing
28 anything on Federal lands or waters, then you wouldn't
29 need to say anything.

30
31 CHAIRWOMAN CROSS: If that Council member
32 is not subsistence hunting or fishing in Federal waters
33 that would be taken into consideration, does that
34 individual need to.....

35
36 MS. WILKINSON: They need to say that.

37
38 CHAIRWOMAN CROSS: So sometimes we don't
39 always know.

40
41 MS. WILKINSON: Well, having said all
42 this, and I'll tell you something else then. This was
43 instituted in 2003, so basically all of last year Council
44 should have been doing this. Now I found out recently
45 that the head of the Ethics Office in Washington, D.C.
46 has a new department head or whatever his title is, I
47 don't know, and he has found out about councils and other
48 committees being required to do this and said, oh, no,
49 that's wrong, they shouldn't be required to do it. So,
50 when new charters come out, they will probably not have

1 this requirement anymore. However, until we do have the
2 new charters, you do have to make these statements. So
3 that would be for this meeting and next meeting.

4
5 I don't want to get too concerned about
6 it because it's going away anyhow, but just for the next
7 two meetings all you have to do is say my name is, I live
8 here or there and I subsistence hunt and fish or since
9 this is a wildlife meeting, I subsistence hunt in the
10 Federal lands or waters considered at this meeting and I
11 don't have any conflicts or I do have. These are just
12 talking about financial matters. It has nothing to do
13 with if the proposal passes you will get more subsistence
14 take. It's only for financial. Basically, I think it's
15 geared for the sport and commercial interest.

16
17 MR. BUCK: To make it official, my name
18 is Peter Buck and I live in White Mountain. I
19 subsistence hunt in Federal lands under consideration at
20 this meeting. I do not hold any commercial permits or
21 conduct any business activities directly affected by any
22 agenda items before the Council.

23
24 CHAIRWOMAN CROSS: Thank you, Peter.
25 Elmer.

26
27 MR. SEETOT: Before I do that, just like
28 our legislature and Congress, you know, we can say one
29 thing and pretty much do another thing. I think we're
30 under the jurisdiction of the Federal government. Any
31 small thing that we do, you know, in the sense that we
32 pocket from subsistence resources and just be telling a
33 little white lie sometime. That's it.

34
35 My name is Cacar (ph), a/k/a Elmer
36 Seetot, Jr. and I live in Brevig Mission. I subsistence
37 hunt and/or fish in Federal waters/lands under
38 consideration at this meeting. I do not hold any
39 commercial permits or conduct any business activities
40 directly affected by any agenda items before the Council.

41
42 CHAIRWOMAN CROSS: Leonard.

43
44 MR. KOBUK: My name is Leonard N. Kobuk.
45 I represent the village of St. Michael and also the
46 village of Stebbins. We are two villages that are
47 sitting right next door to the Yukon Wildlife Refuge. I
48 live a subsistence way of life and so do many of the
49 villagers in both villages. I subsistence hunt/fish in
50 Federal waters/lands under consideration at this meeting.

1 I do not hold any commercial permits except for herring
2 permit or conduct any business activities directly
3 affected by any agenda items before the Council.

4

5 CHAIRWOMAN CROSS: Thank you, Leonard.
6 My name is Grace Cross. I live in Nome. I subsistence
7 hunt or fish in Federal waters/lands under consideration
8 at this meeting. I do not hold any commercial permits or
9 conduct any business activities directly affected by any
10 agenda items before the Council. Vance.

11

12 MR. GRISHKOWSKY: My name is Vance
13 Grishkowsky from Unalakleet. I do hold a commercial
14 fishery entry permit in the herring fishery. I haven't
15 actively pursued it for a while, but I still have a
16 permit. I have a special recreational permit for being a
17 registered guide and outfitter in Unalakleet. I also
18 have a small, kind of a Ma and Pa fishing lodge on the
19 Unalakleet River and am involved in some subsistence
20 activities in Federal waters and lands both.

21

22 MR. SAVETILIK: My name is Myron
23 Savetilik from Shaktoolik. Mostly I represent the elders
24 of our area. It's a must for learning and doing what we
25 need to do in hunting and fishing in our area. I
26 subsistence hunt and fish in Federal waters and lands
27 under consideration at this meeting. I know that each
28 individual here has their own wants of what they need and
29 what they can do. I know that with everything that's
30 been provided for us subsistence-wise we can get what we
31 need for the lifestyle we're living.

32

33 Thank you.

34

35 CHAIRWOMAN CROSS: Is that adequate, Ann?

36

37 MS. WILKINSON: Yes, ma'am. That's the
38 point at which your coordinator would say there's no
39 reason why any member could not participate in this
40 meeting. Like I said, this is one of those things that
41 someone thought was helpful and then the next person
42 behind them thinks it is not, so please just bear with us
43 and it will be gone.

44

45 CHAIRWOMAN CROSS: Ann, thank you very
46 much. Now that we're done with that, we'll move along.
47 Leonard can ask for a break.

48

49 MR. KOBUK: Can we have a five-minute
50 break?

1 CHAIRWOMAN CROSS: We'll have a short
2 break.

3
4 (Off record)

5
6 (On record)

7
8 CHAIRWOMAN CROSS: I'm calling the
9 meeting back to order. It is now 9:25. The next thing
10 on the agenda is the Chair's report. The draft 2004
11 annual report has been drafted and it will be mailed to
12 us and if we have any comments to that annual report we
13 can call Barb from our homes.

14
15 The correspondence that I wanted to
16 discuss was the BLM letter from Henri Bisson and we've
17 added that to the agenda, so I'll reserve talking about
18 it until we come to that portion of our meeting which we
19 added under other business (C). Other than that, we
20 don't have any other correspondence.

21
22 Another thing that I wanted the Council
23 to start thinking about is when we have our meetings. We
24 have our meetings in February, which is either in
25 conflict with Iditarod coming on or with the regional
26 conference, like the Kawerak regional conference going on
27 right now. Some of the members of our RAC are attending
28 that. I think we should start thinking about asking if
29 we could have our meeting outside of the normal cycle,
30 maybe in January. Personally, I think that would be a
31 good idea because perhaps at that time whatever we
32 discuss here that pertains to the region or will have an
33 impact on the region can be presented to the Kawerak
34 regional conference because there are many people that
35 attend that. I think it's very difficult for people to
36 get out of the Kawerak meeting and come over here. I
37 want the Council to think about that for future meetings.
38 We don't need to discuss it now. It was just something
39 that I want people to think about unless you want to make
40 some comments about it now. Anybody have anything to add
41 or just ponder it for a while.

42
43 MR. KOBUK: I'm in favor of what you said
44 since we represent most of the villages and Kawerak is
45 always a big help to us, it would only seem fit that we
46 start having our meetings so that the residents even here
47 in Nome can start attending our meetings. That's just
48 how I feel.

49
50 CHAIRWOMAN CROSS: Okay. So we'll just

1 move along to number 9, wildlife proposals review and
2 Regional Council recommendation. There is no name for
3 that. Who is going to be doing that? WP05-01.

4

5 MS. B. ARMSTRONG: Dan LaPlant.

6

7 MR. LaPLANT: Good morning, Madame Chair,
8 Members of the Council. For the record, my name is Dan
9 LaPlant and I'll be giving the analysis for Proposal No.
10 1 and you can find that on Page 20 of your books.

11

12 Proposal 01 was submitted by the Fish and
13 Wildlife Service, our regional office, and it requests a
14 change in definition of the term handicraft. It also
15 requests a change in definition of the terms skin, hide,
16 pelt and fur. And it requests a change in regulatory
17 language to clarify the use of bear claws in handicraft
18 and changes to clarify that handicrafts must be made by
19 rural Alaskans in Alaska. Finally, the proposal also
20 requests that commercial sales of such handicrafts be
21 disallowed. So those are the elements of this proposal.

22

23 Again, the proposal was submitted as an
24 effort to clarify Federal subsistence regulations with
25 regard to handicrafts and the inclusion of bear claws in
26 the definition of fur. Since 2002, several proposals
27 dealing with black and brown bears and their uses have
28 been submitted to the Federal Subsistence Board. Most
29 recently, in May 2004, the Board addressed a proposal
30 requesting the allowance of handicraft items made from
31 the fur of brown bear. The Board supported this request
32 in specific Units. Actually, when they addressed the
33 brown bear issues, they approved it for Southeast,
34 Eastern Interior and the Bristol Bay regions only.

35

36 They had a lengthy discussion about
37 whether there was an intent to include or exclude the use
38 of bear claws in the Federal definition of fur and that
39 prompted quite a discussion and following that decision
40 this proposal was submitted to provide some additional
41 clarity in the inclusion of bear claws in the regulation.

42

43 If you look on the bottom of Page 20
44 under the proposed regulation, it specifically
45 illustrates there what is being proposed. Under the
46 definition of handicraft there is some new language in
47 there that they're recommending be added, such as it
48 should be made in Alaska by a rural Alaskan from non-
49 edible byproducts of fish or wildlife, which is composed
50 wholly or in some significant respect of natural

1 materials. They also added the terms weaving, lacing and
2 beading as examples of handicraft that could be sold.

3
4 The next paragraph under the definition
5 of skin, hide, pelt or fur, they recommended some changes
6 in the language there. It doesn't really change the
7 definition. I guess the intent there is to clarify those
8 definitions.

9
10 The next two paragraphs, Sections
11 25(j)(6) and 25(j)(7), those are the regulatory language
12 that allows the sale of bear handicrafts and what they're
13 recommending there is that this be applied to not just
14 the fur but skin, hide and pelt as well as the fur, and
15 they also put in the phrase including claws to make it
16 clearer that this does include the claws as well.

17
18 So paragraph 25(j)(6) is referring to
19 handicrafts from black bear and 25(j)(7) is brown bear.
20 Again, the brown bear regulation only applies to those
21 three regions that I mentioned. The black bear
22 regulation applies statewide, so that would be of concern
23 to this Council.

24
25 And then the final paragraph that they're
26 recommending, paragraph (8) in the regulations says that
27 if you are a business as defined under Alaska Statute
28 43.70.110(1), you may not purchase, receive, or sell
29 handicrafts made from the skin, hide, pelt or fur of a
30 black or brown bear (including claws). The intent there
31 is to make it consistent with the customary trade
32 regulations for fish that was passed by the board a few
33 years ago to exclude commercial sales of those products.

34
35 We also have a proposal from the
36 Southeast Council and they're recommending changing the
37 definition of handicraft just for their region. You
38 don't have a copy of that analysis in your book here
39 because it doesn't apply to the Seward Pen region. In
40 the Southeast proposal, they're asking for authorization
41 to use bones, teeth and skulls in handicrafts. In their
42 proposal, they recommended some different language within
43 the definition of handicraft and we've taken some of that
44 language and you'll see later on in the analysis here how
45 we've amended it to utilize some of the language that we
46 thought added additional clarity.

47
48 There's a regulatory history provided
49 here on the bottom of Page 21. I won't go through the
50 regulatory history for you, but I think it's kind of

1 summarized here on Page 23, third paragraph there, during
2 the May 2004 Board meeting, Office of Subsistence
3 Management staff described plans to correct the
4 inconsistency and make the Federal regulations wholly
5 consistent with the State regulations, which was the
6 stated intent of the Board when the black bear handicraft
7 regulation was passed in 2002.

8
9 What this kind of boils down to is the
10 Board passed a regulation in 2002 allowing the sale of
11 handicrafts made from black bear and then in 2004 we had
12 a proposal to add brown bear to that authorization. As
13 we were describing this to the Board in May of 2004, we
14 informed the Board that we found an error in our
15 regulations or what we thought was an error. The Board
16 had intended to provide those black bear handicraft
17 regulations to be identical as the State's to allow the
18 sale of handicrafts made from black bear fur.

19
20 What we discovered was that we had a
21 different definition of fur than what the State had. Our
22 definition of fur includes claws. So, therefore, under
23 Federal regulations, subsistence users could sell
24 handicraft made from fur and claws. Under the State
25 regulation, claws were not permitted.

26
27 So, in explaining this to the Board, they
28 conducted a pretty intensive discussion about whether or
29 not to leave claws in the regulation or to remove them.
30 After much discussion, the Board decided to keep Federal
31 regulations in place to allow for the use of both fur and
32 claws in handicraft. So that was their decision back in
33 May.

34
35 So what we ended up with was the
36 authorization to include claws. As I like to say, it was
37 hidden in the definition of fur. The intent of this
38 proposal is to make clear in the regulations that the
39 authorization is to sell handicrafts made from fur,
40 including the claws so it's there for everyone to be able
41 to see.

42
43 On the bottom of Page 23 there's a
44 cultural history provided. I won't go through that
45 cultural history, but when we had this discussion with
46 the Board during the last cycle when we were talking
47 about adding brown bear to handicrafts, we didn't provide
48 a cultural history in the use of claws because we didn't
49 know it was the intent of the Board to allow the use of
50 claws and that really wasn't what was requested by the

1 proponent anyway. So we didn't provide a background on
2 that use of claws.

3
4 So we provided it here in this document
5 and it's kind of summarized here on the bottom of Page 26
6 where it says, thus there is some evidence for customary
7 and traditional use of bear parts, specifically claws and
8 fur, in the ethnographic and oral record. Likewise,
9 there is evidence for the making and selling of
10 handicrafts made of bear fur and claws, although
11 admittedly, the record is limited. But this section does
12 discuss what does occur in the records as far as use of
13 claws and selling of handicraft made with claws. Given
14 the spiritual connotations of bear, it may be that the
15 limited record is in part a function of cultural taboos
16 against speaking of bear. Nonetheless, there is a
17 historical record for these practices, and the
18 contemporary record appears to be developing, as cultural
19 uses and beliefs change and grow over time. So this is
20 to document to the Board that claws have been used in
21 handicrafts in the past.

22
23 So the effects of this proposal, if
24 adopted, is to change the definition of handicraft to
25 clarify that it refers to articles made in Alaska by
26 rural Alaskans. That was a point that wasn't clear in
27 the previous regulations, whether products could be sold
28 or shipped out of state and manufactured and then ship
29 them back. We addressed situations like this in a
30 question and answer sheet that we distributed that the
31 Board approved of last August, but that clarification
32 wasn't in the regulation. This proposal puts that
33 clarification in regulation that those handicrafts would
34 have to be made in Alaska by rural Alaskans.

35
36 Including language specifically in that
37 the handicraft can be either traditionally or
38 contemporary in design. This was a component of Proposal
39 03 from Southeast. They felt in their proposal that it
40 should be stated in the definition of handicrafts that
41 those handicrafts don't have to be necessarily
42 handicrafts that were traditionally made in historic
43 times, but could be contemporary designs if someone comes
44 up with a new design for handicraft using bear fur and
45 claws, so that would be acceptable. So that language is
46 provided in this proposal as well.

47
48 Then the proposed regulatory language
49 also clarifies that both the external cover of the bear
50 and the claws can be used in handicrafts and I think that

1 was really the focal point of the issue to begin with,
2 that claws could be used. This clearly articulates that
3 the Federal law is different from the State law, which
4 does not allow the claws of black or brown bear to be
5 sold. So, again, claws can't be used under bears
6 harvested under State regulations, but they can under
7 Federal regulations.

8
9 Additionally, adopting this proposal
10 provides additional clarification by stating in
11 regulation that the authorization for use in handicrafts
12 applies to all four terms, the skin, the hide, the pelt
13 and the fur. In the past, the regulation just referred
14 to using the fur of a bear and people were kind of
15 questioning, well, what does that mean about using the
16 hide, the pelt and the skin and what's the difference
17 between the hide, pelt, skin and fur. They're all
18 defined the same way in our regulations and now we've got
19 this proposal to refer to them all the same so there's no
20 question as to whether one is different or not allowed
21 for use.

22
23 The main point here is that the adoption
24 of the proposed regulatory language does not provide for
25 any additional opportunity for subsistence users, rather
26 it only provides clarification of previous Board
27 decisions to allow the use of claws in handicrafts for
28 sale. So, you might want to refer to this as sort of a
29 housekeeping proposal that just clarifies regulations
30 that were previously passed by the Board. It puts them
31 in language that's more understandable and it puts in
32 regulatory language decisions that the Board made last
33 summer when they were discussing and approving the
34 question and answer sheet.

35
36 So, on the bottom of Page 28, the
37 preliminary conclusion, is to support with modification,
38 to add additional language to further clarify the
39 definition of handicraft, as well as to add language that
40 clarifies the exemption of those operating under a
41 business. We did some fine tuning.

42
43 I passed out an errata sheet. We just
44 yesterday discovered an error in the language, so if you
45 would focus on the errata sheet rather than the language
46 on Page 28. The difference in the two is that area
47 that's highlighted in gray where we added it can be
48 incorporated into a work of art, regalia, clothing or
49 other creative expression. That's language actually from
50 Proposal 03 that we thought added value to the

1 definition.

2

3

4 In conclusion, what we're recommending is
5 the definition of handicraft that you see there on the
6 errata sheet. Also the change in the definition of skin,
7 hide, pelt or fur in saying that however, for bear, the
8 skin, hide, pelt or fur means the external covering with
9 claws attached. And then the authorizing language in
10 Section 25(j)(6) and 25(j)(7) clarifies that this use in
11 handicraft does refer to all four terms, skin, hide, pelt
12 or fur, and it does include the claws. That's right
13 there in front. It's not hidden in the definition of
14 fur.

15

16 And then the bottom paragraph that we're
17 recommending is the paragraph that addresses commercial
18 sales and what we've done is added the phrase as part of
19 your business transactions. So even if you're a
20 subsistence user and you have a business license, you can
21 still do this as long as you're not doing it as part of
22 your business transaction. Again, this is the same
23 language that we have in the customary trade regulation
24 for customary trade of fish.

25

26 Madame Chair, the justification for our
27 recommendation is that this modified proposal provides
28 clarification in the definition of handicraft as well as
29 to the use of claws in handicrafts that are for sale. The
30 definition of handicraft includes components offered by
31 the proponent of Proposal 03 and provides additional
32 clarification as to the definition of handicraft. The
33 proposal does not provide for any additional harvest
34 opportunities for subsistence users that could
35 potentially impact bear populations. The proposal
36 assists law enforcement efforts by clarifying in
37 regulation the Board's intent to restrict the commercial
38 sale or purchase by businesses and to require that the
39 products be made within Alaska by rural Alaskans.

40

41 That's the justification for our
42 recommendation, Madame Chair. That concludes my
43 presentation. Thank you.

44

CHAIRWOMAN CROSS: Any questions.

45

46

MR. GRISHKOWSKY: (Microphone off)

47

48

49 MR. LaPLANT: Vance, if you take a bear
50 under State regulations, then you'd have to follow State
51 regulations as far as handicraft sales go. Under State

1 regulations you can sell handicrafts made of the fur only
2 and not of the claws. So for black bear and, now the
3 Board of Game passed that regulation last March, for
4 brown bear as well, so it's only for the fur and not the
5 claws under State regulation. So in order to sell claws
6 it has to be harvested under Federal subsistence
7 regulation.

8

9 MR. GRISHKOWSKY: If somebody mistakenly
10 just took one under State regulation on Federal lands, I
11 can see where there could probably be a problem.

12

13 MR. LaPLANT: Well, if you take a bear on
14 Federal lands, I believe the Federal harvest -- and,
15 again, this region only applies to black bear. The
16 regulation for using claws for brown bear only applies in
17 Southeast, Eastern Interior and Bristol Bay, but let's
18 just discuss black bear here for a minute. If you're
19 harvesting on Federal land, I believe the harvest
20 regulations, the seasons and the ceiling requirements and
21 everything are the same under both State regulations and
22 Federal regulations, so I don't think there's any
23 distinction made as to whether it was harvested under
24 State regulations or Federal regulations. So, if you're
25 a Federal user harvesting on Federal land, you can claim
26 it was a Federal harvest that meets this definition.

27

28 MR. GRISHKOWSKY: Okay. Thank you.

29

30 CHAIRWOMAN CROSS: Any further questions.

31

32 (No comments)

33

34 CHAIRWOMAN CROSS: Thank you, Mr.
35 LaPlant. Alaska Department of Fish and Game comments.

36

37 MR. HAYNES: Thank you, Madame Chair. My
38 name is Terry Haynes. I'm with the Alaska Department of
39 Fish and Game, Division of Wildlife Conservation. The
40 Department's comments on this proposal are on Page 56 of
41 your meeting book. Despite the attempts in this proposal
42 to clarify the regulation, as Dan described it, kind of
43 housecleaning issues, the Department does not support
44 this proposal.

45

46 You may recall last year we did not
47 support the original proposals to allow the sale of
48 handicraft items made with bear fur that included claws.
49 We continue to not support that provision in Federal
50 regulations. Part of the problem we see is that there's

1 no tracking system in place. We're not convinced that
2 there's evidence that handicraft items made using bear
3 claws was a customary and traditional practice because of
4 the special place bears had and continue to have in
5 Alaska Native cultures. Bear parts, claws, tend to be
6 used for ceremonial and religious regalia and that
7 practice is allowed already. We're concerned that new
8 regulations may encourage more harvest because bear claws
9 are very valuable, especially outside the state. There's
10 a high demand for bear claws.

11
12 This system in place now does not track
13 how many brown bears or black bears are harvested for the
14 purpose of making handicraft items for sale, so we don't
15 support this proposal.

16
17 Thank you.

18
19 CHAIRWOMAN CROSS: Questions or comments.

20
21 MR. SEETOT: Madame Chair. When you talk
22 about customary use, are you talking about a group of
23 people or individual people, you know, over the years
24 because I would think that shamans might have used
25 necklaces made of bear parts, especially the claws over
26 the years, which were not documented. Maybe the teeth of
27 walrus. Some portion of animals that they want to
28 represent and maybe that wasn't documented through
29 written history, but it probably was known by some of the
30 elders. My question was customary use, is that defined
31 as use over a period of years by one individual or by a
32 group of people in a region?

33
34 MR. HAYNES: Madame Chair, Member Seetot.
35 Customary and traditional pattern of use tends to
36 characterize a use among a group of people over a period
37 of time. Yes, I believe you're correct that there are
38 uses of many animals that probably are not well
39 documented in the written record because some of those
40 uses were for religious purposes, for ceremonial purposes
41 and were not activities that non-Native people often saw.
42 But I think the current regulations provide for the use
43 of these parts, bear parts, in making ceremonial regalia.

44
45
46 What we're talking about in these
47 regulations now are selling handicraft items made with
48 brown bear fur, including claws, in a way that we don't
49 think there's much documentation for. So that's the main
50 concern that we have. We see that many of the uses of

1 brown bear and black bear fur with claws that have taken
2 place over the years are still covered by the customary
3 under the existing regulations. I hope that helps.

4

5 MR. SAVETILIK: Madame Chair. I was just
6 looking at your districts and District 22 is not involved
7 in this. I'm just wondering why.

8

9 CHAIRWOMAN CROSS: Mr. LaPlant, can you
10 go over the original proposal as to be regional specific
11 and this is just kind of -- remember the original
12 proposal was adopted by -- there were three proposals
13 that were made from Southeast Alaska, Eastern Interior
14 and Bristol Bay regions are the ones that made proposals
15 for brown bears or was it also black bear. It was made
16 to be regional specific. Can you explain that a little
17 bit for the rest of the RAC members.

18

19 MR. LaPLANT: Yes, Madame Chair. The
20 regulations that we have in place now for black bear the
21 Board passed the regulation in year 2002 and that applies
22 statewide to all regions and allows the sale of
23 handicrafts made from black bear fur. In 2004, last May,
24 they passed a regulation that addressed brown bear, but
25 they only approved that for three regions, Southeast,
26 Bristol Bay and Eastern Interior. The brown bear
27 component of what we're discussing here doesn't apply to
28 Seward Pen, so it only applies to black bear in this
29 region. But under both regulations they do allow the
30 sale of claws as part of those handicrafts for both brown
31 bear and black bear. For this region, it's just black
32 bear.

33

34 CHAIRWOMAN CROSS: Myron.

35

36 MR. SAVETILIK: That's what I wanted to
37 ask about. In looking at this proposal, the way it's
38 written, I wouldn't be able to be in favor of the
39 proposal because of the way it's written. Thanks.

40

41 CHAIRWOMAN CROSS: We'll go on and then
42 we'll talk about it at the end in Council comments as to
43 what we should do with it. Do you have anything further,
44 Mr. Haynes?

45

46 MR. HAYNES: No, Madame Chair.

47

48 CHAIRWOMAN CROSS: Are there any more
49 questions for him?

50

1 (No comments)
2
3 CHAIRWOMAN CROSS: Okay. We'll move
4 along to other Agency comments.
5
6 (No comments)
7
8 CHAIRWOMAN CROSS: ISC comments.
9
10 (No comments)
11
12 CHAIRWOMAN CROSS: Fish and Game Advisory
13 Committee comments.
14
15 (No comments)
16
17 CHAIRWOMAN CROSS: Is there a summary of
18 written public comments?
19
20 (No comments)
21
22 CHAIRWOMAN CROSS: According to Page 65
23 there were no public comments. I'm correct. Okay. Is
24 there any public testimony regarding this proposal.
25
26 (No comments)
27
28 CHAIRWOMAN CROSS: Nobody is jumping up
29 and down. Regional Council deliberation, recommendation
30 and justification. When we dealt with the original
31 proposal for black bear, we recommended that these things
32 be reached on a specific. There was an opposition from
33 our region and our recommendation was to make it regional
34 specific. Then we come up with this statewide issue
35 making the definitions.
36
37 I think I have only one comment about
38 this whole proposal and that's the one in section (8).
39 If you're a business as defined under Alaska Statute
40 43.70.110(1), you may not purchase, receive, or sell
41 handicrafts made from et cetera as part of your business
42 transaction.
43
44 I was on the customary trade task force
45 when this came up and we added that to fish if I remember
46 correctly. The reason why it came about was fish is
47 edible and there was concern on whether or not people
48 would produce something that would not meet the health
49 regulations. Here it is on a product that is handicraft,
50 not edible. Maybe I missed the point. What was the

1 reason for adding this? If I remember correctly on the
2 task force, the reason why we added this portion was
3 because fish are edible and people from rural Alaska do
4 not make fish in the same way if you were a bumblebee or
5 something like that and be able to sell to AC. There was
6 concern over that. So, consequently, because of health
7 reasons Section (8) was added as it reads pertaining to
8 fish.

9

10 MR. LaPLANT: Madame Chair. When this
11 issue came up for discussion after the Board meeting last
12 spring, after the Board had made their decision to allow
13 the use of claws in handicraft, there was a lot of
14 questions that our office received as to what that meant
15 and what it involved. One of those questions was did the
16 Board intend to allow sale of these handicrafts in gift
17 shops, say, for example, in Anchorage. What level of
18 commercial trade did they envision this involving. Was
19 it just handicraft sales on a small scale in rural areas
20 or just between rural Alaskans or did it involve large-
21 scale manufacturing of handicrafts and sales either
22 manufactured out of the state and then shipped back in
23 and sold in Anchorage gift shops or at what level.

24

25 In discussions with the Board in July, we
26 prepared a question and answer sheet to help answer a lot
27 of these questions. At that time was when the Board
28 clarified that they didn't intend this authorization to
29 allow the sale of handicrafts in gift shops in urban
30 areas. So that's when we drew upon the language in the
31 customary trade regulations that prohibited the sale by
32 businesses and to keep it just as the sale of handicrafts
33 by rural Alaskans on the lower scale between rural
34 Alaskans or small scale sales. Madame Chair.

35

36 CHAIRWOMAN CROSS: So is it kind of to
37 address that people, their aunts and uncles and
38 everybody, is going to go catch a bear if this is
39 eliminated so they can sell to a commercial enterprise?
40 Is that what it's addressing, that the fear people will
41 go catch a brown bear or a black bear just to kill it so
42 they can sell the parts to it? It seems like when we
43 were discussing that that was part of the issue in fish,
44 too. The task force, I think most of the people that
45 were from rural Alaska, bought onto this language in (8)
46 because of health issues mainly. There was really not
47 much concern that people were going to go catch more fish
48 to sell.

49

50 MR. LaPLANT: Madame Chair, that's

1 correct and that's my understanding as well. When the
2 discussion of handicrafts of bears was discussed further,
3 the concern was expressed, especially by law enforcement,
4 that this may provide some incentive for additional
5 harvesting, people going out and harvesting bears that
6 would not normally have harvested them just so that they
7 could make these sales and it might result in waste and
8 it might result in poaching. They did approve it to
9 apply, again, just in those three regions. And it was
10 mentioned that, of course, in Southeast Alaska you have
11 over a million tourists coming in off tour boats in
12 Juneau and Ketchikan and other places, so there's a
13 tremendous market there and that might put a lot of
14 pressure on bear populations, particularly in Southeast.
15 So, to prevent that from happening, to ease that concern
16 a bit, the Board had expressed that those commercial
17 sales should not be allowed and that would kind of
18 minimize the pressure on brown bear populations and the
19 temptation of people to harvest just for sales, just for
20 economic benefit. That was my understanding of the
21 Board's thinking as far as adding that. Again, it's not
22 in regulation now, but it is addressed in the question
23 and answer sheet. This proposal puts it in regulation so
24 it's clear to everyone what the Board's intent was.

25

26 CHAIRWOMAN CROSS: Thank you. I'm not
27 going to belabor this, but I guess my final comment is
28 going to be that, you know, it's always a little
29 troublesome for me when law enforcement and/or U.S. Fish
30 and Wildlife, ADF&G anticipate problems before they occur
31 and a lot of times it pertains to rural Alaskans. It's
32 just like saying we don't trust you people, so,
33 therefore, if we pass this regulation, you and your uncle
34 and your aunt are going to run out there and kill all the
35 bears that you can to sell them. I don't like that
36 message.

37

38 Maybe in the future it will affect our
39 region if we come up with a proposal to start using
40 handicraft items from bears. At this moment we don't
41 have such a thing because it's regional specific;
42 however, it's still bothersome for me when definitions
43 such as this come about. I don't know how Southeast
44 Alaska is going to react and I'm going to be really
45 interested in listening to what they have to say. Do you
46 know if there are any comments from the regions that are
47 being affected by this, Southeast Alaska, Eastern
48 Interior and Bristol Bay, or their meetings have not come
49 in and there's been no response yet?

50

1 MR. LaPLANT: Madame Chair, the Southeast
2 Council is meeting as we are meeting here today, so
3 they're having this very same discussion, I'm sure.
4 Bristol Bay Council, I think their meeting is the middle
5 of March, 14th and 15th, so they'll be having that
6 discussion at that time. I can say that under Federal
7 regulations the use of black bear fur was approved in
8 2002 and I'm not aware of any black bear handicrafts on
9 the market right now. I don't know of any handicraft
10 manufacturers that are out there taking advantage of the
11 regulation. So the concern of running rampant and
12 putting a lot of pressure on bear populations hasn't
13 surfaced yet. Of course, the regulation applying to
14 brown bear was passed this past year in July and I'm not
15 aware of any brown bear handicrafts that are out there in
16 the market either. So, again, it hasn't been in place
17 long enough really for any problems to surface if there
18 are going to be problems.

19
20 The real limit here on handicrafts on the
21 market as a result of these regulations is the fact that
22 there is a very limited harvest limit for bear. In most
23 areas, Federal regulations, the limit is one bear per
24 year. In many areas, one bear every four years. So
25 people aren't going to be harvesting a lot of bears,
26 legal bears, to take advantage of the handicraft
27 opportunity. So I think that's a restriction right there
28 that should satisfy some of the concerns about the
29 conservation problems that may result. This was an
30 additional step that the Board approved again through
31 that question and answer sheet. If you feel that's not
32 necessary, we certainly welcome those comments from you.

33
34 CHAIRWOMAN CROSS: Actually, those were
35 my personal comments, so they don't come from the RAC.
36 That was my personal. I guess, in conclusion, unless the
37 RAC has anything further to say, I would just kind of
38 like to see what Southeast Alaska, Eastern Interior and
39 Bristol Bay have to say about these and if we have any
40 comments, reserve those at the time.

41
42 At this point, unless we do something in
43 the future regarding brown and black bear fur and claws,
44 then this would not really affect us at this point, but
45 there's always a future problem. I don't know how the
46 rest of the RAC feels. I don't want to defer this to the
47 home region in case we might want to make some comments
48 later on.

49
50 MR. BUCK: Madame Chair, regarding

1 Proposal 05-01, I move that we pass this.

2

3 CHAIRWOMAN CROSS: There's a motion to
4 adopt it. Anymore comments. Well, is there a second to
5 his motion. He made a motion to adopt the proposal and
6 I'm assuming it would be on the piece of paper we have
7 here. Is there a second so we can discuss this further.

8

9 (No comments)

10

11 CHAIRWOMAN CROSS: I guess the motion
12 fails for the lack of a second.

13

14 MR. SEETOT: Madame Chair, I would like
15 to comment on this Proposal 05-01. If I was to read it
16 in a narrow track, if I was narrow-minded and I just
17 interpreted it as it is, the first Section 25 is pretty
18 much wildlife population and then the second paragraph
19 goes to the species of animal, (1) being the bear, then
20 it gets specific on (6) being black bear, (7) specific to
21 brown bear. Like I say, if I was narrow-minded, there's
22 at least three type of bear; black, brown and then the
23 polar bear, which is covered by U.S. Fish and Wildlife
24 Service marine regulations. Like I say, in theory, if I
25 was narrow-minded I could pretty much argue forever, you
26 know, okay, it does cover under that. I would say I
27 would be ignorant if I looked at other regulations by
28 other agencies.

29

30 Then it would be contradictory if we were
31 to pass this. It would be contradictory to what I just
32 disclosed in the ethics, saying that I would have no
33 financial interest. By acting on this, I would pretty
34 much affect financial interest made in other regions by
35 either saying we should or shouldn't pass this proposal.
36 By my actions, I would be affecting maybe slightly the
37 monetary gain made by residents of a certain region.

38

39 I think it's not really being specific in
40 terms of just looking at one species, like just a black
41 bear or the brown bear, but this just kind of goes from a
42 whole population to a species to black bear to brown bear
43 without saying this would cover all species of bear. If
44 I was to look at regulations and then say, oh, there's no
45 regulations concerning the other type. So that's
46 something that we need to think about.

47

48 From my personal view, I would not
49 support this because, one, I do not have black bear in my
50 region. I guess in the past the State has defined for

1 us definitions for wildlife. You know, we rant and rave
2 of things that were passed then, but we have an
3 opportunity to make comments to the State and to the
4 Federal agencies and that's a big change from 20 years
5 ago. Twenty years ago regulations were pretty much
6 dictated by the State without much say-so by residents
7 involved. Now it's pretty much an involvement by parties
8 involved and I see a big change in that.

9

10 Thank you.

11

12 CHAIRWOMAN CROSS: Any other comments
13 from the rest of the Council.

14

15 MR. KOBUK: Madame Chair. The way Elmer
16 feels is exactly the way I feel. I kind of find it hard
17 to support or deny a proposal that is meant for a region
18 because I see it as Natives having a chance to make money
19 that they need to support their family. It's hard for me
20 to make a decision for another region that doesn't
21 concern this area. Just like Elmer said, we used to have
22 black bear, but they haven't come around anymore because
23 of the brown and grizzly bears that show up. I've never
24 heard of anyone seeing a black bear for many years in our
25 area. Maybe someone has, but I haven't heard anything.
26 That's just my own opinion of how I feel about this
27 proposal.

28

29 CHAIRWOMAN CROSS: What I would recommend
30 for the RAC is that we defer this to the affected regions
31 and reserve any comments if we need to make them in the
32 future. It's hard for me to really look at this not
33 knowing what those three regions are going to come up
34 with. Whatever we say or whatever we recommend might
35 have an effect on something that really doesn't have any
36 effect on this region at this point. Maybe in the
37 future, but looking in the future doesn't seem wise to
38 make a decision based on that. What I'd rather do is see
39 what the regions that are named have to say and then if
40 we need to make comments, we have plenty of time to do
41 that. At this time I would rather see it deferred to the
42 regions that are affected by this.

43

44 What does the rest of the Council feel.

45

46 Elmer.

47

48 MR. SEETOT: Madame Chair, I think that
49 first paragraph we would kind of address what we use or
50 what we can do with byproducts. I think that's pretty

1 much general in the way they define it. The last three
2 paragraphs I think it would be in region areas. One, I
3 don't have black bear in my area and, two, it doesn't say
4 sub-Unit 22. It does not say that in 25(j)(7), so if it
5 was affecting my region I would have an interest in
6 whether I vote for or against it. The first paragraph I
7 think is pretty general. It does cover byproducts of
8 wildlife resources that we get, but I don't think the
9 next three pertain to my region. The last paragraph is
10 pretty much under State statute which defines business
11 under that statute, but we're not here to vote proposals
12 for the State, but we should at least coordinate our
13 activities with the State. I don't think this proposal
14 fits the action that we're supposed to give them.

15

16 Thank you.

17

18 CHAIRWOMAN CROSS: So what are the wishes
19 of the Council?

20

21 MR. SAVETILIK: Madame Chair. I was just
22 hearing that they were saying that this proposal is not
23 really being passed. In looking at it too, I was
24 thinking about the districts that it has. I'm a hunter
25 myself and I know that any way I can preserve an animal I
26 try and do it. With this proposal, like I was saying
27 earlier, I'm not in favor of this either. I know we can
28 argue and argue with this proposal and I know that with
29 everything that's being said we just need to look at it a
30 bit more closely I think and ensuring that we have a
31 right mind of doing so. Thanks.

32

33 MR. GRISHKOWSKY: Madame Chair. At this
34 point, with this proposal not really affecting our area,
35 I would reserve my judgment until I saw what was done
36 down there by them. It's affecting those people. Who is
37 to say whether we'd be right or wrong to go one way or
38 the other way.

39

40 CHAIRWOMAN CROSS: So I think we should
41 just not make any recommendation on this issue and just
42 leave it up to the other regions and see what they have
43 to say. If we have any comments in the future, we can
44 make them then, so that's what we'll do. I don't think I
45 need a motion for this. I think we're just saying that
46 we'll just have it be sent -- we need a motion? Okay,
47 then we need a motion. Sorry.

48

49 MR. SEETOT: I second Vance's motion to
50 defer but keep it open in case we need to define

1 something.

2

3 MR. GRISHKOWSKY: We would just be moving
4 then to deferring judgment at this time.

5

6 CHAIRWOMAN CROSS: We are going to have
7 the regions that are affected by it address it; however,
8 we're reserving comments for the future if we need to
9 make any in order to find out what they have to say, the
10 ones that are actually affected by this proposal at this
11 time.

12

13 MR. GRISHKOWSKY: Right now it's hard to
14 support it or not support it. We don't really have all
15 the information to make that decision.

16

17 CHAIRWOMAN CROSS: And I think it's of
18 some interest because it might affect us in the future,
19 so we need to watch it closely. Is there a question to
20 the motion.

21

22 MR. SAVETILIK: Question.

23

24 CHAIRWOMAN CROSS: All those in favor of
25 the motion signify by stating aye.

26

27 IN UNISON: Aye.

28

29 CHAIRWOMAN CROSS: All those opposed same
30 sign.

31

32 (No opposing votes)

33

34 CHAIRWOMAN CROSS: Motion carries. We'll
35 take a break at this point. How about 10 minutes.

36

37 (Off record - 10:25 a.m.)

38

39 (On record - 10:40 a.m.)

40

41 CHAIRWOMAN CROSS: Call the meeting to
42 order. Proposal WP05-02 we're not going to be doing
43 that. It was taken out. So we're now onto Proposal
44 WP05-14a and 15. Chuck Ardizzone.

45

46 MR. ARDIZZONE: Good morning, Madame
47 Chair. Council Members. The analysis starts on Page 69
48 of your proposal book. Proposals WP05-14a and 15 were
49 submitted by the Council at our last meeting. Both
50 proposals are for Federal public lands in Unit 22B west

1 of the Darby Mountains and as a result are considered in
2 one analysis.

3
4 Proposal 14a requests a reduction of the
5 combined State/Federal harvest from 42 to 23 moose during
6 the fall season. Proposal 15 requests the following:
7 1) the winter harvest quota for moose remain flexible; and
8 2) give the authority for quota announcements and
9 closures to the Field Office Manager of the BLM in
10 consultation with the National Park Service and Fish and
11 Game. Proposal WP05-14b, which addresses closing Federal
12 public lands to the taking of moose except by residents
13 of White Mountain and Golovin will be addressed by Helen
14 Armstrong in a separate analysis.

15
16 Most recent migratory changes for moose
17 in Unit 22B were special actions WSA04-01 and WSA04-02,
18 which made adjustments to the moose harvest quotas in
19 Unit 22B west of the Darby Mountains for the fall and
20 winter seasons. Basically what these proposals are, 14a
21 and 15, they're putting those special actions into
22 permanent regulation.

23
24 I won't go into a whole lot of biological
25 background. We all know the moose population in the unit
26 is declining and the recruitment rate is low and that's
27 why these proposals are before us today.

28
29 I'll jump right into the effects since
30 we've heard this before in the special actions. The Unit
31 22B moose population estimate is at 586 as of the census
32 in 2004, which is well below the management objectives of
33 Department of Fish and Game, which is between 1,500 to
34 2,500 moose, is what they would like to see in that area
35 and we're all the way down to 586, so the population is
36 quite low.

37
38 The recruitment rate as of 2004 is only
39 nine percent, which is also low, so we're trying to
40 conserve the resource, thus these proposals. 14a
41 requests that the moose harvest decrease from 42 to 23
42 and 15 requests that the quota be changed from 48 down to
43 30. If we adopt these proposals, we'll be in line with
44 the current state regulations. Proposals 14a and 15
45 request that we give the area field office manager of
46 BLM, after consultation with the National Park Service
47 and ADF&G, the authority to determine if there's closures
48 which will allow the system to remain flexible and
49 responsive and should benefit the moose population in the
50 unit.

1 The preliminary conclusion for these
2 proposals is to support with modification to provide a
3 delegated authority also for the fall season and to add
4 clarification of the intent to make sure we have the
5 harvest quotas in regulation. Originally when I wrote
6 the proposal for the Council I mistakenly deleted the
7 quotas for the winter harvest.

8
9 The justification for these proposals is
10 that currently the moose population is depressed and well
11 below Fish and Game's management objectives. This
12 represents a conservation concern and a reduction in the
13 harvest is necessary. Reducing the harvest quota should
14 aid in improving the health of the population of the
15 moose in the unit and allowing delegated authority to the
16 BLM would create a more flexible and responsive
17 management system.

18
19 Are there any questions?

20
21 CHAIRWOMAN CROSS: Yesterday I called you
22 and wanted some clarification on the quotas and any
23 needed closures in conjunction with what the State does.
24 Can you explain that a little bit what that means so at
25 least in my mind I have a little better idea.

26
27 MR. ARDIZZONE: I discussed this with Mr.
28 LaPlant and we think that we might be able to address
29 your concerns if we add a couple words to the quota
30 language which would read quotas in any needed openings
31 or closures will be announced by the BLM in consultation
32 with the National Park Service and Alaska Department of
33 Fish and Game. I think that might address your concerns
34 about the possible upcoming season change that the State
35 is proposing. I'll let Dan answer.

36
37 CHAIRWOMAN CROSS: I think maybe you
38 should explain at this point what we do in terms of when
39 the State makes a change of their special action request
40 and what it will mean in terms of time consumption and
41 how fast U.S. Fish and Wildlife can act.

42
43 MR. ARDIZZONE: Currently, if the State
44 makes a change and we feel that we should also make the
45 change, we submit a special action request and I have to
46 do an analysis such as the one in front of you and has to
47 go before the Board for approval and the regulation can
48 get implemented. I think our process is a little bit
49 different than the State's process for this area. I
50 think they have a little more flexibility. They can do

1 an emergency order and get things done a little bit
2 faster than we can.

3

4 MR. SEETOT: Madame Chair. When you talk
5 about quotas, is that community quota or is that a unit
6 or sub-unit quota?

7

8 MR. ARDIZZONE: That's a combined State
9 and Federal quota for 22B is what we're discussing here.
10 That's both State and Federal harvest.

11

12 MR. BUCK: Madame Chair. Could I ask
13 Kate about the population of 22B for moose.

14

15 CHAIRWOMAN CROSS: Kate, come on up.

16

17 MS. PERSONS: Thank you, Madame Chair and
18 Council. The State supports the reduction in the harvest
19 quota, which we believe is necessary for conservation
20 reasons to protect the moose population which is
21 declining in western 22B. And we support the flexible
22 winter quota and support giving the Federal field
23 officers the authority to announce quotas and close
24 seasons. That should make for much more efficient
25 operations.

26

27 We do have a concern with the season
28 length. If you recall three years ago when we adopted
29 the August 10th through September 23rd season, that was
30 to fit a harvest quota of 48 moose and it worked really
31 well. We never exceeded the quota. We never had to
32 close the season early by emergency order. The harvest
33 came in very close to 42 moose in the fall and the couple
34 extra moose that weren't taken in the fall were carried
35 over and added to the winter quota. It worked great.

36

37 But then last spring we had the moose
38 census in 22B and, Peter, to answer your question we
39 don't have any more recent information on the population
40 since last March when we did a census there, but that
41 census showed a 27 percent decline in the number of moose
42 in western 22B over the five preceding years and that's a
43 really serious concern because for 15 years now the
44 population has just been going down, down, down.

45

46 So we reduced the harvest quota and this
47 Council supported that and there was a special action
48 putting that reduced quota into effect last year, but we
49 had a problem with this long season. We monitored
50 harvest as closely as we possibly could. We closed the

1 season early by emergency order, but we still exceeded
2 the harvest quota by four moose, that's 18 percent, and
3 when you have a population in jeopardy like this, that's
4 just not good enough.

5
6 So this year we're going to announce an
7 emergency order shortening of that season. It will be
8 the 1st through the 14th of September and all the areas
9 along the Nome road system where it's easy for people to
10 shift from one area to the next when the season in one
11 place closes. We'll have the same short season and we
12 think that's very important.

13
14 We would ask the Council to support a
15 similar action, a special action on Federal lands and
16 over the course of the next seven months we'll be working
17 with the Advisory Committee and with the public and we
18 would really welcome this Council's participation in
19 this. Certainly, you know, individuals who are from
20 these areas that are affected by this should be part of
21 coming up with recommendations for a proposal that would
22 go hopefully both to the Board of Game and the Federal
23 Subsistence Board asking for a shorter long-term season
24 for this area. I think that's all I have to say about
25 this one.

26
27 Thank you.

28
29 CHAIRWOMAN CROSS: I heard you say by
30 special action.

31
32 MS. PERSONS: That's what it would take
33 this year for the Federal season to come into compliance
34 with what the State is going to do. We will be issuing
35 the emergency order changing this regulation the first of
36 July. I'm actually writing it right now and when it's
37 approved by our headquarters I could pass it to Federal
38 Staff, I presume, so they would know exactly what it is
39 we're going to do, but we can't actually issue that
40 emergency order, I believe, until the beginning of the
41 regulatory year in which it applies and that's July 1.

42
43 CHAIRWOMAN CROSS: Questions or comments
44 to Kate.

45
46 MR. SEETOT: Madame Chair. Are your
47 estimates a little bit too high when you take into
48 consideration maybe the habitat, maybe the area, that
49 they can be displaced, predators, the harvest, mortality?
50 Is the range suitable for moose? I know they are

1 browsers. Do they feed on the same thing pretty much in
2 Unit 22D or like where there's trees, do they have any
3 other food other than willows or do they prefer certain
4 stuff that they eat like in that area where it's covered
5 by trees or do they just attack willows and that stuff?
6

7 MS. PERSONS: Thank you, Elmer. A lot of
8 good questions. Moose primarily eat willows and even
9 when they're in the spruce forest there are a lot of
10 willows in amongst the spruce and they are primarily
11 eating willows in the spruce. That is their primary food
12 source. Back in the mid '80s the moose population in
13 this area we're talking about did, we believe, exceed the
14 carrying capacity and it crashed as a result of that and
15 willows were in really bad shape. They were overbrowsed.
16 Moose certainly can overbrowse an area and crash.
17

18 At that time the population declined by
19 about 50 percent and we realized that we can't ever
20 expect to have that many moose again or hope to because
21 we don't want to see that sort of population crash that
22 occurred in the mid to late '80s. But since that time
23 the population has continued to go down, down, down and
24 we believe that -- and part of this comes from our radio
25 collar studies that we did over there in the late '90s --
26 that since the moose population declined due to habitat,
27 the number of predators, the balance between the number
28 of moose and the number of predators changed and since
29 then predators have been able to keep this population at
30 a very low level and many of the calves are preyed on by
31 bears and there just aren't enough young moose surviving
32 to adulthood, to reproductive age, to be able to replace
33 those that are dying because of natural causes and
34 hunting.
35

36 So we don't want to see as many moose as
37 were once there, but we do believe that now the habitat
38 can support more moose than are in that unit.
39

40 MR. SEETOT: As an afterthought, you say
41 you're trying to reach a certain number, 1,500 to 2,500.
42 TEK, do you take that into consideration? Maybe you've
43 been arguing too much or demanding that the moose
44 population be that. Why not let nature take its course
45 and just worry about your numbers? You may be hollering
46 too much and by that token, using TEK, they're moving out
47 to some other place. Maybe to my area if I talk nice
48 about them.
49

50 Our area is used by a lot of residents
and I would think that within Subunit 22B they might be

1 displaced by travelers going north, south, east, west.
2 And then wherever there's noise I think they tend to go
3 further away from where the traffic is. Is that number
4 set too high for that sub-unit or is that based on
5 animals that can be harvested and then you're putting an
6 artificial number there to meet the objectives of what is
7 being set forth in regulation?

8
9 MS. PERSONS: Actually, we don't place a
10 whole lot of importance on that high number, that harvest
11 objective. What we're really concerned about is the fact
12 that so few young moose are surviving to reproductive age
13 and until we see a turnaround in that, until there's a
14 higher percentage of the population that is yearling
15 moose, the population is going to be declining. When we
16 start to see an increase in the recruitment rate, that's
17 what we call it, the percentage of yearlings in the
18 population, we would probably begin fairly soon providing
19 more opportunity for hunting. It's not that we're not at
20 that goal, population goal. That's not what is driving
21 us to reduce seasons. It's the fact that the population
22 is going down, down, down and as it goes down, harvest
23 needs to go down too. Until we see that shift and more
24 survival of young moose, we're going to have a declining
25 population and we're going to have to reduce harvest.

26
27 MR. SEETOT: Does ADF&G think about
28 predator control, not so much media-wide, spreading it by
29 media, but encouraging residents to hunt wolves, bear?
30 That would kind of keep the recruitment rate down,
31 especially during spring. We are opportunists. When
32 opportunity knocks, we get these fur-bearing animals, but
33 not just any season. We would try to get them during the
34 prime time, maybe November through end of this month.
35 Other than those periods, we would just kind of leave the
36 animals alone because what use are they to us other than
37 maybe if you like bear for meat, you know, you would be
38 able to harvest that. Some of these practices that were
39 passed down from generation to generation in our area are
40 kind of being replaced or completely gotten away from,
41 especially subsistence use of bear because there's other
42 resources.

43
44 I guess a lot of moose were being preyed
45 on by wolves in the Teller/Brevig/Davidson area during
46 the past month. One is primarily the caribou are not
47 within the range of the wolves or in their domain, so
48 they're killing a lot more moose than what has been seen
49 in the past. Just giving the residents the incentive.
50 You know, our moose numbers, our caribou numbers are

1 down. We'll recognize the regulations, but the way we
2 hunt we also respect animals that we hunt. We do not
3 hunt them during certain seasons. We have a period when
4 we pretty much get them. That's one of the things that
5 we kind of separate ourselves on. We've got
6 State/Federal regulations, but we also are regulated by
7 weather, by what our ancestors have passed down to us in
8 the use of game and fish, to respect the resources so
9 that they will continue to come back.

10

11

MS. PERSONS: Thank you, Elmer.

12 Actually, when we go to the Board of Game this fall, for
13 the first time the harvestable surplus of moose is going
14 to be lower than the harvest objective for the unit and
15 that means that this law, called the Intensive Management
16 Law, will have to be considered. The Board will probably
17 be asking us to come up with a plan about what could be
18 done to reverse this situation with moose and we'll have
19 to look at the effect predators are having, the effect
20 habitat may be having, come up with any ideas of what
21 could be done and I really look to all of you and the
22 Advisory Committee and the public to help us come up with
23 ideas. You mentioned incentives to get the public more
24 involved in the hunting. I mean what ideas do you have
25 that could help do that?

26

27

If the Board does adopt intensive
28 management for this area, things that weren't previously
29 possible become possible. Things like predator control.
30 Area wolf control is an example of something that's been
31 done in other parts of the state. Whether that happens
32 here or not would have a lot -- I mean you folks would
33 have a lot to say about whether that happens here. It
34 wouldn't happen unless there was public support for it.

35

36

There are regulatory things that
37 sometimes happen that aren't normally possible, such as
38 one unit now allows two bears a year to be taken. So
39 there are things like that that could come into play that
40 we haven't looked at before. So, yeah, be thinking of
41 ideas that could be implemented that would help encourage
42 local people to take care of the problem themselves.

43

44

MR. KOBUK: Madame Chair. I was just
45 wondering, does the State ever manage the predator
46 control, like counting wolves or bear, wolverines,
47 coyotes in the area to see if there's too much predators
48 around or it's just mainly moose you keep track of?

49

50

MS. PERSONS: Good question, Leonard.

1 Unfortunately, it is mainly moose and caribou and muskox
2 that we keep track of. The problem is that it is so
3 expensive to census bears. They move around a lot.
4 They're difficult to see. It's just very, very
5 expensive. The cost of a census is about five times my
6 annual budget. So it's very seldom that bear censuses
7 take place. We have never done a wolf census in this
8 unit. There are some parts of the state where they have
9 been done, but, again, it's very expensive.

10

11 We are working on a possibility of
12 partnering with Kawerak and they may apply for some
13 funding that would allow us to try out a new technique
14 for censusing bears in this unit, but that's still in the
15 very developmental stages, so I'm not sure what will come
16 of that.

17

18 MR. KOBUK: I guess my other question
19 would be what if the residents that live in that area are
20 saying that there's too many wolves or too many brown
21 bears, grizzly bears or coyotes starting to come around,
22 would it be possible for the State to authorize predator
23 control within that area if the villages know there are
24 too many of these predators around or do we have to set
25 up a proposal?

26

27 MS. PERSONS: Well, that's what we'll be
28 able to consider if the Board determines that this unit
29 qualifies for intensive management and then they will be
30 looking at different ways of accomplishing predator
31 control in the areas that are affected. Area wolf
32 control has been used in some areas. There have been
33 some regulatory changes where they've allowed
34 snowmachining hunting of wolves, but that's really sort
35 of a feel-good thing because that's what everybody does
36 anyway. It really doesn't make a change in the number of
37 wolves that are taken, but it does make what people are
38 doing legal to do anyway.

39

40 Terry, what else has been done around the
41 state in terms of predator control?

42

43 MR. HAYNES: Madame Chair, Mr. Kobuk. I
44 won't answer that question, but what I would suggest is
45 even if the Board of Game does not institute a predator
46 management effort, if you have ideas for ways you would
47 like to have more ability to take wolves or bears, you
48 could submit a proposal to the Board of Game to be
49 considered next fall at their November meeting probably
50 because this area of the state will be up for review. If

1 you have those concerns, it might be good to be out front
2 because local people often have very good ideas for how
3 they would like to see some of these issues addressed.
4 You don't know what the Board of Game might do, whether
5 it might establish a predator management program for this
6 area or not, because funding is a big issue and there are
7 a lot of other predator control efforts taking place
8 right now in other parts of the state. I think the Board
9 would probably be very interested in knowing what ideas
10 you have for ways you might be able to address the issue.

11
12 MR. GRISHKOWSKY: Kate, I think, from
13 what I've gathered here and what you said earlier
14 regarding the population itself and shortening the season
15 to try and get it to come back, it makes a lot of sense
16 to me. At this point, I would be very supportive of this
17 proposal. It appears you've got a lot of data to back it
18 up. We have to start somewhere and you would have my
19 support on this at this point.

20
21 MR. SEETOT: Madame Chair. A comment a
22 little bit on the predator control. You mentioned
23 something about incentives. I don't think you need to
24 spend a lot of money. You could pretty much subsidize
25 cost of gasoline that's being used by hunters. We're
26 paying at least \$200 for a 55-gallon drum. Here we pay
27 pretty close to \$2.50 wholesale to the communities. You
28 can pretty much subsidize our gasoline for use by the
29 hunters, at least for the low end cost of predator
30 control. Like I say, we're opportunistic. Whenever
31 they're in season, we can probably get them for you. I
32 know at least 10 wolves within Teller, Brevig area. A
33 couple towards Wales. Three to five American River
34 system. At least two toward Nome area. If you ask local
35 hunters/users on the numbers of predators, you can pretty
36 much at least get an idea and see where the prey and
37 predators are. Where the prey are, the predators will be
38 there.

39
40 MS. PERSONS: I'm not sure whether the
41 State would or could pay hunters for the cost of gas, but
42 there have been situations in McGrath and I believe in
43 some other parts of the state where village corporations
44 have done that with the support of the State. But I
45 think it's unlikely that the State, at least at this
46 point in time, would actually subsidize the hunting
47 effort.

48
49 CHAIRWOMAN CROSS: I have a question to
50 you regarding announcing harvest quotas and in season.

1 Right now U.S. Fish and Wildlife utilizes special action
2 requests. The current way with special actions, does
3 that hinder or cause problems when the State issues an
4 emergency order? Does that hinder or cause any problems
5 to the State when something needs to be done, when a
6 closure needs to be done right away? Does it create some
7 sort of hardship for lack of a better word, I guess?

8
9 MS. PERSONS: With a closure, it is
10 important that it be able to happen very quickly. In the
11 case of Unit 22B moose this winter, I came into work one
12 morning and we had a harvest quota of seven moose. There
13 had been three taken so far. I had no idea we were about
14 to need to do an EO closure, but on my answering machine
15 there was the reported harvest of three moose and
16 somebody else was out in the field hunting, so I had to
17 drop everything I was doing and issue an EO that day.
18 Then it was a while before the Federal season closed, but
19 fortunately it didn't result in any additional harvest
20 and we harvested exactly the seven moose and we didn't go
21 over the quota. So timeliness is important, potentially
22 important with a closure. With an opening, we know well
23 in advance what's going to happen. Theoretically,
24 anyway, we should be able to coordinate openings so that
25 they're not a problem.

26
27 CHAIRWOMAN CROSS: I guess my next
28 question is if closures or quotas are done by the field
29 manager in areas that they're done by the field manager,
30 is that much quicker than trying to go through a special
31 action request?

32
33 MR. ARDIZZONE: Madame Chair. That would
34 make it much quicker. I wouldn't have to do a whole
35 special action write-up and get it out to the Board. If
36 we allow managers themselves to coordinate through the
37 other Federal agencies, I think it would be much faster
38 because there is a delay. If Kate let's me know there's
39 an EO and I have to do a special action, there could be a
40 good week delay sometimes.

41
42 CHAIRWOMAN CROSS: Is there any problem
43 with the way this is written right now in the proposed
44 regulation quotas and any needed closures?

45
46 MR. LaPLANT: Madame Chair. This is Dan
47 LaPlant for the record. The proposed language that you
48 see here on Page 73 gives BLM the authority to adjust the
49 quota and to announce any needed closures to coordinate
50 with the State. That would be a big step forward to what

1 we have in regulations right now because now we have to
2 go through the special actions. If the State is going to
3 change the season this fall and if you agree the Federal
4 land manager should have the authority to also adjust the
5 season, start the season later for example, you may want
6 to propose changing this language to say quotas and any
7 needed season changes will be announced by the area field
8 manager. That would give the area field manager the
9 authority to make that season change as well as the quota
10 change to have things happen faster here at the local
11 level rather than having to go through a special action
12 process. Madame Chair.

13

14 CHAIRWOMAN CROSS: I'm sorry, Kate. I
15 need to ask one more question. Even if we would support
16 this with the blackened letters, it's something that at
17 some point in the future we can also take away if we
18 wanted to?

19

20 MR. LaPLANT: If you do make this
21 amendment and the Board passes it here in May, it does go
22 into regulation. Then it would have to go through a
23 special action to take that authority away or another
24 proposal would have to be submitted in a future year to
25 change the language. But if this goes through, that's
26 the language that would appear in the regulation book.

27

28 CHAIRWOMAN CROSS: I think what I'm
29 saying is that at some point in time -- maybe I'm being
30 too optimistic. Maybe our moose numbers will go up and
31 we need not to emergency closure adjustment of quotas
32 fairly quickly as we do now because of the vital need to
33 do so at this point. I'm talking maybe hopefully at some
34 point in time we would not be able to do that and if we
35 wish at that point, I don't think it's in the near
36 future, we'd be able to change it by just writing a
37 proposal and taking it out. I guess what I was trying to
38 emphasize it's not a permanent thing if we don't want it
39 to be at some point in time.

40

41 MR. LaPLANT: The permanent thing would
42 be giving the authority to BLM to make the change when
43 needed. It doesn't mean that changes have to be made.
44 So conditions change and seasons don't need to be
45 changed, quotas don't need to be changed, we don't have
46 to exercise that. You can always submit a proposal. Our
47 regulations are always in place for one year, so you can
48 always submit a proposal the following year to make any
49 changes you feel appropriate.

50

1 CHAIRWOMAN CROSS: Sorry again, Kate.
2 When a person submits a special action request, can you
3 explain a little bit? When a special action request is
4 submitted to U.S. Fish and Wildlife, very quickly can you
5 describe what happens after that and how much time you
6 think -- if you're really in a hurry, how much time does
7 it take in order to mirror the State as soon as you
8 possibly can.

9
10 MR. LaPLANT: The way the special action
11 process works with OSM for wildlife is the Board has
12 delegated authority to OSM to make those changes as long
13 as they don't exceed 60 days. So when we receive a
14 special action request, for example the ones we've
15 received from Unit 22B here this past fall, what we do is
16 we write up an analysis. Chuck will prepare an analysis
17 document similar to what you see here in abbreviated form
18 and we circulate this out to Staff Committee, the other
19 agencies, and coordinate with the other agencies, get
20 their input. If they all agree, we get concurrence, we
21 make the decision at OSM to approve it and we send the
22 information back to the local area here.

23
24 The time it takes to do that, I've seen
25 it done in less than a day in some situations if we have
26 access to all Staff Committee members. Usually what
27 happens is the Park Service representative isn't
28 available until tomorrow or a Forest Service staff person
29 is in travel status and we can't get their approval. The
30 regulation that we have to deal with from the Board says
31 that we have to get unanimous consent from the Staff
32 Committee before we can take action. So if we can get in
33 communication with all the members of the Staff
34 Committee, we can do it in real short order, but it
35 usually takes a couple days. But, again, I've seen it
36 done in less than a day.

37
38 The situation here last fall, we did
39 process the special action. I think we did it in either
40 October or November for this winter season and we gave
41 BLM the authority to make the adjustment in the January
42 season when the quota was met and I think our problem was
43 we did it too early and we lost track of that special
44 action. So when it came time to make the decision and
45 close the season, folks had forgotten that BLM already
46 had the authority to do it. They could have done it
47 instantaneously. We had a little communication problem
48 digging out that special action and pointing out that we
49 didn't have to go through the process again. We had
50 already done it.

1
2 But this changing language in the
3 regulation giving the authority to BLM to open and close
4 the season and adjust the harvest quotas to coordinate
5 with the State would, I think, really streamline the
6 system and that would help a lot.

7
8 CHAIRWOMAN CROSS: Thank you. Any more
9 questions or comments for Kate.

10
11 MR. BUCK: Madame Chair.

12
13 CHAIRWOMAN CROSS: Yes.

14
15 MR. BUCK: I'd like to look on Page 73,
16 22B, preliminary conclusions for 22B. At the bottom it
17 says for the season January 1 to January 31 Federal
18 public lands are closed to the taking of moose except by
19 residents of White Mountain and Golovin. For the season
20 August 10 to September 23, Federal public lands are
21 closed to the taking of moose except by Federally
22 qualified subsistence. I'd like a clarification on why
23 those are different.

24
25 MR. ARDIZZONE: Madame Chair. They're
26 different because that portion of White Mountain and
27 Golovin is actually in 14b, which Helen will present.
28 There was some controversy or discussion about the whole
29 limiting White Mountain and Golovin, so we split them up
30 because what you see in front of you I think will get
31 approved quite easily or should, hopefully, and there
32 will be more discussion on 14b when Helen presents it.
33 We just took it out of this so it wouldn't be considered
34 as one in case something happens at the Board meeting.

35
36 CHAIRWOMAN CROSS: Page 76 is where it
37 is, proposed regulation. Any more questions for Kate or
38 comments.

39
40 MR. SEETOT: Madame Chair. The modified
41 proposed regulation, why does it say one bull by State
42 registration permit on the top half and then the second
43 half one bull by either Federal or State registration
44 permit? Is that the combined or the quota harvest? It
45 talks about Federal lands on both.

46
47 CHAIRWOMAN CROSS: The first one is for
48 all Federally-qualified users. The second one is an 804.

49
50 MR. SEETOT: 804. Okay. Thank you.

1 CHAIRWOMAN CROSS: Any more questions or
2 comments for Kate.
3
4 (No comments)
5
6 CHAIRWOMAN CROSS: Hearing none. Thank
7 you, Kate. Other Agency comments.
8
9 (No comments)
10
11 CHAIRWOMAN CROSS: ISC comments.
12
13 (No comments)
14
15 CHAIRWOMAN CROSS: Fish and Game Advisory
16 Committee comments.
17
18 (No comments)
19
20 CHAIRWOMAN CROSS: Written public
21 comments.
22
23 MS. B. ARMSTRONG: Madame Chair, there
24 are no written public comments.
25
26 CHAIRWOMAN CROSS: Thank you. Public
27 testimony.
28
29 (No comments)
30
31 CHAIRWOMAN CROSS: Now we're down to
32 Regional Council deliberation, recommendation and
33 justification. I think right now in the situation we are
34 in in terms of moose we need all the tools we can use in
35 order to preserve what we have and hopefully help
36 increase the moose population at some point in time.
37 Sometimes we really have to make some very difficult
38 decisions because it means that possibly there's not
39 going to be food on somebody's table and they're going to
40 have a rough time because the number that is allowable
41 for moose quota has been reduced or emergency closures
42 have to be done right away. We also kind of have to look
43 at the bleakness of the situation and look at it as
44 something that may help us regain what we have in the
45 future.
46
47 To me, it would make sense to support the
48 proposal and probably add on season closures on it. At
49 this point, to me, it's really vital that we do all we
50 can in cooperation with the State to preserve what we

1 have for future use. I don't know how the rest of the
2 Council feels about it. The number is drastically being
3 reduced. We're asking that in lieu of special actions
4 where probably more people would be contacted, we start
5 doing things on an immediate basis, which means less
6 consultation, it will actually affect subsistence users.
7 With the way we are in the estimate of 586 moose, it's
8 very well described as being substantially depressed.
9 There is some protection for some of our smaller
10 communities, White Mountain and Golovin.

11
12 So my inclination would be to support the
13 modified proposed regulation with an addition where
14 quotas and any needed season closures. I'd just add the
15 word season to that part. What does the other Council
16 members have to say?

17
18 MR. BUCK: Madame Chair. I make a
19 proposal to support Wildlife Proposal 05-14a and 15.

20
21 MR. KOBUK: If he supports it, I'll
22 second his motion.

23
24 CHAIRWOMAN CROSS: Was that a motion?

25
26 MR. BUCK: Yes, that's a motion.

27
28 MR. SAVETILIK: Question.

29
30 CHAIRWOMAN CROSS: The only addition to
31 the proposal would be quotas and any needed season
32 closures.

33
34 MR. ARDIZZONE: Madame Chair. I think
35 that would read better if we made it any needed season
36 changes will be announced.

37
38 CHAIRWOMAN CROSS: Peter?

39
40 MR. BUCK: That's okay.

41
42 CHAIRWOMAN CROSS: Somebody called the
43 question, right? You did. Okay. It will be quotas and
44 any needed season changes. All those in favor of the
45 motion signify by saying aye.

46
47 IN UNISON: Aye.

48
49 CHAIRWOMAN CROSS: All those opposed same
50 sign.

1 (No opposing votes)

2

3 CHAIRWOMAN CROSS: Motion carries. I
4 think we have time to begin WP05-14b. At least for
5 introduction and proposal analysis and we'll break for
6 lunch after.

7

8 MS. H. ARMSTRONG: We're now on Proposal
9 14b. That's on Page 77 in your book. As Chuck said,
10 this is related. It was just separated to make it easier
11 to deal with and make it a little bit clearer for
12 everybody.

13

14 Proposal WP05-14b was submitted by the
15 Seward Peninsula Regional Advisory Council. As with the
16 other proposal, it's for Federal public lands in Unit 22B
17 west of the Darby Mountains. It requests closing Federal
18 public lands to the taking of moose except by residents
19 of White Mountain and Golovin.

20

21 I wanted to make sure it was clear, and
22 Chuck talked a little bit about it, this is for the part
23 of the regulation that is for August 10th to September
24 23rd. You have already previously closed Federal public
25 lands under the existing regulation on Page 77 under that
26 second paragraph in Unit 22B in January 1st to January
27 31st portion of the regulation. Federal public lands
28 were already closed to White Mountain and Golovin. At
29 that time it was done because it was determined that Nome
30 didn't harvest moose during that time period in 22B west,
31 so then it was taken a step further to close it then for
32 the fall season.

33

34 Right now all rural residents of Unit 22
35 have a positive customary and traditional use
36 determination to take moose in 22B. I'd really like to
37 draw everybody's attention for a minute to the map on
38 Page 79 because I think this helps a little bit to see
39 how few Federal public lands there are. They're pretty
40 scattered northeast of White Mountain and then there's a
41 big chunk at the end of the Niukluk River, so there
42 aren't too many Federal public lands in the area.

43

44 I'm not going to go over the harvest
45 history and the biological background since it was
46 identical to the proposal that Chuck just talked about,
47 but we already know it's established we have a serious
48 problem with moose in the area. Whenever you want to do
49 a reduction of who is allowed to be hunting when you have
50 a C&T determination and you want to reduce that, there

1 has to be a Section 804 analysis and this region is
2 familiar with these. We haven't done then very many
3 places around the state, but we have done them in the
4 Seward Peninsula. In order to do that, the priority is
5 implemented based on three criteria. Customary and
6 direct dependence upon the populations as the mainstay of
7 livelihood, local residency and the availability of
8 alternative resources.

9
10 So, in doing that, I looked at who takes
11 moose in Unit 22B west. As you are all aware, Golovin
12 takes 99 percent of their moose that have been recorded
13 being harvested in 22B west and White Mountain 100
14 percent. The catch that hung me up on this was that 26
15 percent of Nome's harvest is also in 22B west, which is
16 fairly significant. Nome's harvest is probably a little
17 more accurate, but we don't really know exactly. There
18 were some moose taken by Elim. We know that Elim's
19 reported harvest is significantly lower than their actual
20 harvest, so it's not real clear to me how much Elim
21 depends on moose in 22B west and I guess I'd look to the
22 Council for some additional information on that.

23
24 Gambell and Savoonga have also taken some
25 moose. Gambell took three and Savoonga took eight over
26 the past 20 years. Other Unit 22B communities don't have
27 any recorded harvest. That doesn't mean that there
28 weren't any, but there were none recorded. I think
29 what's significant is that we can see the dependence even
30 though the reported harvest might not all be accurate,
31 but we can get a relative idea.

32
33 Under local residency, the proximity to
34 the resource, Golovin, White Mountain and Elim are all
35 within proximity to moose in 22B west, as are Nome and
36 Solomon. The rest of the communities I don't think are
37 in close proximity, nor do they demonstrate use or
38 dependence on 22B moose.

39
40 Availability of alternative resources.
41 All of the communities in Unit 22B have other resources
42 to harvest, but I think if you look at the availability
43 of moose, Golovin and White Mountain depend pretty solely
44 on moose and don't have anywhere else that's in close
45 proximity to take moose. Nome does have moose in 22D
46 that they take. It could be argued that they can take
47 moose there, but I think since they take a significant
48 percentage of their moose in 22B west that it would be
49 hard to say that they're not dependent on those moose as
50 well. All the other communities in the region aren't

1 dependent on moose in 22B west.

2

3

4 In the effects of the proposal, I didn't
5 feel like I could exclude Nome, that it wasn't justified,
6 because their use was well documented. I tried. I know
7 that was the intent of the Council, but I couldn't quite
8 figure out a way to do that. Unless you got down to an
9 individual 804 where you looked at particular individuals
10 and I think that could be a nightmare to try to implement
11 when you have a large community. But when you're just
12 looking at a community itself, I think it's pretty
13 difficult to say that they don't have dependence on it
14 because they clearly do. They are in proximity. So I
15 really grappled with this for a while.

16

17 My preliminary conclusion is to support
18 the proposal with modification to maintain the hunting
19 opportunity on Federal public lands during the fall
20 season for residents of Nome, along with Golovin and
21 White Mountain.

22

23 One of the other reasons why I felt like
24 it was difficult to do is that I'm not sure it would have
25 much impact anyway because of the lack of Federal lands
26 in 22B west. It would be more of a statement but not
27 have much impact because if you said Nome can't hunt on
28 Federal public lands in 22B west, most of the unit is
29 State land, so they would hunt on State land anyway.
30 That concludes my analysis.

31

32 CHAIRWOMAN CROSS: Questions or comments.
33 I think at this point we have 15 minutes. Do you guys
34 want to go to lunch now and deal with the rest of it
35 later? Why don't we break for lunch now. Return at 1:00
36 o'clock.

37

(Off record)

38

39

(On record)

40

41 CHAIRWOMAN CROSS: I'll call the meeting
42 back to order. It is now 10 after 1:00. We were
43 finished with introduction and proposal analysis, right?
44 So we're with Alaska Fish and Game comments. It looks
45 like they're ready for us, projector and all.

46

47

48 MS. PERSONS: Thank you, Madame Chair,
49 Council. The State's comments on Page 89 were submitted
50 before this proposal was split into two sections, so you
can actually ignore those comments and I'm going to just

1 very briefly tell you what our current comments are.

2

3 We agree with the Federal Staff analysis
4 that Nome residents should be included as qualified
5 participants and the 22B west Federal moose hunts during
6 the fall season and that is simply based on the long
7 history that Nome residents have of hunting in this area.
8 It really goes back to the time it first was moose
9 hunting in the area.

10

11 I know this Council is very concerned
12 about the opportunities for people in the villages of
13 White Mountain and Golovin and I share your concern.
14 Remember that a chunk of the quota was reserved specially
15 for that winter hunt and that was at the request of those
16 two villages. The residents of Golovin and White
17 Mountain do have exclusive rights on Federal lands during
18 that winter hunt. Since that winter hunt was established
19 three years ago, 14 of the 17 moose that have been
20 harvested in the winter hunt were harvested by residents
21 of Golovin and White Mountain, so it does seem to be
22 helping increase opportunity for people in those
23 villages.

24

25 I just wanted to point out Page 87. If
26 some version of this proposal does go forward, the
27 numbers there, the harvest quotas don't jive with those
28 that were just supported in the previous proposal.
29 That's all I have.

30

31 Thank you.

32

33 CHAIRWOMAN CROSS: Peter, do you have
34 anything to add or ask questions.

35

36 MR. BUCK: My primary concern is to
37 oppose including Nome in the proposal. The residents in
38 my area, we would like not to include Nome. So leave it
39 at that.

40

41 CHAIRWOMAN CROSS: If there's no
42 questions or further comments to Kate. Thank you. Other
43 Agency comments. Austin.

44

45 MR. AHMASUK: Madame Chair. For the
46 record, my name is Austin Ahmasuk. I'm a Nome Eskimo
47 Community Tribal Council member. I also work for Kawerak
48 as their subsistence director. I'll be giving comments
49 that reflect my program at Kawerak.

50

1 In regards to WP05-14b, No. 1, I would
2 like to point out some things that I think the Council
3 should be aware of some things that are particularly
4 disturbing for me in reviewing the draft Staff analysis
5 by the Federal Staff as well as Fish and Game Department
6 comments.

7
8 Number 1, the very first thing I'll say
9 is that the Federal Staff analysis comments, in my
10 opinion, are contradictory to ANILCA, the major Federal
11 fish and game law that exists to protect subsistence. I
12 find that Federal comments do not measure up to Title
13 VIII. They do not measure up to the subsistence priority
14 as prescribed in the law. What you heard earlier
15 regarding reasons why this proposal is justified are very
16 loose and they stand on very shaky ground.

17
18 I'd like to go through the Staff analysis
19 and point out some things that I find are inconsistent or
20 contradictory to our important law there. Beginning on
21 Page 83, the Federal Staff analysis seems to devote a lot
22 of attention to this idea that they can characterize
23 harvest in some manner in this area in GMU 22. That
24 simply is not true. If you assume any of the things they
25 say there in section one to be true, you have to
26 understand that they are working off of reported harvest
27 for moose.

28
29 As we are all aware, as I am very well
30 aware, the reported harvest for moose in our area
31 regarding our subsistence livelihood is drastically
32 under-reported. The percentage there that they mention
33 regarding 26 percent of Nome's harvest comes from this
34 area, that simply isn't true. What you can say about
35 that though is it's at least that number or it's quite
36 likely that that number is actually very much lower.

37
38 For instance, in '04, my program went to
39 Shaktoolik and documented moose harvests. We documented
40 nine moose taken in Shaktoolik. Fish and Game reported
41 zero moose out of Shaktoolik. That's simply a number
42 that you cannot expand from. That's a number that you
43 cannot put your mind on and say this means something and
44 you can't put it in a report. Not in the manner that is
45 before you on Page 83 there.

46
47 The idea that the Federal Staff even
48 concentrates on this idea of harvest and justifies it and
49 makes compromises in terms of how it's portrayed here,
50 harvests since 1983 are this, this and this. Why is it

1 they are drawing these conclusions on a comprehensive
2 basis? That simply does not make sense.

3
4 On Page 86 there, I think there's
5 something that's very, very crucial here and it speaks to
6 what Council Member Buck was referring to. Under the
7 paragraph summary Section 804 analysis, in the second
8 sentence there, the Federal Staff say that it is
9 uncertain how dependent they are on moose in reference to
10 those communities. Later on down the page regarding the
11 effects of the proposal, they say about midway part of
12 the paragraph under 1), they say Nome is dependent on
13 moose. These two contradictory, dichotomous statements
14 simply astound me. Why they would say that is beyond me.

15
16 I'm not certain if they can even say that
17 it is uncertain that people from Shaktoolik, White
18 Mountain, Golovin have a customary use. Why would they
19 question that? I think it's well documented. The fact
20 that they've only looked at one aspect of reported moose
21 harvest falls short of their responsibility to this
22 Council.

23
24 The fact that they say in the last
25 paragraph on Page 86 towards the bottom that eliminating
26 Nome would also cause confusion to the hunters, that is
27 not a consideration. One of the three that they have
28 already stated as to why a C&T determination can or
29 cannot be made, that is not one of the three. In fact,
30 most of the Staff analysis does not concern questions
31 surrounding how this Council would be better adept at
32 looking at C&T determinations and how their Staff
33 analysis conforms or relates to any of the three
34 criteria.

35
36 On Page 87, they indicate that the
37 current moose population is well below Fish and Game's
38 management objectives and that it represents a
39 conservation concern. This Council previously took
40 action upon a proposal to address a conservation concern,
41 something that you should be quite proud of. It's
42 something that the Federal Staff, something that the
43 State Staff has suggested to you. It's something you
44 have taken upon previously in a previous meeting you've
45 had, but what's very, very puzzling is the Federal Staff
46 and the State Staff will say there's this conservation
47 concern, they will ask this Council to adopt and look at
48 moose harvest regulations as the previous proposal
49 WP05-02. They ask you to make a reduction in moose
50 harvest, but they're not even going to suggest the proper

1 tool of how you do that.

2 They do not suggest that a C&T
3 determination be made at this time in conjunction with a
4 drastic reduction in moose harvest that they are asking
5 you to look at at this meeting. So they do not justify a
6 C&T determination for White Mountain and Golovin when
7 they ask this Council to adopt a very restrictive moose
8 management scenario. And I don't think they've given you
9 the proper tools, the proper information to make that
10 determination.

11
12 Of the three criteria, they have made
13 some fairly decent attempts at determining some kind of
14 direct dependence. They've given you a rash and
15 sometimes wrong characterization of what the situation
16 is. They will use words like well or it's uncertain or
17 it is certain or this is going to cause confusion. These
18 are words that should not be confused with the C&T
19 determination. A C&T determination simply is do the
20 residents of White Mountain and Golovin have a customary
21 and direct dependence, yes or no. And utilizing the
22 three criteria that they've already mentioned, how can
23 you do that.

24
25 Those are the questions I think are
26 pertinent to this proposal. They're also important to
27 the next proposal, but you are now in consideration of
28 14b. Those are my comments, Madame Chair.

29
30 CHAIRWOMAN CROSS: Helen.

31
32 MS. H. ARMSTRONG: (No microphone)

33
34 MR. AHMASUK: Madame Chair. Like I said,
35 I think one thing you can say about reported moose
36 harvests in our region, excluding Nome, that when you
37 compare -- like a canvassing of a community and you ask
38 them what their moose harvest is. There is a
39 statistically unsound way in which you would kind of
40 compare the two, I suppose, if you didn't know anything,
41 if you could not go to a community and canvas it and
42 assess the harvest. Because reported moose harvests are
43 so low, it's very difficult for you to make these kinds
44 of projections. I think that generally, if you compare
45 reported moose harvests to our efforts to assess moose
46 harvests in communities, they're sometimes as low as five
47 to ten percent. So, if you just simply inverse that,
48 you're talking five times as many moose harvest as you
49 would have determined from reported tickets, thus
50 reducing the percentage, if that's the correct way, which

1 it may not be. You cannot compare, you cannot say, well,
2 Nome harvests 14 percent of the moose, therefore this
3 justifies a C&T determination. No, that does not justify
4 C&T determination. I think you have to be more -- you
5 cannot evade the questions of society in determining
6 what's a C&T determination.

7
8 To be honest to ANILCA, you have to do
9 much more than what is placed before you to be able to
10 determine that. Issues of society and culture and what
11 people are currently doing in western 22B, those are
12 things you have to look at which have not been done.

13
14 MS. H. ARMSTRONG: (No microphone) But
15 we were just talking about where do you decide -- we've
16 never had to do that in this program. What percentage of
17 use is enough to say that somebody
18 has a dependence and we've never had to do that. And do
19 you want to do that, do you want to -- I mean if you have
20 a small village and you said 25 percent wasn't enough to
21 have dependence, it would be a different thing than say
22 with Nome. I mean it's a really difficult question. And
23 then you're right, your data is not good, so then you're
24 trying to go with something where you don't have
25 particularly good data. I don't know if Nome has better
26 reporting than the villages. Is that possible? I don't
27 know. Do you have a sense of that? You had said
28 excluding Nome at one point. I wondered is Nome known
29 for having better reporting?

30
31 MR. AHMASUK: Madame Chair. It is
32 customarily assumed that Nome's reporting of moose and
33 all resources is fairly good.

34
35 MS. H. ARMSTRONG: Okay. So the 26
36 percent may be accurate or closer?

37
38 MR. AHMASUK: Well, without a doubt, I am
39 sure, and I've looked at the same data you've looked at,
40 just ballpark, off the top of my head, 26 percent is
41 right according to the data that you looked at. But the
42 data that you looked at is not real-time data. It is not
43 data that is representative of moose that are actually
44 taken. So 26 percent is quite a bit lower. In terms of
45 the number of moose in that unit by Nome residents, it's
46 quite a bit lower. All we can say is that it's no higher
47 than 26 percent. On the other end of the scale, can we
48 say that it's no lower or that it's usually this amount,
49 it's hard to say.

50

1 MR. BUCK: Madame Chair. Looking at Page
2 87 under preliminary conclusion, I would encourage taking
3 out and Nome. One reason is that during the August and
4 September hunting season the moose are a lot fatter than
5 they are in January 1 to January 31. The fat that they
6 get from the moose in White Mountain area, a lot of the
7 elders use that. We send it over to them, so that's one
8 of the reasons I'd like to take out and Nome in the
9 proposal.

10
11 CHAIRWOMAN CROSS: Any comments for
12 Austin or questions.

13
14 MR. SEETOT: Madame Chair. I've just got
15 a comment I'd like to add onto Austin's harvest report.
16 I think he's got on note that it's sometimes under-
17 reported in the communities. I would think that Ms.
18 Persons does know that. I talked with her vaguely. They
19 do have a harvest ticket but sometimes that's not either
20 filled out or they miss a deadline or people report their
21 first moose and then don't report their second or third,
22 depending on how dependent they are on the resource in
23 that area. That's my comment.

24
25 MS. H. ARMSTRONG: Madame Chair. I'd
26 also like to know if anybody on the Council has any input
27 as to whether Elim uses moose very much, whether they're
28 dependent on moose in 22B west. I was concerned because
29 of the under-reporting; that they may actually take more
30 than I found and they are in proximity. So I wasn't sure
31 if somebody knew more, so I was looking to the Council
32 for some input there.

33
34 MR. SACCHEUS: When you talk about 22
35 west, is that west of the Darby Mountains?

36
37 MS. H. ARMSTRONG: Yes.

38
39 MR. SACCHEUS: Most of our moose are
40 caught around Quinhagak, north of Elim, Kwik River and
41 Tubutulik. It's very hard to get moose down there
42 because there's a lot of timber and the population don't
43 seem to get any higher or any lower. That six percent
44 you talk about in your report here, I think that is a
45 little low because we have moose hunters that get permits
46 and they don't report them, they don't send them in.
47 Most of the moose hunters down there I don't think they
48 ever fill out the permits. I think that six percent
49 you're talking about is pretty low.

50

1 MS. H. ARMSTRONG: Madame Chair. So if
2 Elim were not allowed to take moose in 22B west, that
3 wouldn't be a problem then is what I'm hearing you say,
4 that would be okay to be cut out?
5

6 MR. SACCHEUS: Yeah. And another thing,
7 Elim people, when they hunt moose, they go up Koyuk River
8 and that's a good place to go hunt moose.
9

10 MS. H. ARMSTRONG: Thank you.
11

12 CHAIRWOMAN CROSS: Thank you, Austin.
13 Any public testimony.
14

15 MS. B. ARMSTRONG: No public testimony.
16

17 CHAIRWOMAN CROSS: None. Okay. Now
18 we're down to Regional Council deliberation,
19 recommendation and justification. I see a number of
20 things with this proposal. The whole proposal seems to
21 hinge on Nome, which takes approximately, in 20 years, 26
22 percent versus about almost 100 percent of Golovin's
23 catch and 100 percent of White Mountain's catch. That's
24 75 percent more in both the villages getting moose from
25 this region. At least 74 percent more than what Nome
26 gets. They're also exclusively hunting that reason
27 probably because of the mountain and the distance they
28 have to travel. Nome has two other road systems. One
29 goes to Teller and one goes to Kugarak. Part of the area
30 around Teller/Brevig is more around American River. Nome
31 has more options to go hunting for moose.
32

33 Nome, of course, has 22C, which doesn't
34 have any Federal land, but they do open it up for cow
35 season and on occasion they do open it up for some
36 harvest. The entire time the 22C cow harvest has opened I
37 have sat in front of the State office building waiting to
38 get my permit. I have never ever seen a single White
39 Mountain or Golovin person sitting there waiting to get a
40 permit to get a cow. They've all been Nome residents.
41 However small, that's still an extra opportunity for
42 residents of Nome. They also have extra opportunity in
43 22D and there's two other road systems.
44

45 What we're concerned about today is the
46 number of moose. There's two things happening. The
47 amount of moose that's going to be killed in this region
48 is going to go down to 23 moose to be shared among three
49 communities. Even if you add the people of Golovin and
50 Elim together, they will never -- probably that whole

1 number will not even amount to the amount of hunters
2 there are in Nome. We're talking about two small
3 communities. We have stores here that, believe me, are
4 substantially cheaper than those communities have.
5 There's AC, there's Hanson's. To pre-order something
6 from Anchorage, we only have to pay freight from
7 Anchorage to Nome. Whereas if you order something from
8 Golovin or White Mountain, you're paying freight from
9 Anchorage, Nome, Golovin, White Mountain or through
10 Unalakleet. You're still paying a high price for
11 something on sale than you would buying it from here in
12 Nome.

13
14 So, in a time of crisis situation right
15 now -- you know, I live in Nome and I would like to have
16 the opportunity to catch a moose, but in some ways, in
17 little ways, I'm a little more fortunate. Maybe not
18 everybody feels the same way. But if you consider how
19 much of the hunt, if you're considering 26 percent of
20 Nome users depending on moose in that area, it's not like
21 100 percent of them are. This is a really troublesome
22 proposal, but in times like this we're going to have to
23 revert to making really hard decisions and this is just
24 one of them. There isn't that much Federal lands in the
25 region we're talking about.

26
27 I'm originally from Gambell. If we don't
28 have walrus closer to Gambell, we venture further and
29 further because we need that meat on our table, but I
30 don't see how it would be very much different in
31 communities where there's a shortage of moose. I imagine
32 if White Mountain and Golovin need to travel further to
33 get their moose and need to venture into the Federal
34 lands because there's pressure from other hunters not
35 from their communities, then they will be able to go
36 further off to try to find something to put on their
37 table.

38
39 I'm more inclined to support this motion
40 mainly because I think -- to me, depending on 100 percent
41 of the hunt area versus 25 percent, if you're going to
42 get 100 percent of your moose in one area versus 26
43 percent, that's a substantial difference. To me it's a
44 substantial difference. Seventy-five percent difference
45 is very large to me. I think that in displacing -- it's
46 very expensive to live in villages. I don't think you
47 see too many White Mountain or Golovin people coming over
48 to 22 to hunt for moose or further away from their
49 communities. Even though the Federal lands are some
50 distance away from both communities, it's still closer

1 than having to go to 22D to get your moose. The expense
2 is cheaper.

3
4 So, personally I'm inclined to support
5 this motion even though there's little Federal lands over
6 there, which is probably going to be a big argument.
7 Those little Federal lands may provide for somebody to
8 get their moose with less hunting pressure. Plus they're
9 not on a road system. We are. We can drive to Castle
10 and take four-wheelers or boats from there, utilizing
11 other modes of transportation. In my mind, it still
12 makes it harder for those people to get to where the
13 moose is versus us going on our vehicle and hunting from
14 the road system. If you want to take a boat from Golovin
15 or White Mountain, you're going to have to haul
16 everything on your boat. If you want to take a four-
17 wheeler, you put it in your boat. It's not the same
18 thing as sticking it on the back of your truck or hauling
19 a trailer.

20
21 Anyway, enough of my lecture, but that's
22 the way I feel about it. If anybody thinks differently
23 in the RAC, please let me know. Peter.

24
25 MR. BUCK: I've made my comment.

26
27 CHAIRWOMAN CROSS: If the RAC chooses to
28 go with the motion as it originally was, which is just
29 limiting the hunt to White Mountain and Golovin, then
30 we'd have to look at the hunt season at some point in
31 time to perhaps align it with the State. It will still
32 give the two communities perhaps a little more
33 opportunity, except that they have to travel a bit
34 further.

35
36 MR. SACCHEUS: A lot of times it's pretty
37 hard to get moose at Elim land because we don't have
38 Federal lands outside of our -- only Federal lands and
39 State lands is outside of our boundary and we've got
40 316,000 acres down there which belongs to the corporation
41 and all the moose are in that area where there's timber.
42 We tried to look around last fall with an airplane and
43 tried to see where the moose are and we can't see
44 anything. The only time they come out is in the evening
45 and that's the best time to fly around when they start
46 feeding, when they start moving around. So during the
47 daytime they're always under the trees. So our moose
48 population is pretty healthy in our land.

49
50 I think most of the time people of Elim

1 they get caribou in winter time before the caribou go up
2 north. They cut them up and put them in the freezer and
3 that way we don't have to hunt moose during when they
4 open up. Hardly anybody goes hunt moose nowadays. Only
5 a very few people. That's all I have.

6
7 CHAIRWOMAN CROSS: I think I have another
8 question. The proposed Federal regulation says not to
9 exceed 42 moose.

10
11 MS. H. ARMSTRONG: Madame Chair, that was
12 -- I mean assuming that 14a and 15 pass, if this one also
13 passed, that would be changed to be consistent with the
14 numbers in 14a and 15. It would be 23.

15
16 CHAIRWOMAN CROSS: So the number would be
17 23.

18
19 MS. H. ARMSTRONG: Right.

20
21 CHAIRWOMAN CROSS: Even if it's passed
22 with 42?

23
24 MR. ARDIZZONE: Madame Chair, I believe
25 14a and 15 would be before the Board first. If they
26 adopted that proposal, the language would automatically
27 go into this proposal. The only thing we could change
28 would be the White Mountain and Golovin. So numbers
29 would carry over because it would have already been
30 changed.

31
32 CHAIRWOMAN CROSS: It's something we
33 shouldn't worry about here, the number?

34
35 MR. ARDIZZONE: Right.

36
37 CHAIRWOMAN CROSS: When I was mentioning
38 Nome having other places to hunt, I think Elmer didn't
39 say anything much because I was also talking 22, your
40 back yard, which means that if we were to close these and
41 eliminate Nome from the region, your area would probably
42 have more hunting pressure and I wanted to see if you
43 have any comments to that.

44
45 MR. SEETOT: They hunt in an exclusive
46 area along the road system that goes to Kugarak. We
47 hardly go to that part at least from Brevig to hunt. The
48 majority of our hunt takes places early fall or when the
49 moose season first opens and that's within the
50 surrounding areas of the north shores of Brevig Lagoon

1 and Grantley Harbor. We rarely use the eastern portion
2 of Unit 22D for moose except when opportunity rises.

3
4 These natural wildlife resources are
5 there for everybody to use. I still say as long as you
6 use them accordingly, respect what outlying communities
7 want from users, such as keeping the environment clean
8 and respecting the ways of the wildlife, then they will
9 be there for you.

10
11 I still believe you can combine both
12 science and TEK. That is rarely mentioned by biologists.
13 They should incorporate that more in their decision-
14 making. For example, if you argue over animals, they
15 won't be there for you. I think sometimes biologists try
16 to make a big case. They argue because they hear
17 comments from big user groups. When conflicts arise, you
18 should do it in a way that you talk about it and try to
19 get a solution. I seen that practice where you argue
20 over animals happens in my lifetime. I would name some
21 examples, but I would have to wait more to see the end
22 result.

23
24 You talk about resources. The users
25 especially. I can talk about that exclusively because I
26 seen that happen with me. I do things contrary to what
27 elders have told me in the past. I seen it happen after
28 I do it. When you're talking about these things
29 personally, you don't want to incriminate yourself. You
30 don't want others to think, oh, he's a bad hunter, stuff
31 like that.

32
33 I think there's some truth behind TEK
34 that is passed down from generation to generation. We
35 just need to look at it more in depth and not just rely
36 on the science way, the Western way of managing wildlife
37 or using natural resources that are there for you.
38 That's what I continue to try to pass on even to the
39 younger generation. I tell them that I've seen it
40 firsthand. It does happen to people that think they are
41 smarter than what the current system is. I did a lot of
42 testing in the past and I've seen that at least the stuff
43 that's passed on to me does work, at least traditional
44 ecological knowledge about respect of animals, uses of
45 animals, stuff like that.

46
47 Like I said, Nome, I think, has exclusive
48 use pretty much on the road system. We rarely use that
49 area, the eastern portion along the road system for our
50 use. We might use it in later season, like the winter

1 season right now for caribou. We have to travel 100
2 miles from the community of Brevig just to get caribou
3 and that's towards the Bendeleben Mountain range, the
4 lava beds or the caribou have been around Bud Creek,
5 American River, Midnight Mountain, Kugarak Mountain,
6 those areas, which we haven't used over a number of
7 years. Caribou hunting is pretty new to our residents.
8 We had to rely on Shishmaref residents about six years
9 ago to get caribou meat. We had to wait for relatives to
10 bring it down to Brevig from Shishmaref.

11
12 That's something I think has kept the
13 wildlife resources flourishing in Subunit 22D. The more
14 you use the resource, the more you take care of it, the
15 more it will be there for you. That's what I constantly
16 think is happening. If you don't use it, pretty soon it
17 won't be there for you. Just like a gardener taking care
18 of his garden. If you don't pull out the weeds, the
19 field won't bear good food. It's just a matter of taking
20 care of the land, taking care of the animals, taking care
21 of the environment and that's what I try to put out.

22
23 If it comes to arguments, then I'll say
24 this is the area that we use exclusively, I think you
25 should blankety blank and stuff like that, but I guess
26 I'm not in the habit like that. I have used that in the
27 past and it does not work. You have to kind of change
28 over to get your point across. I've seen it firsthand
29 what happened. Sometimes when you put out, no, it's
30 going to involve me, I don't want to talk about my
31 feelings, but by admitting a few things you try to make
32 things good for people that use these resources. By
33 doing so it will be there for you.

34
35 Thank you.

36
37 MR. KOBUK: Madame Chair. I'd like to
38 propose that we adopt what is written on Page 77, Unit
39 22B, west of the Darby Mountains, one bull by State
40 Registration Permit. The combined State/Federal harvest
41 may not exceed 42 moose. Federal public lands are closed
42 to the taking of moose except by residents of White
43 Mountain and Golovin.

44
45 CHAIRWOMAN CROSS: There's a motion on
46 the floor. Is there a second.

47
48 MR. SACCHEUS: Second.

49
50 MR. KOBUK: Question.

1 CHAIRWOMAN CROSS: The question has been
2 called. All those in favor of the motion signify by
3 saying aye.

4
5 IN UNISON: Aye.

6
7 CHAIRWOMAN CROSS: All those opposed same
8 sign.

9
10 (No opposing votes)

11
12 CHAIRWOMAN CROSS: Motion carries. Now
13 we'll go to Proposal WP05-16. It looks like both Helen
14 and Chuck are going to be speaking on that.

15
16 MS. H. ARMSTRONG: I'll be presenting it,
17 although Chuck worked pretty extensively on it.

18
19 Thank you.

20
21 Madame Chair, Helen Armstrong. I'm with
22 the Fish and Wildlife Subsistence Office. Proposal WP05-
23 16 was submitted by Gabriel Takak, Sr. from Shaktoolik
24 and requests that Federal public lands be closed to the
25 taking of moose except by residents of Koyuk and
26 Shaktoolik in Unit 22B remainder, which we also refer to
27 as 22B east. So that's east of the Darby Mountains.

28
29 The proponent requests that only
30 residents of Koyuk and Shaktoolik be allowed to hunt
31 moose in this area as a conservation measure for moose.
32 The existing Federal regulation for 22B east is one bull.
33 The proposed regulation remains the same for the harvest
34 and the season. The season is August 1 to January 31.
35 And then just the provision that it would only be allowed
36 by Koyuk and Shaktoolik. So, again, it's another
37 proposal to eliminate communities from using moose in an
38 area.

39
40 The existing State regulation we included
41 here because there actually was a proposal a couple years
42 ago, which I'll talk about in a minute, that proposed
43 some conservation measures. In State regulation, the
44 non-residents are only allowed to hunt from November 1st
45 to December 31 and they're restricted to one bull with
46 50-inch antlers or antlers with four or more brow tines
47 on one side.

48
49 The map is on Page 92 and you can see in
50 the map that the Federal public lands are fairly

1 extensive, unlike 22B west. Although there are not many
2 Federal lands on the Koyuk River. As Charles was saying,
3 the Elim area, there are not many Federal lands there.
4 Currently, all residents of Unit 22 who have positive C&T
5 determination are allowed to take moose in the area.

6
7 Prior to 2000, the moose harvest limit
8 for 22B was one moose from August 1st to January 31st,
9 with antlerless moose to be taken only during the month
10 of December. There was a regional trend of declining
11 moose population, so in May of 2000 the Federal
12 Subsistence Board restricted the harvest in Unit 22B to
13 bulls only. At that time, the Board also assessed
14 closing Federal public lands to non-Federally qualified
15 moose hunters, but the Board determined that this closure
16 likely would adversely affect local subsistence users by
17 shifting the hunting efforts of the commercial guides and
18 non-subsistence hunters onto State and private lands,
19 which they felt would cause more problems because that
20 would include the lower Koyuk River.

21
22 I know a number of you were on the
23 Council at that time, but I remember there was a lot of
24 discussion about this and the concern being that because
25 there is a lot of Federal public land that those guides
26 would move over into an area and there would be more user
27 conflict, so that's one thing I think we should discuss
28 today, whether people feel that still holds or not.

29
30 To address those conservation concerns in
31 2001, the Board had a special action which divided Unit
32 22B into two subunits, west and east of the Darbys. Unit
33 22B then retained their harvest limit of one bull with a
34 season from August 1st to January 31st and that hasn't
35 changed since 2001, so the Board hasn't addressed this
36 part of the unit since then.

37
38 The problem that we're faced with right
39 now is that we don't have really good census information
40 on moose. There was a survey done in 1999 and 2000 and
41 based on those surveys the moose recruitment rate was
42 fairly low, approximately 8 percent, then in 2004 they
43 did see some increase in numbers. Because of the
44 discussion you had at your meeting last fall, BLM tried
45 to do some more survey work this winter, but they weren't
46 successful enough to draw any conclusions. It's because
47 of that fact that we don't have good information.

48
49 I'll get to this in a minute, but that's
50 why we're concluding that we should defer the proposal

1 until we actually have some good information. BLM is
2 going to try and do another survey in March, but it would
3 be too late for us to have that information to take to
4 the Board because the Board needs a recommendation from
5 the Council and you have to vote on it in person and not
6 something that was verbally done. So we thought the best
7 thing would be to defer that, but I'll get to that in a
8 minute.

9
10 There is not a lot of harvest pressure in
11 22B that the biologists feel are depressing the
12 population. As Austin talked about, we don't have a lot
13 of information on really, really good harvest information
14 from all the communities that take moose there. We do
15 have reports from non-resident hunts and that averages
16 around six moose a year. At this point, biologists felt
17 that that wasn't a significant enough number to cause a
18 problem.

19
20 The non-resident hunt is concentrated in
21 the UCU 202 and 74 percent of their harvest is in that
22 area. That's also the same UCU where almost half of
23 Koyuk's harvest occurs. There's a figure there on Page
24 94 and this is a good figure demonstrating what Austin
25 was talking about earlier that when we actually go in and
26 do harvest surveys in a community that you see the
27 difference between what is reported and what is not
28 reported and those two spikes there are from harvest
29 surveys for Koyuk and Elim. So we have some good
30 information for two different years for Koyuk and Elim,
31 but the rest of the communities we don't have really good
32 information. We have some, but not a lot.

33
34 We do think that most of the harvest in
35 22B east is taken by Koyuk and Elim. There's a table on
36 Page 95 that shows the reported harvest. I think where
37 these are maybe useful is just giving you a relative idea
38 of who is harvesting there. One of the concerns I had
39 was they -- and I think this really points out the
40 problem with the data not being well reported is that
41 Shaktoolik didn't have any reported harvest in that area
42 and they're the ones who requested this proposal. I did
43 find in a report, however, that they had taken moose in
44 22B east on the Ungalik, the Koyuk and the Tubutulik
45 Rivers and that was a report from 1982.

46
47 Whenever you want to exclude non-resident
48 users from being able to hunt in an area you have to
49 fulfil Section 815 of ANILCA. So, in looking at that,
50 there are three criteria that ANILCA says you have to

1 fulfil in order to cut out the non-subsistence users.
2 Those are that you can do it for conservation of healthy
3 populations of fish and wildlife, to continue subsistence
4 uses or for public safety. So, when we looked at that,
5 we didn't feel that until we have a complete moose survey
6 that we really had enough information to demonstrate that
7 there was a conservation concern. Because we don't have
8 the information, then there's not enough to demonstrate
9 that and we really needed to gather that information in
10 order to really be able to say whether or not there was a
11 conservation concern.

12
13 Currently, there's only an average of six
14 moose a year taken by non-Federally qualified subsistence
15 users, that's both Alaskan and non-Alaskan residents.
16 The wildlife biologists feel that the current moose
17 population, as they understand it to be, could sustain a
18 harvest of six moose a year from non-resident users.
19 There's already a restriction on those non-subsistence
20 hunters, that they can only take moose from November to
21 December and only over 50-inch antler or with four or
22 more brow tines on one side. So it's targeting animals
23 after the rut and the biologists feel that those are
24 older moose that are considered surplus.

25
26 If they do a harvest survey and find that
27 there really is a significant conservation concern or if
28 the addition of these guides are taking a lot more
29 moose, then down the road we could easily close Federal
30 public lands to non-subsistence users, but at this point
31 in time they didn't feel there was enough information to
32 support that.

33
34 The second element that causes
35 implementation of Section 815 of ANILCA is if subsistence
36 needs are not being met. As I said, there was a concern
37 that the new guides might cause a decrease in the
38 subsistence moose harvest, but at this point they don't
39 have the information to support that either.

40
41 There was a lot of discussion at the
42 meeting in September about the user conflicts in this
43 area. As Grace is going to discuss later, the Council
44 did write a letter to BLM and urge them to undertake the
45 moose survey which they did start and will finish in
46 March, we hope, as long as the weather is good. By
47 moving the non-resident hunt in 2001 to a November to
48 December season, the State did limit much of the trophy
49 hunting in the area and that had accounted for half of
50 the non-resident, non-subsistence harvest. That action

1 that happened then did reduce the non-subsistence moose
2 hunter conflicts, especially because they no longer
3 hunted in August and September. Koyuk harvest most of
4 their moose in the fall, so there was some reduction then
5 in user conflicts.

6
7 The other thing I kind of touched was the
8 fact that, and this was why the Board rejected this the
9 last time it came forward, was that if this proposal were
10 to be passed at this point, that those guided hunts would
11 move. They mostly hunt on the Ungalik River, I think.
12 They would move then onto State lands and there would be
13 more conflicts with the subsistence users.

14
15 In summary, if this were to go forward,
16 and we feel it should be deferred at this point, the
17 effect of this proposal could be negligible on moose
18 population because the guides would just move to State
19 lands and there would be user conflicts with subsistence
20 users, but our recommendation is at this point to defer
21 the proposal until we get better moose data. By
22 deferring the proposal we can have a moose survey that --
23 allow the moose survey that's planned in March to happen
24 and then have some really good information as to what the
25 conservation concerns are.

26
27 Thank you, Madame Chair. That concludes
28 my analysis.

29
30 CHAIRWOMAN CROSS: Questions for Helen or
31 comments.

32
33 (No comments)

34
35 CHAIRWOMAN CROSS: Thank you, Helen.
36 Alaska Department of Fish and Game.

37
38 MS. PERSONS: Madame Chair, Council. The
39 Department does not support this proposal but we do have
40 a very great concern about the increasing non-resident
41 harvest in this area. The reason that we don't support
42 the proposal is that we don't think the best way to deal
43 with the issue is limited harvest just to residents of
44 Shaktoolik and Koyuk on Federal lands because doing that
45 isn't going to make these non-resident hunters go away.
46 As Helen mentioned, they're likely just to move to State-
47 managed lands, which are closer to the villages and
48 closer to the areas where local people are actually doing
49 their subsistence activities.

50

1 We're not just trying to be naysayers on
2 this proposal. We do have a plan of action to deal with
3 this problem. Unless the moose survey that we're
4 planning in conjunction with BLM this spring and the
5 harvest surveys that we're doing in cooperation with
6 Kawerak do something to relieve our concern about this
7 moose population, the least that will happen is that we
8 will propose next fall to establish either a drawing or a
9 registration hunt for non-residents with a very small
10 number of permits that would cap harvest at the lowest
11 sustainable level.

12
13 We have no idea how this is going to go,
14 but as I mentioned earlier, for the first time our
15 harvestable surplus is below our harvest objective. It's
16 also now within the range of the amount necessary for
17 subsistence that was determined by the Board over 10
18 years ago. So the Board is going to have to be looking
19 at least at Tier I moose hunting. If the Board were to
20 adopt Tier I moose hunting in Unit 22, all Alaska
21 residents would be eligible but non-residents would go
22 away for moose hunting throughout the unit. So that's
23 something that could happen. We have no idea if it will
24 happen. At least we will ask the Board to limit
25 non-residents, if nothing else, to a very low harvest
26 quota.

27
28 Thank you.

29
30 One more thing. Actually, we had planned
31 to begin that survey work this week as we speak in
32 eastern 22B and we'll be going at that later this week or
33 weekend if the weather permits before we start our
34 Unalakleet moose census next week. But it is a high
35 priority and we will get to that hopefully soon.

36
37 CHAIRWOMAN CROSS: I have a question.
38 Remember when we had this meeting and originally
39 discussed that there was concern about local game guides.
40 Is there something in the State system that would give
41 preference instead of drawing names?

42
43 MS. PERSONS: No, there's nothing within
44 the State system that allows that sort of preference.

45
46 MR. GRISHKOWSKY: Madame Chair. On this
47 proposal, I wasn't real familiar with this thing, but
48 looking at it, as I read it, we would not be able to
49 participate in these hunts on Federal lands from
50 Unalakleet. Would that be correct? I'm here to

1 represent Unalakleet and I know of several people who do
2 hunt the Ungalik River for their moose. I guess in lieu
3 of that I would -- I can't see knocking them out of the
4 picture because they have customary and traditional uses
5 as much as somebody else.

6
7 MS. H. ARMSTRONG: Madame Chair. I
8 neglected to mention one thing that I skipped over. I
9 think it's pretty critical. If you were not going to
10 defer the proposal, Elim was also left out of this, and
11 after listening to what Charles was saying I don't think
12 you can justify eliminating Elim from that area as well.

13
14 CHAIRWOMAN CROSS: Charles is going to be
15 speaking. He was talking about he knows people from
16 Unalakleet that hunt that area.

17
18 MS. H. ARMSTRONG: But also Elim. Elim
19 was not in the original proposal. So I wanted to make
20 sure that -- I meant to mention that in my analysis that
21 Elim should have been included, but I forgot to say that.

22
23 Thank you.

24
25 CHAIRWOMAN CROSS: I realized that and
26 had Barb last week fax a copy of the proposal for the
27 Elim Native Corporation so they may examine it before our
28 meeting. I don't know if they've done that, but Charles
29 is here and he's waving his hand, so he's next.

30
31 MR. SACCHEUS: We're talking about WP05-
32 16. I oppose that proposal as we don't know any
33 boundaries when we go out hunting. We just hunt. It's
34 pretty hard to get game. I oppose this proposal by
35 Gabriel. I don't know how the rest of you guys feel.

36
37 CHAIRWOMAN CROSS: Personally, I see this
38 proposal as having not much information to even make a
39 decision on. You're studying the moose count this week
40 maybe and then BLM was going to be doing one on 26. The
41 last count was in '99, right?

42
43 MS. PERSONS: No, in 2004, last year.

44
45 CHAIRWOMAN CROSS: But that was not
46 really complete?

47
48 MS. PERSONS: No, it was not complete and
49 we saw way fewer moose than we saw in that given area in
50 '99 and 2000, but we saw a much increased recruitment

1 rate, which was a good sign. So this year we'll see and
2 we'll devote enough time to it to cover the entire area.
3 Let me be clear here. What we're doing is a recruitment
4 survey. We're not going to know how many moose are in
5 the area. We're just going to know about the composition
6 of the population and the percentage of the yearlings in
7 the population. So we still won't have a density
8 estimate.

9
10 CHAIRWOMAN CROSS: So what you're saying
11 is actually a complete count almost was done in '99, but
12 then you have a partial count from last year.

13
14 MS. PERSONS: There's never been an
15 actual census of moose in this area, so we have never
16 known how many moose there are in the area. In '99 and
17 2000 we did recruitment studies of the entire Koyuk River
18 drainage and last year we didn't cover the entire
19 drainage. We only covered about half of the area that
20 had been covered previously, but when we compared the
21 numbers seen in the area that we did in 2004 to what we
22 saw in that same reduced area the two previous times,
23 there were way fewer moose, which is in line probably
24 with our observations from those surveys that we did in
25 '99 and 2000. Because recruitment was so low during
26 those surveys that the population really could do nothing
27 but decline.

28
29 So when we go back there this year, we're
30 going to be looking at the recruitment number to see
31 whether this year again it's up the way it was last year,
32 which would be a very good sign, or maybe last year was
33 just a flash in the pan and it will be back down where it
34 was. We don't know. So that's what we will learn this
35 year.

36
37 MR. SACCHEUS: I have a question on your
38 theories. I think if you count moose this year, you're
39 going to see less count on your moose because I think
40 this winter the wolves are killing the moose in our area.
41 I don't know why they're killing our moose because there
42 are a lot of caribou around. Maybe they just want a
43 different taste of meat. I don't know. There have been
44 some reports of wolves killing moose in our area,
45 especially the year old females and bulls. We've got a
46 lot of wolves on Quinhagak and Tubutulik in the timber.
47 The moose travel all over when there's predators close
48 by. They go 20 miles and stay there and they go out of
49 our boundaries.

50

1 Another thing, in spring time, when we go
2 riding around in the country after the snow melts, like
3 one or two days and there's a little crust on the snow,
4 when the bears come out they kill maybe 20 calves
5 sometimes. When we ride around, we see 10 dead moose,
6 something like that, in our area, especially close to
7 Darby Mountains.

8
9 MS. PERSONS: Thanks for your
10 observations.

11
12 CHAIRWOMAN CROSS: Any more questions or
13 comments for Kate.

14
15 (No comments)

16
17 CHAIRWOMAN CROSS: Thank you. Other
18 Agency comments. Austin Ahmasuk.

19
20 MR. AHMASUK: Thank you, Madame Chair.
21 For the record, Austin Ahmasuk, subsistence director for
22 Kawerak. WP05-16, when I first saw it, I thought it was
23 a perfect idea and it was a very good one. That doesn't
24 mean to say that the proposal was worded perfectly. I
25 don't think this Council or the Staff ever expects a
26 proposal to come to the Council that's worded perfectly
27 that includes all the concerns and comments that exist.
28 As you've already heard, the member from Unalakleet has
29 already made mention to some possible concerns that they
30 have with the proposal. With that, I would hope you
31 obviously understand that people have good ideas but they
32 don't necessarily always get the proposal worded
33 correctly. In that vein, you certainly have the
34 authority and leeway to make amendments as you see fit.

35
36 I wanted to reference my earlier comments
37 regarding this kind of proposal regarding how the Federal
38 Staff analysis is probably inadequate in terms of giving
39 you the tools that you need to make the kind of
40 determination on this proposal that you must. I don't
41 think that that means that you should necessarily agree
42 with what all the Staff analysis portrays. I certainly
43 do not. Particularly regarding how the biological
44 information or lack of it, as has already been mentioned,
45 is any kind of justification for approval of this
46 proposal.

47
48 ANILCA talks about the subsistence use
49 priority. We commonly say it's a subsistence right and I
50 think each one of us believe it. Even though ANCSA may

1 have eradicated that right, I believe it's a subsistence
2 right. If the Federal government says your right only
3 exists because of some other concern is not really a
4 right. So if they're saying that you can't have this
5 right because there's a biological concern, which is not
6 even related to the subsistence use priority or the
7 subsistence right, I don't think that's correct. A right
8 doesn't exist if it depends on something else. A right
9 depends on what is right. So I would hope that you would
10 take that into consideration.

11

12 Regarding this proposal, it may not have
13 been worded correctly. Fish and game management of this
14 area isn't perfect. All that they know about the areas
15 is from recruitment surveys in 1999 and 2000 and only
16 from the Koyuk River drainage. That's all. So we need
17 to be able to look at these ideas that people present to
18 us and I'd strongly urge you to capture the ideas that
19 were presented in this proposal.

20

21 There are a couple things regarding the
22 Staff analysis that I'd like to point out. I guess I've
23 already kind of mentioned it, but on Page 98, the
24 justification, they talk about the conservation concern
25 and they talk about the lack of information regarding the
26 biology of moose in this area. Well, you have heard
27 throughout this meeting Fish and Game and Federal Staff
28 have forwarded concerns of a biological nature in this
29 area. If someone is suggesting there are restrictions
30 that need to take place, I think that management needs to
31 be able to have the tools to make those restrictions
32 work. You obviously have already contemplated
33 conservation concern measures and put some measures in
34 place for conservation concern by reducing harvest quotas
35 and things of that nature. You need to have the tools.
36 One of those tools is C&T. Being able to eliminate
37 users.

38

39 There's one peculiar aspect of this
40 proposal in the Staff analysis that just kind of blows my
41 mind and that is that, you know, moose are becoming a
42 concern. The State and Feds are making recommendations
43 as to what needs to be done. Primarily what they're
44 suggesting is restrictions. This proposal asks this
45 Council to act upon a restriction. What I find peculiar
46 is that only in this case, and they've made this
47 exception only in this case, they said when the community
48 of Koyuk and Shaktoolik ask for this restriction, that
49 this restriction won't work. That's very, very peculiar.
50 But they will say that all other restrictions work. I

1 think that's horrible. It just gets to the heart of the
2 subsistence issue. The Federal government and the State
3 government are throttling us. I don't think we should be
4 throttled.

5
6 You know, the proposal wasn't worded
7 perfectly and you certainly have the opportunity to word
8 it correctly according to concerns that you've already
9 heard from Elim and Unalakleet. With that, thank you.

10
11 MR. KOBUK: Madame Chair. I'd just like
12 to let the Board know and the people that are here that
13 Thomas Gray is now in his chair.

14
15 CHAIRWOMAN CROSS: Any questions or
16 comments for Austin.

17
18 MR. SAVETILIK: Madame Chair. When this
19 proposal came up, there was some concern for our
20 subsistence use hunters and with the proposal that's
21 before us, I fully support it. Like Austin was saying,
22 it needs maybe a little rewording or some additions to
23 that proposal. It seemed like you try and fight for your
24 rights and there is always something that comes in the
25 way with issues, especially with proposals that are
26 coming up and we need to really look at what needs to be
27 said and working together in unity would be good and not
28 say it's not going to work. It's something we have to
29 look at.

30
31 MS. H. ARMSTRONG: Madame Chair. If I
32 may, I'd like to ask Myron a question. Because the moose
33 harvest reports aren't very accurate from Shaktoolik, I
34 couldn't find in the harvest reports that Shaktoolik had
35 taken moose up in that area, so I was wondering if you
36 have some sense of what percentage the moose harvest
37 might be in 22B east. We were talking in the Nome area
38 25 percent is not enough to include Nome, so I wondered
39 if with Shaktoolik you get more than 25 percent of your
40 moose in that area.

41
42 MR. SAVETILIK: Easy.

43
44 MS. H. ARMSTRONG: Okay. Do you have
45 some sense of how many a year you might take? I'd like
46 to include that information in the analysis and it
47 doesn't have to be accurate. Just a rough estimate that
48 might be taken up there.

49
50 MR. SAVETILIK: I can't roughly estimate

1 right now. I'm just trying to think what would the
2 percentage be.

3

4 MS. H. ARMSTRONG: Was it accurate on
5 Page 96, because it came from 1982, which is a long time
6 ago. I mean not that long ago, but it said on that top
7 paragraph that Shaktoolik people take moose in the
8 Ungalik, Koyuk, Kwik and Tubutulik Rivers. Is that
9 accurate or are there other areas they also go?

10

11 MR. SAVETILIK: Pretty much.

12

13 MS. H. ARMSTRONG: Okay. Thank you.

14

15 MR. GRAY: Madame Chair. I need to get
16 my two cents in because I'm a guide and I represent the
17 guides here. As I stated at the last meeting, this thing
18 went forward without looking at the resource. We don't
19 know what the resource is out there. I think the guides,
20 especially the local guides, are going to work with you
21 and be reasonable with you on subsistence issues. It's
22 to my benefit to manage the resource because eventually
23 I'll be shooting moose and shooting bears and whatever.
24 It's these guides that are coming in from outside that
25 are head-hunting. They come to rape the land. It's
26 ironic, but it's a true fact.

27

28 Again, I can't emphasize enough if we're
29 going to change regulations and make new regulations that
30 will affect subsistence, affect guides, affect regular
31 hunters. We need to change those regulations on good
32 information. If it's doing a moose census or a bear
33 census or whatever it may be, we've got to somehow come
34 up with that information to make these changes.

35

36 I feel that the guides haven't really
37 hammered the moose like people are talking about. I
38 think there's a fear that they're going to, but it isn't
39 the local guides that are hammering them. So keep that
40 in mind when you're talking decisions here. I think it's
41 really important as BLM and the State set up their
42 permits, their guide use area permits, and recreation
43 permits that they take this into consideration when they
44 issue them. There's only so much resource out there and
45 everybody has to have a fair shake.

46

47 For example, if we said there's only 200
48 moose going to come off the Seward Peninsula and there's
49 no room for guides, you know, us guides aren't going to
50 squawk about it. I mean we may have bad feelings, but if

1 it's going to be subsistence first and then hunting
2 later, we're not going to make that big of an issue about
3 it. It's nice to be able to manage that resource so
4 everybody's got a piece of the action. I'm just as much
5 a subsistence user as the rest of you guys and I
6 understand where this is all coming from, but when we're
7 managing a resource, there's a lot more players.

8

9 Like I say, I'm wearing two hats here.
10 I'm representing the guides, but I'm also a subsistence
11 user. Like my brother told me one time, you're a white
12 man and I've never thought of myself that way. I always
13 was an Eskimo and to this day I hunt like an Eskimo. I
14 guess I can't say enough that when we're changing
15 regulations, we need to have good information to make
16 that change.

17

18 CHAIRWOMAN CROSS: Any questions for
19 Austin or comments. Thank you, Austin. Now we're down
20 to number 8, Regional Council deliberation,
21 recommendation and justification. I just feel really
22 uncomfortable about this proposal because for one it
23 feels like Elim is kind of left out and then there was a
24 concern about some of the hunters from Unalakleet will be
25 eliminated. I know there's concerns. There's reasons
26 why this proposal came along. One would be because there
27 were special recreation permits issued in a time when the
28 region's moose population has been going down for a
29 number of years and these didn't make any sense.

30

31 It seems to me that maybe more outreach
32 or maybe get better moose numbers instead of just simply
33 killing this proposal. It might be wiser to defer it as
34 recommended by the Federal Staff. Perhaps at that time
35 more things could be looked into to get better comments.
36 Charles gave us some comments and maybe those communities
37 that hunt around that area could come up with some ideas.
38 If there's a concern for moose population having gone
39 down, perhaps with the help of Kawerak maybe they could
40 come up with some ideas on how to address that and amend
41 the motion at some point in time when we re-address it.
42 I don't know.

43

44 I just simply feel real uncomfortable
45 because there's inadequate numbers. A count is still
46 forthcoming. We don't know that, but we would be able to
47 know but only after the moose season opens, which means
48 that things would remain status quo. I just would feel
49 very uncomfortable making a decision either way, but
50 that's just me and I want to know what the rest of the

1 Council would feel about deferring it or just killing it
2 all together and having a new proposal come in or
3 supporting it.

4
5 I think one of the things that need to
6 happen is for the communities to communicate with each
7 other on it. Meaning that perhaps Elim can be talking
8 with Shaktoolik and Koyuk and Unalakleet and start trying
9 to figure out, well, we have this concern and once you
10 know the numbers, how we're going to address it. With
11 the help of the Staff and perhaps the State come up with
12 something that might be workable. I don't know, but
13 those are my feelings. I don't know how the rest of the
14 Council feels, but I'd like to hear from people and I
15 really would appreciate input.

16
17 MR. GRISHKOWSKY: Madame Chair. Again,
18 from Unalakleet here. I don't think we're a threat to
19 the moose population on the Pikmiktalik River there.
20 It's only a few people that go up there, but I hate to
21 see us being restricted from it. Once you lose something
22 it's hard to get it back and I would hate to see that
23 happen, so I would be against this proposal as it is.

24
25 CHAIRWOMAN CROSS: Another thing that
26 happened last time we had something similar to this
27 region was the game guides that were being affected were
28 involved at the RAC meeting and they were able to work
29 with the hunters in their own way. Obviously people
30 weren't unhappy because we've never heard any complaints
31 for how many years, four years or maybe longer. We
32 haven't heard from them either, so maybe people just
33 don't realize what the impact is. I don't know. I'm not
34 saying anything further. Anybody else.

35
36 MR. KOBUK: It's just the way I feel and
37 it's my own opinion that I would defer this proposal
38 because of lack of numbers. Those that are going to be
39 impacted by it in the villages are the ones that should
40 be making the decisions.

41
42 CHAIRWOMAN CROSS: I think at this time
43 I'm very hot. We're kind of pounding on this. Let's
44 take a 10-minute break before we come back and decide
45 what we're going to do.

46
47 (Off record)

48
49 (On record)

50

1 CHAIRWOMAN CROSS: I'll call the meeting
2 back to order. It is now 3:10. We're down to Regional
3 Council deliberation, recommendation and justification.
4 Any more comments from the Council, recommendations.

5
6 MR. KOBUK: I'd like to make a proposal
7 that we defer. I'd like to defer this proposal until we
8 get an accurate moose count on those villages that will
9 be impacted by our decisions.

10
11 CHAIRWOMAN CROSS: There's a motion on
12 the floor. Is somebody seconding it?

13
14 MR. SAVETILIK: Second.

15
16 MR. KOBUK: Question.

17
18 CHAIRWOMAN CROSS: The motion was to
19 defer this proposal. All those in favor signify by
20 stating aye.

21
22 IN UNISON: Aye.

23
24 CHAIRWOMAN CROSS: All those opposed same
25 sign.

26
27 (No opposing votes)

28
29 CHAIRWOMAN CROSS: Motion carries. Now
30 we're on number 10, Fisheries Information Services
31 Program. Amy Craver.

32
33 MS. CRAVER: Madame Chair and the
34 Council. For the record, my name is Amy Craver and I'm
35 the new anthropologist with Office of Subsistence
36 Management's Fisheries Information Service. While I'm
37 talking, Barb is handing out a status report that I'll be
38 referring to throughout my talk.

39
40 Today I'll be providing the Council with
41 an overview on the monitoring projects of the Fisheries
42 Information Services Program. A summary list of these
43 projects are for the Council's information and do not
44 require any Council action. Additionally, I would like
45 to ask the Council to identify and update any new issues
46 and information needs from your area. I also plan to
47 discuss Fisheries Information Services statewide
48 strategic planning efforts that have already occurred in
49 Southcentral Alaska and in the Bristol Bay region.

50

1 Finally, I'm not sure if we're going to
2 get to it today or tomorrow, but after my talk with Jim
3 Magdanz and Sandy Tahbone of Kawerak are going to be
4 giving a presentation on a project that FIS is funding on
5 the customary trade in the Seward Peninsula and I think
6 you'll find it very enjoyable.

7
8 Council Members should refer to the
9 handout, which is a status report for the 2004 fisheries
10 resource monitoring plan for the northern region. The
11 report provides you with an update on the status and
12 accomplishments of projects funded under the Fisheries
13 Resource Monitoring Program for the North Slope,
14 Northwest Alaska and Seward Peninsula. Unlike the
15 regulatory side of OSM, the monitoring program is focused
16 on funding and overseeing multidisciplinary projects that
17 blend together biological and social science with
18 traditional ecological knowledge to manage and conserve
19 fisheries resources.

20
21 The monitoring program is now entering
22 its sixth year of funding fisheries projects. The
23 program started with a total of \$6 million in 2000, which
24 included funds to operate some studies for three years.
25 From 2001 to 2005, the statewide program has funded 70 to
26 80 projects annually, at a cost of \$7.2 million a year.
27 In funding year 2004, most prior year funding commitments
28 had ended and approximately \$5 million was available for
29 new projects. For 2005, available funding statewide for
30 new projects was only about \$1.9 million and that's the
31 cycle we're on right now because funding commitments that
32 were made in 2004.

33
34 The Federal Subsistence Board approved
35 funding for 24 projects for all the regions in 2005.
36 During most years the northern region receives about 13.2
37 percent or \$811,000 of available funds that are allocated
38 to the Arctic, Kotzebue, Norton Sound region.

39
40 The status report includes a list of
41 summaries of the projects completed, ongoing projects
42 that were started during the past years and will continue
43 in 2005, as well as a list of new projects that the
44 Federal Board approved for funding in January 2005.

45
46 So, for example, if you turn to Page 2 in
47 the Northern Region status report, you'll find a listing
48 of 31 studies that are either complete or close to
49 completion since 2000. The next list found on Page 3
50 includes the 11 projects that are currently active. The

1 final list on Page 4 are project updates on the status of
2 eight studies that were begun in 2001, 2003 and 2004 that
3 are not yet completed.

4
5 Since your time is short, I will just
6 give you a few highlights from the report. Since its
7 inception in 2000, the fisheries resource monitoring
8 program has funded a total of 30 studies in the northern
9 region, including eight interregional studies that
10 involve this region. Please see your status report for
11 summaries of the various projects occurring in your
12 region so that rather than me giving you a summary, I
13 just figured you can take a look at that and if you have
14 questions, I can try to hopefully answer them or maybe
15 get back with you on answering questions about individual
16 projects.

17
18 One of the foundations of our program is
19 capacity building. Capacity building efforts include
20 rural and tribal organizations serving as principal or
21 co-investigators. The program is supporting the hiring
22 and training of local residents as research assistants,
23 technicians and provides information through
24 consultations, meetings and written reports. Of the 31
25 studies, 10 in the northern region, 10 have tribal or
26 rural organizations as co-investigators, including the
27 following: Alaska Intertribal Council, Kaktovik Inupiat
28 Corporation, Kawerak, Stebbins Village Association,
29 Manilaaq, City of Anaktuvuk Pass and North Slope Borough.

30
31 The Fisheries Resource Monitoring Program
32 plays an important role in providing data for fisheries
33 management in the northern regions. Although this
34 program is focused on supporting the collection of
35 technically sound fisheries data, supporting the
36 fisheries subsistence management, we do recognize that
37 fish don't always recognize our jurisdictions and
38 boundaries and, therefore we must look at the whole
39 ecosystem and support the data collection for fisheries
40 management in the northern region working with other
41 agencies.

42
43 I'd like to just refer you to the last
44 page of the report, which are the issues and information
45 needs from this region that have been identified by the
46 three Councils. What I'm going to do is just highlight
47 the few issues and information needs that have come from
48 your Council. At this time, it would be great if you've
49 got additional information needs that you would like to
50 see included in the call for proposals or if you think of

1 these things later, feel free to contact me or Barb or
2 whatever because we're really trying to -- when we have
3 these calls for proposals, we want to really be able to
4 respond to what the local issues and needs are.

5
6 So, for this region, what you've
7 identified thus far in the topic stock status and trends
8 salmon in the Unalakleet River and Píkmíktalik River, the
9 effects of sport fishing in Norton Sound and commercial
10 salmon activities, beaver dams in the Píkmíktalik River
11 and the effects they've had on the subsistence fishery
12 resources. And then in terms of harvesting monitoring
13 projects, evaluation of subsistence harvest survey and
14 project design. Then in terms of the traditional
15 ecological knowledge projects, documentation of
16 traditional fishing and resource information,
17 documentation of subsistence use and practices, and
18 determination of customary and traditional uses.

19
20 So those are the information needs that
21 we've documented that you've given to us, so I don't know
22 if there's additional informational needs that you'd like
23 to see in the next call for proposals.

24
25 I spoke with Grace before the meeting and
26 she -- of course, I wasn't here at the last meeting, and
27 one of the issues that was raised was what exactly is
28 Fisheries Information Services's strategic planning
29 efforts and how do we propose to work with other agencies
30 to sort of come up with a unified plan that's coordinated
31 so that it makes it easier for the Council and various
32 entities to work together to identify what are the high
33 priority issues.

34
35 While we haven't done this effort yet in
36 the northern region, what I was going to do is just tell
37 you a little bit about how we've done this in
38 Southcentral Alaska and then in the Bristol Bay region.
39 I've participated in the Bristol Bay strategic planning
40 meeting, both of them, and I think they were highly
41 successful.

42
43 They begin with FIS staff identifying
44 sort of all the projects that have been done in the
45 region, consulting with Regional Advisory Council, Fish
46 and Game and various entities that have conducted
47 subsistence fisheries related research in that region.
48 So we come up with a spreadsheet of projects that we know
49 of that have been done in that region and who's funded
50 them, how much money has gone towards them and what are

1 the actual topics that the research projects were looking
2 at. Then we bring that to the strategic planning meeting,
3 which is made up of local people, elders, RAC members and
4 Agency people, biologists, social scientists.

5
6 We try to get a really broad group of
7 maybe 20 people and those people go through the projects
8 that we know about and then, of course, everybody knows
9 so much more than we could possibly come up with, so then
10 the list gets larger. Then we develop a gap analysis and
11 we, with the group, determine where the research is
12 pretty heavy and then where there's other areas of
13 research that have not really been done in particular
14 regions. So it's sort of a group effort.

15
16 In the next two years we're planning on
17 working with the rest of the regions and I don't know for
18 sure when the northern region is going to be scheduled
19 for their strategic planning meeting. I think it's still
20 up in the air whether or not they're going to break it
21 out in terms of Norton Sound having one area, one
22 strategic planning meeting and Northwest Arctic and North
23 Slope or if it's going to be a combined effort. That
24 might be something you would want to talk with FIS staff
25 in terms of how you think it would work best for your
26 particular area in Norton Sound.

27
28 So that pretty much concludes what I have
29 to say and I'd really like to hear if there's feedback
30 from the Council in terms of additional information needs
31 and if there's any way that our FIS can better serve you
32 in identifying good research topics.

33
34 In conclusion, I wanted to share with the
35 Council -- I've got two more of these white fish reports
36 and I don't know if any of you are familiar with this
37 study that was done. This was Susan Georgette and Enoch
38 Schiedt, one of the RAC members up in Northwest Arctic
39 and he works for Manilaaq and he is with their
40 subsistence division. This is an absolutely outstanding
41 report and project. There's lots of pictures. They
42 interviewed over 56 people, elders, all over Northwest
43 Arctic and communities. They were trying to get sort of
44 a traditional ecological knowledge of white fish and
45 trying to look at different areas in Northwest Arctic.
46 So it's a project where you've got a researcher with
47 Division of Subsistence with Fish and Game that has a
48 long-term knowledge of the area and the people and has
49 developed a really good rapport, knows the right kind of
50 questions to ask, and along with working with Enoch and

1 local people has just come up with an outstanding project
2 and I think it's a model that we'd like to see all over
3 the state. I'll just give these to Grace and you can
4 take a look at them.

5
6 CHAIRWOMAN CROSS: Questions or comments.
7 Thank you, Amy.

8
9 MR. GRAY: I have a question. Don't run
10 away too quick here. I guess I got lost when you started
11 talking about millions of dollars in projects and stuff
12 like that. You work with different projects, there's
13 funding that you do and you fund actual projects?

14
15 MS. CRAVER: Yes. Fisheries Information
16 Service is slightly different than the other side of
17 Office of Subsistence Management, which mostly deals with
18 regulatory issues. So we're sort of the funding. We
19 oversee and fund fisheries projects, subsistence
20 fisheries projects, and there's a pot of money that we
21 have and we divide that out statewide. We sort of have
22 target amounts of money for each state depending on what
23 the fisheries issues are. So there's a certain amount of
24 money that's targeted. It's not like set in stone or
25 anything for the northern region. So then we put out a
26 call for proposals. The end of January we just got a
27 bunch of proposals and now we're in the process of
28 reviewing them.

29
30 This year is sort of a low funding year
31 because we have a lot of projects from years before that
32 we need to continue funding. So it's not a whole lot for
33 this area. But we're in the process of reviewing those
34 proposals.

35
36 MR. GRAY: And you have some projects
37 here in Norton Sound that are funded already?

38
39 MS. CRAVER: Absolutely, yeah. For
40 example, Sandy Tahbone and Jim Magdanz are working on a
41 customary trade project right now. That project I'm much
42 more familiar with because I oversee the harvest
43 monitoring of TEK projects since I'm an anthropologist.
44 I don't know so much about the biological projects, stock
45 status and trends, but I know that there was one funded
46 last year or that's getting funded right now in
47 Pilmiktalik about coho abundance and spawning patterns.
48 There's probably people in this room, I'm sure, that know
49 a lot more about that project than I do that could speak
50 to that project that's funded.

1 MR. GRAY: Charlie, have you worked with
2 these guys at all and are we in the picture here? I see
3 money here and I hate to let it loose.

4
5 MR. LEAN: By all means, yes. He was
6 sitting there until recently and just snuck out, I guess,
7 runs the Pikmiktalik project. The research does need to
8 occur on Federal waters, so one of the problems is that
9 there's very little opportunity. So Jim's project
10 addresses both Federal and State areas with Kawerak
11 there, but if you're doing fisheries research, then
12 Unalakleet River or those streams just immediately south
13 of Stebbins are the best chances for getting money within
14 Norton Sound. Actually, Steve Fried, who was here the
15 last meeting, and I went out and helped pick the site of
16 the Pikmiktalik.

17
18 MR. GRAY: So there must be a pecking
19 order or something for funding. I'm thinking about my
20 fisheries. The cohos, chums, our numbers have just
21 tumbled over the last 20 years. There is no real
22 enhancement going on. You know, we need to get the door
23 open for somebody to do something and I realize there's
24 people working on this, but if there's any chance of
25 getting funding through this organization -- you know,
26 subsistence is subsistence. My people use that resource
27 just like Unalakleet people use it or whatever. So it's
28 hard for me to say, well, we're not going to do it
29 because you don't have the right kind of land available.
30 We do have some BLM lands available. Anyway, I don't
31 want to dwell on this. I think we need to pursue it a
32 little bit more.

33
34 CHAIRWOMAN CROSS: The last time we had
35 our meeting we had asked that an outline be prepared from
36 OSM identifying what projects were going on in our
37 region, who was funding it, that addresses our fisheries
38 problems. I kind of thought this was going to be
39 presented this year, but apparently it didn't occur.
40 They're in the process of working it. But I think the
41 sooner we get just specifically for our region what
42 projects are out there, who's funding them and what
43 problem are they addressing, I think that once we get
44 some identification as to where monies are coming from
45 we'll have less confusion. I think it would be nice to
46 know what projects are going on that we might say we
47 would like to see somebody write a proposal to enhance
48 this project that's going on. So I would request perhaps
49 before our next meeting something at least to the RAC
50 members so we have a better idea. Charlie.

1 MR. LEAN: One of the problems with this
2 system is the investigator -- it's a bid process.
3 Somebody dreams up a project and then they propose it and
4 usually you propose it to one funding agency or another
5 because it's less complicated. In the case of a site
6 like the Fish River system, there might be an opportunity
7 here to combine different funding sources. Like if a
8 research agency decides to do a project there, they might
9 go look at the Norton Sound salmon disaster funds that
10 are NOAA based and maybe go for a smaller bite out of the
11 FIS money and that might be a way to have a better chance
12 of getting funding from FIS. The location of the project
13 is important to FIS, but if you can say you're addressing
14 a broader problem that's Norton Sound wide as opposed to
15 some site that's not FIS locations, you'd still have a
16 chance.

17
18 MR. GRAY: And just look at our users. I
19 mean we have Nome, we have Golovin, we've got White
20 Mountain, people I bring in from the states. There's a
21 broad user base. Realistically, my clients coming from
22 the east coast have just as much right to fish on BLM
23 land as subsistence users because they pay taxes, et
24 cetera, so they should be a factor in this, too. Anyway,
25 I don't want to dwell on this. I just wanted to
26 interject we need something. I looked at this and I
27 don't see my fishery being addressed in here as a concern
28 even, needs identified. Everywhere I get a chance I rock
29 the boat trying to make sure people realize we need
30 something happening in our area. Partnering, that makes
31 all agencies look great in the end when it work. Okay.
32 I'll get off the soapbox.

33
34 CHAIRWOMAN CROSS: I guess as a final
35 thing it's very important for this RAC to see some
36 identification of projects that are ongoing in our
37 region. If we see it on paper, we may have some more
38 questions, we may have some more ideas, so we'd really
39 appreciate some sort of report.

40
41 MS. CRAVER: Grace, I can guarantee you
42 that by the next meeting -- I'll be working with Rich
43 Canon and we can certainly come up with a preliminary
44 what we're calling a gap analysis of where the research
45 has been done in this area, who's been conducting it,
46 what they've actually addressed and we can take a first
47 stab at our take on it and then give it to you and then
48 keep reworking it. I don't know what the schedule is for
49 these full-blown strategic planning workshops are right
50 now because we haven't set them yet, but we can certainly

1 get this started and I can get you something soon, maybe
2 the next couple months, and then there's something for
3 you to work off of for the next RAC meeting. I'm sorry I
4 didn't get the information that you were requesting and I
5 apologize.

6
7 CHAIRWOMAN CROSS: That's okay. Thank
8 you very much. Are there any further questions for
9 Charlie or Amy. Thank you both. Are you ready with
10 Sandy or what do you want to do?

11
12 MR. MAGDANZ: Madame Chair. I just
13 called my partner in this customary trade project. Sandy
14 Tahbone is also in charge of the potluck tonight and I
15 just called her to see if she could break away and she
16 was at the grocery store five minutes ago. I guess what
17 I'd like to do is be available the rest of the day to the
18 Council and if Sandy can get here this afternoon we can
19 do our presentation in midstream or at the end of the
20 day. If you wind up meeting tomorrow, then Sandy will be
21 available tomorrow. I'd sure like Sandy to be here if you
22 can give us some flexibility on when she presents. I'll
23 do it myself at the end of the day today if Sandy can't
24 make it.

25
26 CHAIRWOMAN CROSS: Let's stick with the
27 end of the day then if not tomorrow morning.

28
29 MR. MAGDANZ: That's perfect. Thank you,
30 Madame Chair.

31
32 CHAIRWOMAN CROSS: Thank you. Number 11
33 is call for proposals to change Federal fisheries
34 regulations. I don't see somebody waving a proposal. I
35 guess that's pretty much ongoing for a while anyway,
36 right? I don't see anybody waving one. What's the
37 deadline?

38
39 MS. B. ARMSTRONG: March 25th.

40
41 CHAIRWOMAN CROSS: Okay. March 25th is
42 the deadline. If all of you would go back and see if
43 there's any fisheries proposals. March 25th is the
44 deadline. We don't have any right now. Maybe it goes to
45 show you how much fish we got.

46
47 We'll move on to Agency reports. OSM.
48 It looks like Council topics for May 2005 Board meeting.
49 Barb Armstrong.

50

1 MS. B. ARMSTRONG: This is short. If you
2 have any topics for your Chair to bring before the
3 Federal Board, let me know before May. That's when
4 they'll be happening, is second week of May. I'll put
5 the notice out for you guys to know.

6
7 Thank you.

8
9 CHAIRWOMAN CROSS: A-2, rural
10 determination. Helen Armstrong.

11
12 MS. H. ARMSTRONG: Thank you, Madame
13 Chair. On Page 101 in your books there's a news release.
14 It's the Federal Subsistence Board begins review of
15 rural/nonrural status of Alaska communities. There also
16 were some talking points that were passed out so that the
17 Council could have them in front of them as I go through
18 this.

19
20 Some of you probably are aware we've been
21 talking about rural for a while. The Federal Subsistence
22 Board has initiated their 10-year review of rural
23 communities. ANILCA requires that rural Alaskans be
24 given a priority for subsistence uses of fish and
25 wildlife on Federal public lands. The FSB has to
26 determine which communities are rural in order to give
27 them that priority. In 1990, when we began the program,
28 we made that initial determination and some of it was
29 taken initially from the State and then the Board made
30 their own determinations of which communities are rural
31 and which are not rural.

32
33 This doesn't really affect this region
34 much and probably won't for a few decades, depending on
35 how big Nome gets, but right now none of the communities
36 in this region are considered nonrural, so this isn't
37 something you really have to worry too much about. But
38 this is more information about what's going to be
39 happening, what's coming up.

40
41 What we're doing is we have to look at
42 the 2000 census every 10 years and see if there's been
43 some significant population changes or changes in the
44 character of the community. People have asked why are we
45 doing it now in 2005. Some of that was because we were
46 determining what method to use, but we've also discovered
47 that some of the census data we need is not yet
48 available. Even though they've put population data out
49 right away after the census is done, there's sort of
50 fine-tunings of the census and other data that comes out

1 later that's not available and we're hoping it's going to
2 be here soon.

3

4 The news release describes the approach
5 that will be used in reviewing the status of the
6 communities and a schedule and how to obtain more
7 information. Initially, when we did the earlier rural
8 determinations, we looked at ways in which we could
9 aggregate communities and this was particularly relevant
10 down in the Kenai Peninsula. So we look at Kenai,
11 Soldotna, surrounding communities, Seward, Moose Pass,
12 how those communities are grouped.

13

14 In 1990 they had three criteria they
15 used. Number 1 was do 15 percent or more of the working
16 people commute from one community to another. The second
17 one was do they share a common school district. The
18 third one was are daily or semi-daily shopping trips
19 made. When we looked at those, we found that those
20 weren't all really good criteria for establishing how to
21 group communities. The census doesn't provide
22 information on the 15 percent or more people of the
23 working people commuting from one community to another.
24 They base it on 30 percent. So we've changed that
25 criteria. School district really wasn't a good way to
26 look at it. It's more whether they share a common high
27 school because, for example, the Kenai Peninsula School
28 District encompasses the whole Kenai Peninsula, including
29 all of the Homer area, and those people actually don't
30 commute to Kenai. So it wasn't a good way to group them.
31 Then we have no data on daily or semi-daily shopping
32 trips.

33

34 As a result, we now changed the criteria.
35 We look at 30 percent or more of the working people
36 commuting from one community to another, whether they
37 share a common high school and then are the communities
38 or places in proximity and road accessible to one
39 another.

40

41 What we'll be doing, and you'll be
42 hearing more about this, at each Council meeting is that
43 right now we're looking at population growth, which
44 communities have significantly grown, have they gone from
45 more than 2,500, the standard that was established in
46 ANILCA. If it's less than 2,500 people, you're
47 definitely rural. More than 7,000 people, you're
48 probably more than likely to be nonrural, although that's
49 not totally true because Sitka and Kodiak have more than
50 7,000 and they're considered rural. Between 2,500 and

1 7,000 it depends on community characteristics.

2

3

4 So we're looking at where significant
5 population changes have occurred and whether or not we
6 need to be examining those communities further. So we
7 won't be looking at every single community in the state.
8 We'll only be looking at those communities where there's
9 been some change.

9

10

11 More than likely we won't be looking at
12 any -- well, we wouldn't look at any small communities
13 here, but Nome has had some population growth but not had
14 significant community characteristics. So unless
15 somebody in the public comes out and says we want you to
16 look at Nome, we probably won't do an analysis of Nome.

16

17

18 What we're doing right now is creating
19 this list of those communities that we're going to be
20 looking at and we'll do a report and then in the fall
21 when we come back we'll give those to you. You can
22 comment on them. We'll go back and do some more
23 analysis. Each step of the way we'll be asking for
24 Council input and public input before we come out with
25 the final recommendation from the Federal Subsistence
26 Board.

26

27

28 At this point, you don't need to make any
29 kind of recommendation. If you want to make a comment on
30 something, you may. If there's some community in the
31 state you think we should be looking at, you can
32 certainly bring that up here, but you don't have to make
33 any recommendations right now. Thank you, Madame Chair.

34

35

CHAIRWOMAN CROSS: Thank you, Helen.

36

37

(No comments)

38

39

40 CHAIRWOMAN CROSS: So we'll move on to
41 number 3, subsistence use amounts protocol. Is it Dan
42 LaPlant that's doing it?

42

43

44 MR. LaPLANT: Yes, Madame Chair. There's
45 some information in your book on Page 103 about the
46 subsistence use amounts protocol just updating the
47 Council on the progress. There's a copy of a letter in
48 there jointly signed by former Commissioner Duffy and Tom
49 Boyd giving direction to the Committee of Federal and
50 State Staff that are working on that protocol.
51 Basically, the information we have written in this

1 briefing is informing you that we're still working on the
2 protocol and looking at the amounts necessary for
3 subsistence procedures and the amounts they've determined
4 under State regulation as to how they will be considered
5 under Federal regulations. That's here for your reading
6 and if you have any questions, I'll try to answer them,
7 but I don't have any more of a formal briefing than that.

8

9 Thank you.

10

11 CHAIRWOMAN CROSS: Questions or comments
12 on this one.

13

14 (No comments)

15

16 CHAIRWOMAN CROSS: Hearing none. Marine
17 waters jurisdiction. Dan LaPlant again.

18

19 MR. LaPLANT: Madame Chair. Again, for
20 the record, my name is Dan LaPlant. I've got a short
21 briefing here for you on the proposed rule for marine
22 water jurisdiction. There is a proposed rule out right
23 now for revising and clarifying jurisdiction on coastal
24 waters. It was posted in the Federal Register on
25 December 8th of last year. The rule would amend Federal
26 subsistence management regulations to clarify the
27 jurisdiction for the Federal program applies to inland
28 waters and pre-statehood withdrawal waters. I've got
29 some maps that I'll pull out and show you in a minute.
30 The regulations would be revised to not any longer
31 include some of the marine waters that are now under
32 Federal Subsistence Management Program.

33

34 The areas that would be changed as a
35 result of this proposed rule are in Southwest Alaska, the
36 Y-K Delta region. So it doesn't really apply to this
37 region at all, but we want to make sure you're aware of
38 this potential change and aware of the opportunity to
39 comment on it.

40

41 In the Katie John decision, the Ninth
42 Circuit Court of Appeals concluded that the Federal
43 Subsistence Program must be crafted to reach waters of
44 the United States with an interest by virtue of the
45 reserved water rights doctrine. So what the Federal
46 Program did was publish regulations in 1999 to extend
47 subsistence management jurisdiction to all navigable and
48 non-navigable waters within the exterior boundaries of
49 Federal reservations in Alaska.

50

1 So, as a result, what we ended up with
2 Federal Subsistence Management regulations that covered
3 hundreds of thousands of acres of saltwater (marine)
4 embayments within Refuge boundaries and that was never
5 really the intent of the Federal Subsistence Program.
6 The Board didn't intend these regulations to be in place
7 and it was a misinterpretation or they're now viewing it
8 as a misinterpretation of the Ninth Circuit Court's
9 guidance.

10
11 So the proposed amendment would remove
12 these saltwater embayments and clearly define the
13 demarcation between the marine waters and the inland
14 waters of the Federal Subsistence Program. The proposed
15 amendment would also specifically identify those
16 pre-statehood withdrawals of submerged lands underlying
17 marine waters that belong to the Federal government where
18 the program would continue to apply.

19
20 The Federal Subsistence Board is now
21 taking comments from Regional Councils during these
22 winter meetings and the comment period has been extended
23 to the first of April. We're welcoming comments from
24 Councils. The final rule will be published by the
25 Secretaries of Interior and Agriculture after they've
26 considered public and Regional Council comments. Again,
27 the comment period is open until the first of April.

28
29 The first map is the areas in red and
30 there's a few areas around Nunivak Island and a few areas
31 designated on Kodiak, Afognak Island and a few of the
32 other areas. These are Federal withdrawal pre-statehood
33 withdrawal, so these marine waters would not be removed
34 from the Federal Program. So we want to get that
35 clarified first. The regulation would continue to
36 maintain Federal subsistence regulations in those marine
37 waters. Those are pre-statehood withdrawals.

38
39 The next map shows the Alaska Peninsula
40 area, some of the Federal Refuge lands and those marine
41 embayments and they're all identified on this map.
42 They're named. These are the ones that are currently
43 under the Federal Subsistence Program but would be
44 removed as a result of this proposed rule. So these are
45 marine waters that are not Federal withdrawals. They are
46 within the boundaries of the refuge, but the initial
47 subsistence fishing regulations included them because
48 they were navigable waters within the refuge, but because
49 they're marine waters, the Board has concluded that that
50 wasn't really the intent of the program and they will be

1 removed. So the proposed rule removes those specific
2 embayments.

3
4 Then the next map, again the same thing,
5 more embayments identified on the map that would be
6 removed as a result of this proposed rule. Again,
7 comments are welcome until the first of April and that's
8 what this marine jurisdiction proposed rule is all about.
9 Madame Chair.

10
11 CHAIRWOMAN CROSS: Comments or questions.

12
13 MR. KOBUK: Madame Chair, I have a
14 question. I notice Yukon Wildlife Refuge is pretty
15 close to St. Michael and Stebbins. Does that rule apply
16 to both villages in the area surrounding the Yukon
17 Wildlife Refuge?

18
19 MR. LaPLANT: In that area the refuge
20 boundary doesn't cross any marine waters, so the existing
21 rules don't include those marine waters in the program.

22
23 MR. KOBUK: So those are still under the
24 State's jurisdiction then.

25
26 MR. LaPLANT: Those are still under the
27 State's jurisdiction. The closest waters to you that
28 would be affected by this change would be Hooper Bay and
29 one I can't read from here. Those are the closest ones
30 to Stebbins and St. Michael that would be affected by
31 this rule. Those would be going from currently under
32 Federal jurisdiction to not part of the Federal program
33 any longer.

34
35 MR. GRAY: In the Norton Sound area, do
36 you have areas that are Federal jurisdiction?

37
38 MR. LaPLANT: No, there are no marine
39 waters within Federal conservation unit boundaries that
40 are currently in the program.

41
42 MR. GRAY: I don't understand. You guys
43 manage the resource for subsistence only in those bays
44 there? What right are you giving us?

45
46 MR. LaPLANT: Currently, under the
47 current regulations, the Federal subsistence regulations
48 apply -- the harvest and methods and means seasons apply
49 to those bays. By making this change, the Federal
50 regulations would no longer apply to those embayments.

1 They would be totally under State management. And there
2 are very few fishery regulations that actually address
3 marine waters fisheries.

4
5 MR. GRAY: Has there been a lot of
6 support from the people in that region to do this? I
7 mean this is a big change and this really sets precedence
8 for other areas. Granted, maybe we don't have this in
9 our area, but it's setting precedence. I guess the
10 question is, is there support from the local people,
11 subsistence users down there to do this?

12
13 MR. LaPLANT: That's the purpose for the
14 proposed rule, to draw out public comment and see what
15 the local subsistence users feel about this.

16
17 MR. GRAY: Have you had any comments?

18
19 MR. LaPLANT: No. This is the first
20 Regional Council meeting. The proposal went out on
21 December 8th. I'm not aware of any formal comments that
22 have come in since then. I imagine there's going to be
23 opinions on both sides of it. As you can see, this only
24 applies to these Federal lands in Southwest Alaska. In
25 the other areas of the state, marine water issues have
26 been settled through previous decisions or previous
27 actions and the result in most cases is those marine
28 waters come under State jurisdiction. So this would be
29 consistent with the way marine waters are managed
30 throughout the other areas of the state.

31
32 CHAIRWOMAN CROSS: Any more questions or
33 comments.

34
35 (No comments)

36
37 CHAIRWOMAN CROSS: Thank you. BLM. Kyle
38 Joly and Tom Sparks.

39
40 MR. JOLY: Good afternoon, Madame Chair
41 and Council Members. I'm Kyle Joly with the Bureau of
42 Land Management. I just wanted to go over a few things.
43 The last time I was here I told you about the realignment
44 that's going on between the Anchorage Field Office and
45 the Northern Field Office, which is in Fairbanks. The
46 southern Seward Peninsula, so GMU 22 is going to be
47 transitioning to the Anchorage office during this fiscal
48 year, which ends in September. I'll be responsible for
49 managing the hunts that are ongoing right now. The moose
50 hunt ended and there's still an ongoing muskox hunt. For

1 next year, the '05-'06 hunts are going to be managed out
2 of Anchorage Field Office. Either Jeff Denton or
3 possibly new personnel will be taking over for that. For
4 now I'm the primary contact and I listed my information
5 there.

6
7 Also going on out of the Fairbanks office
8 is the Seward/Kobuk Resource Management Plan update.
9 We're currently working on that. We have a planning
10 meeting going on next week in Fairbanks. If you have any
11 comments to make on that, we'll accept comments until the
12 draft is out, which will hopefully be October 2005.
13 Comments can be directed towards Jeanie Cole.

14
15 Obviously we've talked about moose the
16 last couple hours. There's been a lot going on. We
17 didn't have anyone come in for Federal permits in the 22D
18 hunt, but that's probably because the hunt was closed
19 early. We tried to go out and conduct the moose survey
20 in 22B east a couple times this fall in November. We got
21 shut down with weather except for a couple short trips
22 out there, so we didn't get the information we were
23 hoping to get or at least as much as we were hoping to
24 get, and we were working with Fish and Game to try and
25 get a spring survey done this week. We got shut out
26 today. Hopefully Tony will be able to get out this week
27 and get some good information to help the Council make
28 some decisions.

29
30 I'm going to let Tom talk about special
31 recreation permits. The only other thing we've got going
32 on right now is we're going to be working with Fish and
33 Game on the muskox census of the Seward Peninsula and
34 Jeff Denton and I will be coming out probably on March
35 8th to work on our units, which will be in the Koyuk area
36 and we'll probably use Koyuk as a refueling area.

37
38 MR. SPARKS: Madame Chair and Council
39 Members. I'm Thomas Sparks. I'm stationed here in Nome,
40 the Nome Field Station. I used to take my direction from
41 Fairbanks and apparently I've been transferred over to
42 Anchorage now, so I'll be talking more with the Anchorage
43 folks. I'm doing all these special recreation permit
44 monitoring for all the Seward Peninsula and the NANA area
45 as well. It looks like with this transition that Kyle
46 was talking about, I'll continue doing the NANA permits
47 administratively. Some of these duties are going to be
48 shared.

49
50 The dividing line used to be Unalakleet.

1 South of Unalakleet, all the permits were done out of
2 Anchorage and, north, they were all done out of
3 Fairbanks. So we're going through a little transition
4 right now. So we'll see where that's going to shift in
5 the future.

6
7 We currently have 18 active permits in
8 Game Units 22 and 23. Out of those 18, there's six on the
9 Seward Peninsula. Those are Bob Hanon in Koyuk. Keith
10 Koontz, Death Valley. Bob Kauer in Wagon Wheel and Fish
11 River. Tom Gray in Death Valley. Mike C. Vanning off
12 the Ungalik River. Mike H. Vanning in the Koyuk and
13 Pikmiktalik Rivers. Lance Kroenberger in the Shaktoolik
14 River. Lance is a new permittee. His permit was signed
15 off on by the Anchorage Field Office in December of 2004.
16 Last year when I was reporting to this Council he was in
17 the application process.

18
19 There are some of these folks that are
20 more active than others. What we require is a post-use
21 report from the operators on Federal land that give us
22 the number of clients they took out and some limited
23 harvest information. All those are in now for 2004
24 hunting season. Bob Hanon had three clients, 15 user
25 days, harvested three grizzly bears. Keith Koontz had no
26 bears, no clients, no use basically. Bob Kauer had no
27 clients, no use. Tom Gray, four clients, 27 user days
28 and two grizzly bears. Mike C. Vanning, no clients, no
29 use. And Mike H. Vanning, six clients, 24 user days and
30 six moose.

31
32 So, in a nutshell, that's what's been
33 going on. I'll be happy to entertain any questions the
34 Board may have.

35
36 Thank you.

37
38 MR. SEETOT: Madame Chair. Those guides
39 that didn't get no clients, was there opposition from the
40 communities or the clients didn't sign up?

41
42 MR. SPARKS: They just didn't have any
43 clients. They weren't active. In some cases, they're
44 hunting in other areas of the state.

45
46 MR. GRISHKOWSKY: I have another
47 question, Tom. Vance from Unalakleet. On these
48 recreational permits, is there any way -- like how do you
49 keep from overlapping these? Like with Hanon out of
50 Koyuk and Vanning and such, what's done for that?

1 MR. SPARKS: Well, last year there was
2 quite a bit of controversy with some permits that were
3 issued out of Fairbanks. The field managers have the
4 authority on a regulation to approve or deny a permit.
5 Some of them have a lot of authority as far as how many
6 they can see in. So some of the views that they use in
7 determining would be Fish and Game has the regulatory
8 authority over the numbers, the harvestable surplus
9 numbers as far as how many can be harvested and that BLM
10 should stay away from that. So that's one train of
11 thought.

12
13 We're currently going through this land
14 use plan that you heard Kyle Joly talk about and that's
15 really what needs to be done. Unless a plan like that
16 can put it out on the table in a public way and say in
17 this area we should only have so many outfitters working,
18 so many guides working, that's one way to do it. Other
19 than that, it's the discretion of the Field Office
20 Manager to approve or deny a permit.

21
22 MR. GRISHKOWSKY: Okay. But what I'm
23 getting at is what's the distinction so there's no
24 overlapping between these guys. You just issue a permit
25 and then if they both want to operate off the same hill,
26 they can?

27
28 MR. SPARKS: That's true. The permits
29 are not exclusive. The only thing that's exclusive in
30 those permits is a site use. So you can pay a small fee
31 and get a site that just you can have. If you want to set
32 up a base camp for example. But as far as the hunt area
33 goes, no, you do not have exclusive use of that.

34
35 MR. GRISHKOWSKY: How big of an area are
36 we talking on this recreational use permit, like out of
37 the Koyuk area for the Vanning boys?

38
39 MR. SPARKS: We have some that have
40 thousands of acres.

41
42 MR. GRISHKOWSKY: Would we just keep
43 issuing permits then? I mean is there an unlimited
44 number of people that can just keep going in?

45
46 MR. SPARKS: Theoretically, yes.

47
48 MR. GRISHKOWSKY: I'm kind of wondering
49 if we shouldn't have some restriction somewhere down the
50 road where we have a distinction as to who is where and

1 what's going on.

2

3 MR. GRAY: I was in this region meeting
4 and I brought up the fact that the local guys, Vance,
5 myself, are going to get a bad rap out of this thing
6 because we have head-hunters that come in and rape the
7 resource and then they just go to another area and they
8 rape the resource. I mean we're here for the long stay.
9 I was raised in this area, spent 50 years here. I intend
10 to spend the rest of my life here. Some of these guys
11 are here today, gone tomorrow.

12

13 What he's talking about overlapping, you
14 know, it's -- I've got a guy coming to my area now that
15 I've kind of had exclusive to myself because it's hard to
16 gear up and get organized to go into an area. Now I've
17 got a guy coming in, running around without permits,
18 without the right paperwork and guiding in my area and
19 I'm making payments and doing all the right things I hope
20 and there's no sympathy given to the local people.

21

22 I think through your revamping of your
23 system you need to address what he's talking about and
24 address the local issue. Granted, somebody is going to
25 come back and say, Tom, you shouldn't be talking like
26 that representing guides on this Board, but the simple
27 fact is we need to manage the resource and how do we do
28 it.

29

30 MR. GRISHKOWSKY: I guess I brought it up
31 thinking that maybe some place down the road when we're
32 issuing these special permits we might not want to give a
33 wide open, big area, like say whatever the miles we're
34 talking here, all of 22B for instance, issue that
35 commercial use permit for some place where somebody is
36 not already doing guiding. A lot of times there's an
37 environmental impact study done on whatever is going to
38 happen, but here it's just apparently at this point a
39 wide open policy. You hand it out and hopefully it
40 manages itself, but I don't know if that's going to work
41 if we continue to put permits out. I just see things not
42 going right.

43

44 MR. SPARKS: I don't like what's
45 happening now either. The only thing I can say is that
46 if we have information in an area, you guys need to put
47 something in the record of how many guides you think an
48 area is able to support. Really, we only have a couple
49 areas that are causing some problems. We have some now
50 cropping up on the peninsula in the Koyuk region. I see

1 some down your way where you're at, Vance, and
2 particularly in the Squirrel River. In the Squirrel
3 River area we have transporters that are not permitted
4 either. So we have transporters, plus local people, plus
5 the guides that are adding extreme pressure to the
6 resource.

7
8 I would encourage you to get on the
9 record in this planning that's going on and to recommend
10 certain areas to have a limit. The other discussion that
11 we need to have with the public is then how do we
12 determine who gets them.

13
14 MR. GRISHKOWSKY: Well, if one is taken
15 already, like a special recreational permit, if you issue
16 a new one and you know someone is already operating on
17 the Unalakleet River, maybe you would offer them the
18 North River, a tributary of it. But to have a conflict
19 or two people working the same upper five miles of the
20 river, it doesn't make sense because you're both
21 competing and fighting for the same resource. If
22 somebody is in there already, I guess maybe it wouldn't
23 be good to issue a permit for that same area that that
24 outfitter is working in. It would be better to spread
25 people out. And, accordingly, if something is taken,
26 just move on to the next one.

27
28 I mean that's just a suggestion and I
29 think it would maybe help resolve some issues of conflict
30 in areas being used. These special recreational permits
31 that you issue, could it be issued for one river drainage
32 rather than 10 or how does that work?

33
34 MR. SPARKS: Yes. The Field Office
35 Manager can deny a permit, modify a permit. He has a lot
36 of discretion at his disposal.

37
38 MR. GRISHKOWSKY: And if somebody
39 contacted you and you found out somebody was already
40 operating in one specific area, that might be in
41 consideration with someone else putting in a permit for
42 that same place?

43
44 MR. SPARKS: Yes. Now those permits are
45 approved by the Field Officer Manager in Fairbanks and
46 Anchorage. That's not me in Nome. I want to make that
47 clear to you folks here.

48
49 MR. GRISHKOWSKY: I'm just trying to get
50 some information to try and make the transition smoother

1 between all of us.

2

3 MR. SPARKS: Generally, the rationale is
4 that we do not set the limits in harvest.

5

6 MR. GRISHKOWSKY: I agree. I understand
7 that. Bag limits and things are not part of your thing.
8 It's just issuing the permit.

9

10 MR. SPARKS: Right. Years ago in this
11 state we had exclusive guide use areas and ever since
12 that went away, as you are aware of perhaps, we have had
13 a system that perhaps needs some fixing.

14

15 MR. GRISHKOWSKY: Yeah, I agree.

16

17 MR. GRAY: Well, I beg to differ because
18 there are exclusive guide use areas still. Kodiak Island
19 is one of them. You have different ownership, but
20 something is working down there where it's not working up
21 here and subsistence users are starting to get hurt and
22 it's our industries that's giving it a bad name. If you
23 have names or suggestions for us to write to or deal
24 with, I would like to do that.

25

26 MR. SPARKS: That would be Jeanie Cole in
27 Fairbanks with BLM, who is in charge of the planning
28 efforts currently going on. Those areas that you were
29 mentioning, Tom, those are a competitive announcement.
30 The guides apply for the rights to hold a commercial
31 license and those licenses are limited.

32

33 MR. GRAY: I know a guy out of Sitka that
34 has nine bears every year. He is not competitive. He's
35 assigned that area and it's like a Federal fish and
36 wildlife area or something. Going through you guys'
37 process of revamping, these are kind of ideas that need
38 to be looked at and us guides sit down and say Bob Hanon,
39 you've been here longer, you should get more animals than
40 Tom Gray should and yada yada yada and hopefully we can
41 all work this issue out.

42

43 MR. SPARKS: I would encourage you to do
44 that because as it's sitting now, something needs to
45 change. So I would really recommend you do that, to go
46 and write.

47

48 MR. GRAY: All right. I nominate Vance
49 to write the letter.

50

1 CHAIRWOMAN CROSS: We had put in the
2 agenda under other business (C) BLM letter. The letter
3 we got from Henri Bisson. It begins on Page 15 and we're
4 basically talking about the same stuff that we asked
5 before that he provided. I was going to be bringing it
6 up. Maybe while we have BLM it's a good time to go over
7 that letter now.

8

9 MR. GRAY: What page?

10

11 CHAIRWOMAN CROSS: Beginning on Page 15
12 is a letter to the RAC from Henri Bisson, the State
13 Director. We had written him the letter which begins on
14 Page 13. Last meeting we had identified some issues that
15 we wanted to bring up to BLM and get some answers. His
16 answers are on 15 and 16. Some of the questions we were
17 asking seemed to have been answered. For example, there
18 seemed to be a question about permitting of guides for
19 specific units. He answered and said that is handled by
20 the State, that neither BLM and Federal Subsistence Board
21 had a role in this decision.

22

23 I think some of the things we need to be
24 sorting out in terms of those permits being issued we
25 need to find out whom do we direct some of these concerns
26 to because most of this is alluding to the State. It's
27 kind of like sweep the dirt under the carpet thing. We
28 need to have a more active role in this. It's going to
29 be a concern with our moose population being down.
30 Earlier those guides had taken six moose. Everybody else
31 seems to have gotten theirs. Here we are concerned about
32 moose and you guys got six.

33

34 We need to address these problems and
35 soon instead of alluding to one or another. We need to
36 work with both the BLM and the State. They need to hear
37 from every one of us and from communities who are
38 submitting these proposals trying to address this problem
39 because it's very real when you start restricting moose
40 hunting to subsistence hunters. In one region in the
41 fall hunt there's going to be 23 alone. I mean this
42 needs to be addressed and soon.

43

44 I was going to bring this up and see if
45 the Council wants to write a letter to Henri Bisson and
46 identify some things that we would like for them to look
47 at again, but maybe we can get some answers here. If you
48 don't find your answers in the letter or if you have any
49 more questions, I would like to recommend that we talk
50 about this letter here.

1 MR. GRAY: Madame Chair. The issue that
2 Vance has brought up and the one that I talked about, on
3 Page 17, local guides have a greater interest in
4 conservation than non-local guides and they should be
5 given preference. His response was that permitting of
6 guides to specific units is handled by the State.
7 Neither the BLM nor the Federal Board has a role in those
8 decisions.

9
10 Well, this is true to a point. BLM has a
11 say who can hunt on Federal lands. They do control who
12 goes on there and how many people on there. My biggest
13 concern in this whole scenario is these guys are going to
14 come in and rape the resource and I don't have an income
15 anymore. We need to manage this resource. I'd love to
16 see the moose come back. I just came from a show out in
17 the States and everybody wants to go moose hunting and
18 they're willing to plop down \$10,000 to go moose hunting,
19 but I can't sell them moose hunts because I don't have
20 it. As soon as they come back, you're going to have a
21 ton of guides come in and get special rec permits and,
22 boom, they're hunting Federal lands and there is no
23 resource again. So you guys do have influence on this
24 thing.

25
26 MR. SPARKS: I think what that answer is
27 trying to say is that we don't regulate the guide use
28 areas that you sign up for. That's the State of Alaska.
29 What we do control is the commercial use on Federal
30 public lands.

31
32 MR. GRAY: You control how many people
33 are going in and how hammered that resource is going to
34 get.

35
36 MR. SPARKS: On a commercial basis, yes.

37
38 MR. GRAY: What we're trying to bring out
39 here is how do we get over the hump of managing this as a
40 resource and not a free for all.

41
42 MR. SPARKS: The only way I know how is
43 to limit the number. Unless we have that in a land use
44 plan, it's going to be the discretion of the Field Office
45 Manager to deny a permit.

46
47 CHAIRWOMAN CROSS: I'll read you
48 something. The Bureau of Land Management is responsible
49 for permitting or denying guides for use of Federal lands
50 as base camps due to their commercial nature. You have

1 the authority to deny permits.

2

3 MR. SPARKS: Absolutely we do.

4

5 CHAIRWOMAN CROSS: I guess it's kind of
6 frustrating for me because you're saying we're not
7 responsible for putting additional hunting pressure in an
8 area that seems to be diminishing in game, however we can
9 issue these permits and we have issued these permits, but
10 we're still not responsible. That doesn't seem to make
11 any sense to me. Maybe I'm totally off the wall. We
12 keep referring to this land use committee or something
13 like that. Wasn't that something that was not exactly
14 going to be happening soon to address our immediate
15 needs?

16

17 MR. SPARKS: We're about a year and a
18 half into the planning process. We held some meetings in
19 some villages, both in the Bering Straits and NANA
20 region. We're working on a draft now that will go out to
21 the public and then anybody will be able to make comment
22 on that. Again, as I said before, if your objective is
23 to try to limit the number of guides in a particular
24 area, that land use plan is the way to do that.

25

26 MR. GRISHKOWSKY: Or possibly restrict
27 that usage area too, right, through the land manager.

28

29 MR. SPARKS: Correct.

30

31 MR. GRISHKOWSKY: Could be a possibility.

32

33 MR. SPARKS: Correct. And, again, it's a
34 public process.

35

36 MR. GRISHKOWSKY: And this is all new
37 because I think this is the first time that it's come up
38 that I know of. So, being new, we may have a few growing
39 pains to go through to get it straightened out, but it's
40 a good start.

41

42 CHAIRWOMAN CROSS: It is and I don't
43 think we'd have come to this until we have a shortage
44 such as we have in terms of moose. I guess we can argue
45 about this forever. Is there anything else in the letter
46 that anybody would like to ask questions about, the
47 letter from Henri Bisson.

48

49 Another question is do we need to respond
50 to it or just start working perhaps with Jeanie Cole and

1 Tom Sparks and see how we can impact future issuance of
2 permits and get connected with this land use plan and get
3 more information about it and start putting in our own
4 comments or suggestions. Even though it's going to take
5 a while, it's not going to be an immediate relief, but we
6 can still impact it. I think we have some tremendous
7 experience from the two permits that were issued last
8 year to the point we are now, that we have learned we can
9 share those experiences and perhaps the problems that are
10 foreseen we can present.

11

12 Tom, were you going to say something?

13

14 MR. GRAY: I think this Board should
15 follow a little more and respond to this letter that he
16 got back. Also, I'm going to talk with Vance. I think
17 us guides need to get a little more organized to address
18 some of these issues because we can't have Shaktoolik or
19 St. Michael -- you know, we're not here to fight with you
20 guys. We're here to manage a resource and we have a
21 livelihood that we do as a guide, but we need help too in
22 trying to protect what we have. Vance has been in this
23 game for 20, 30 years. Jerry Austin, 30 years. I'm the
24 new kid on the block, but it's still my life. I think we
25 need to keep tracking this thing because if we don't it's
26 going to fall by the wayside.

27

28 I'm more than willing to work with any
29 subsistence issue if there's subsistence issues that need
30 to be addressed. As a guide, you know, subsistence comes
31 first in my book and I think that goes across the board
32 with all the local guides.

33

34 CHAIRWOMAN CROSS: Have most of you seen
35 this letter or is this the first time you've seen it?

36

37 MR. GRAY: I've never seen it.

38

39 CHAIRWOMAN CROSS: My recommendation
40 would be why don't you all take this home and read it and
41 if there's some issues that you want us to address, call
42 up Barb. If there's enough information you can draft a
43 letter and send it to everybody and then we can look at
44 it if we need to be responding to this. Tom feels
45 there's issues we need to address in this letter. Not
46 everybody has read it to absorb. I have because it was
47 sent to me a long time ago. Do you guys want to do that,
48 read it over and if you have any further questions you
49 can call up Barb at her 800 number and at some point in
50 time she can formulate a letter to all of us that we can

1 read and eventually mail out if we need to.

2

3 MR. GRAY: The more these guys hear that
4 work with subsistence issues, work with whatever, the
5 more you guys hear, the more they're going to be willing
6 to work on those issues. If they don't hear these
7 issues, they're not going to work on it. So the squeaky
8 wheel. That's how come I talk so much.

9

10 CHAIRWOMAN CROSS: Another thing I can do
11 is contact Jeanie Cole and talk to her about the
12 Kobuk/Seward Peninsula Resource Management Plan and have
13 her send whatever information there is regarding this.
14 If there's anything in the works, send it on out to the
15 rest of the RAC members, including ourselves, then we can
16 start getting more information on that.

17

18 MR. SPARKS: There's a website that Kyle
19 gave you in that thing he passed out. There's a lot of
20 information on the plan. I can't stress enough that you
21 need to be writing with particulars if you want to have
22 an area and have X number of guides there and give your
23 rationale of why you want that because it will be
24 reviewed state wide, so you really need to spend some
25 time on that.

26

27 CHAIRWOMAN CROSS: Another thing too is
28 that before the next hunting season perhaps we can get
29 some better numbers regarding some of the game problems
30 we're having. But if we're going to be writing a letter
31 to somebody regarding the issues, we do it before the
32 next hunting season opens up and see if we can impact
33 anything at all.

34

35 MR. GRISHKOWSKY: I think Tom has pretty
36 well answered my question, what I was concerned about and
37 I may have to get a hold of Jeanie Cole and find out more
38 about it.

39

40 CHAIRWOMAN CROSS: Does the Council want
41 to do that? I think we can discuss this forever today
42 and we're not going to go anywhere. If we go home and
43 read this letter, think about it, call up Barb, these are
44 things that concern me about this letter, both of the
45 letters, then Barb can coordinate with us and come up
46 with something if we're going to be coming up with
47 another letter.

48

49 MR. GRAY: One other thing. We haven't
50 heard from the Staff on this letter. It would be good to

1 hear from these guys or at least have an open door to
2 talk to them. If we're going to go climb a pole that's
3 kind of out of line that we shouldn't be doing -- you
4 know, I'll go bark at anything and make a ruckus, but we
5 need to do it in line with what our mission is as a
6 subsistence board, too.

7
8 CHAIRWOMAN CROSS: Normally before a
9 letter goes out Barb directs us to the right person.
10 Sometimes we just don't get the answer and we need
11 further information. We usually work very closely with
12 the Federal entities that are affecting us in some way or
13 another to make sure that we're in line with what's going
14 on. So basically whatever happens we're making sure
15 we're not going off the wall.

16
17 But if you read this letter and we feel
18 it warrants an answer, please call Barb and then she can
19 start working on an answer or a follow-up letter. Elmer.

20
21 MR. SEETOT: I had a question on when the
22 Federal Agency manage public land under their
23 jurisdiction, what criteria do they use, SRC's, special
24 permits or commercial permits?

25
26 MR. SPARKS: Last year, as you may
27 recall, you asked for the regulations on this and I sent
28 every Board member a big, fat packet, so you've got them
29 all. Basically it's regulations under the Code of
30 Federal Regulations, 41 CFR 29.30 regs, and it gives the
31 Field Office Manager of BLM the discretion to issue or
32 deny a permit and to attach stipulations on the permit.
33 Those kind of permits are like any commercial or
34 organized group needs a permit on BLM land, like the
35 Iditarod Race or the Iron Dog Race.

36
37 I think the problem everyone has is kind
38 of like splitting hairs. We're saying we give a permit
39 for the commercial use, but we're not managing the game,
40 but there is a direct correlation between the two and I
41 think that is the problem in my opinion. Right now our
42 land use plan is over 25 years old and it does not
43 address whether or not these permits should be limited.
44 Did that answer your question?

45
46 MR. SEETOT: That pretty much answered my
47 question. I kind of ignored the CFR. The language kind
48 of scares us and we just kind of read the ending without
49 looking at the details and then ask other non-profits to
50 kind of give us a definition of what's happening in

1 wildlife regulations that are proposed or are changing.

2

3 MR. SPARKS: I think the easiest way for
4 you to look at it, Elmer, is that if you make money off
5 of Federal lands, there's a real good chance you need a
6 permit. So just kind of keep that in mind. If you're
7 making money, Uncle Sam is going to want some and want
8 you to fill out some papers in order to get it.

9

10 CHAIRWOMAN CROSS: More questions or
11 comments. Did we bellyache enough to BLM? Thank you
12 guys.

13

14 MR. SPARKS: Thank you very much, Madame
15 Chair, Council Members.

16

17 CHAIRWOMAN CROSS: We're going to take
18 the rest of the agenda tomorrow morning. It's getting
19 really hot in here and people are looking tired. We'll
20 probably be done by noon. That will give Sandy Tahbone a
21 chance to be here. We'll see you tomorrow at 9:00.

22

23 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 02 through 106 contain a full, true and correct Transcript of the SEWARD-PENINSULA FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOL I, taken electronically by Nathaniel Hile on the 23rd day of February 2005, beginning at the hour of 8:20 o'clock a.m. at the Aurora Inn in Nome, Alaska;

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

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

DATED at Anchorage, Alaska, this 6th day of March 2005.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 3/12/08 _