

EASTERN INTERIOR ALASKA

SUBSISTENCE REGIONAL ADVISORY COUNCIL

VOLUME I

PUBLIC MEETING

March 5th, 1995

Native Village Hall

8:30 o'clock a.m.

Fort Yukon, Alaska

COUNCIL MEMBERS PRESENT:

STEVEN GINNIS, VICE CHAIRMAN

JEFF ROACH, MEMBER

CHARLIE TITUS, JR., MEMBER

JOHN A. STARR, MEMBER

RANDY MAYO, MEMBER

TIMOTHY SAM, SR., MEMBER

CHARLES MILLER, SR., SECRETARY

Vince Mathews, Coordinator

P R O C E E D I N G S

(On record; 8:30 a.m.)

MR. ROACH: I'd like to call this meeting to order. Since Lee Titus is not here at the moment and we do not have a vice chair, I will be acting chair until Lee arrives. He's due in this morning. Can I get a roll call and confirmation of a quorum?

MR. MATHEWS: Sure. I think -- sorry. I'm into travel forms here. Are you picking me up, Liz?

COURT REPORTER: Um-hum (affirmative).

MR. MATHEWS: Okay. All right. And you do have in your book, too, a list of all the members if you're wondering on terms, and that's under Tab No. 1 just so you know, and for the public, that same material is out on the desk or table by the door. Jeff Roach?

MR. ROACH: Here.

MR. MATHEWS: Charlie Titus, Jr.?

MR. TITUS: Here.

MR. MATHEWS: Selina? Selina Petruska can't make the meeting. She let me know way in advance that it was a scheduling conflict. Charles Miller, Sr.?

MR. MILLER: Here.

MR. MATHEWS: John Starr, Jr.?

MR. STARR: Here.

MR. MATHEWS: Randy Mayo?

MR. MAYO: Here.

MR. MATHEWS: Lee Titus? Lee will be in on the flight this morning, so he is absent at this moment. Timothy Sam?

MR. SAM: Here.

MR. MATHEWS: Steven Ginnis?

MR. GINNIS: Here.

MR. MATHEWS: Okay. Mr. Roach, we have one, two, three, four, five, six, seven. So you have a quorum.

MR. ROACH: Thank you.

MR. GINNIS: Mr. Chairman, for the record, I'd like to move to excuse Selina Petruska. That's -- that's the way we operate here.

MR. MATHEWS: Yeah, that -- Mr. Chair, that would be fine to have it on the record that she has an excused absence.

MR. ROACH: Do I hear a second to that motion?

MR. TITUS: I'll second it.

MR. ROACH: Okay. We have a second. Any discussion? Hearing none, all in favor signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Any opposed? The motion carries. Introduction of council members, agency staff, and guests. We have gone through the roll call. I'm Jeff Roach, and we'll start here on the end. We have Randy Mayo. He's from Stevens Village. Next is Timothy Sam from Arctic -- that's Arctic Village, I assume.

MR. SAM: Yes.

MR. ROACH: Then we have Charles Miller, Sr., goes by Chuck Miller, from Dot Lake. John Starr, Jr. on my left from Tanana. On my right, we have Steven Ginnis from Fort Yukon, and on the end we have Charlie Titus, Jr. from Minto. Vince Mathews, if you would introduce staff members who are here.

MR. MATHEWS: Sure. We have -- I'll have Elizabeth - I always mispronounce her last name - introduce herself.

COURT REPORTER: Elizabeth D'Amour.

MR. MATHEWS: She's the court reporter. We have Conrad Guenther, who is the biologist with U.S. Fish and Wildlife Office of Subsistence Management. Sue Detwiler with the same office, and I think we have some public that may want to introduce themselves that are representing different groups or communities.

MR. ROACH: Why don't we start on the end? Your name, please?

MR. FLITT: My name is Wally Flitt. I'm the Natural Resource Director here for the Native Village of Fort Yukon.

MR. ROACH: Thank you. Welcome.

MR. STEVENS: My name is Ben Stevens and I'm with the Stevens Village Resource Committee.

MR. ROACH: Thank you.

MR. ALEXANDER: Clarence Alexander, Department of Fish and Game, Subsistence Division.

MR. ROACH: Great. Thanks for coming. Anybody that was missed? I don't believe so.

MR. MATHEWS: Chair, if I -- there will be other staff that are arriving in the plane and we'll just have to make a good effort to make sure they introduce themselves and make it clear who they're with, but there should be a pretty good showing from Alaska Department of Fish and Game, Fish and Wildlife Service and when you get further down in the agenda, I'll talk to you about Park Service attendance.

MR. ROACH: Okay.

MR. MATHEWS: National Park Service.

MR. ROACH: Perhaps I'll suggest that we do another introduction after lunch to pick up those people who come in this morning. Okay. No further introductions. We have opening comments by John Starr from Tanana.

MR. STARR: Let's open with prayer. All right.

(Opening prayer)

MR. ROACH: Thank you, John. Okay. Item 5 on the agenda is Council Members' Concerns and Topics. I'll open this to the council members. Can we start with Charlie this morning.

MR. TITUS: Mr. Chairman, this meeting will probably be my last meeting. I just -- for the council, my last three years, I enjoyed it and I'm looking forward to hearing from every one of you. I enjoyed working with you. That's all I have to say for now. I'll keep in touch with the council.

MR. ROACH: Thank you, Charlie. Steven?

MR. GINNIS: Thank you, Mr. Chairman. There are several issues that I would like to discuss which are on the agenda later on. Those are the proposed -- proposals that's going to come before us here. One that I'm very interested in is the one that has to do with the sheep management area in Arctic Village. One of the things that I noted in these reports is they're very lengthy, you know, they're about that thick and they're filled with some biological type of information that I really can't relate to. You know, I would prefer that any proposals that come before us, that there is some summary given to it, why it's being proposed, and the pros and cons of it. Maybe that might make it easier for me to understand what the issue is. Sometimes the information we get, they get very -- and I'm not trying to be critical. I'm just trying to help out the process here. That would make it much easier for me. The other thing that I wanted to mention here was that the way I understand it is that we're here to protect the subsistence on the federal lands, and if I'm wrong there, somebody correct me. And if that is the case, then, what really bothers me a lot is some of these activities that happen on the refuge, and what I'm talking about is these guiding services. I don't think that's consistent with our role to ensure that we manage these refuge with a subsistence priority in mind.

And so those are some of the issues I would like to raise as we go through our meeting here. And I think I've said it before in Fairbanks. I forgot what the response was on it, but I'm very concerned about that. If our role is to protect the subsistence as I say on federal lands, then, I think that ought to be our main mission. But we're allowing some of these other activities to occur and even though some folks may say that we're not -- it doesn't affect our way of life, that is not true. That's absolutely not true. So with that, thank you, Mr. Chairman.

MR. ROACH: Thank you, Steven. John?

MR. STARR: I'd like to say that, you know, there's no better people that -- when they say customary and traditional use. When you live on -- when you live in the area all your life, you know what's out there. Just like I always thought in my mind what that old lady said in Northway. She said it's just like a garden out there. She say you don't go out there and just harvest the whole thing. She say you always got to watch what you got out there on your land. That comment always stuck with me. And another thing I said down there was when you're hosting a meeting like this, I'd like to see more people, more of the village participants in the meeting so they can have some comments, too, and testimonies.

MR. ROACH: Thank you, John. Charlie -- sorry. Chuck?

MR. MILLER: First, I'd like to thank Fort Yukon for hosting this meeting. Also, I'd like to agree with Steve on a lot of the C&T proposals, that I don't think this is something we should really rush into, considering it's not only going to affect us, but our children and their children also. It's something we have to do a lot of thinking on before we make any decisions or anything on that. And that's pretty much all I've got to say right now.

MR. ROACH: Thank you. Timothy?

MR. SAM: My name is Timothy Sam. First time in meeting. I was selected to be on the board members last year when we had the meeting in Fairbanks. During that time, my mom passed away, so I couldn't make it. Even now, a close relative pass away again, but I think this meeting will be very important for various area. I have been members of Fish and Game for the last 20 years. Last -- I informed them that that was the last meeting I attend and under that, I'd like to see the board discuss the Proposal 55 which is sheep area above Arctic Village. And that proposal said that we never use sheep subsistence-wise, but we do use that sheep quite a bit. It's our traditional way of life that we use them when we lose somebody or whatever.

MR. ROACH: Thank you. Randy?

MR. MAYO: Yeah. I have a number of concerns and topics here relating to what's been said previously. You know, coming here from a tribal perspective, you know, this type of forum really -- this is like my third or fourth meeting. It's really frustrating and it really irks me, you know, when like, you know, what I said was mentioned previously. You know, we've been living on this country for thousands and thousands of years with a government thousands of years older than the U.S. Constitution and yet the game isn't depleted. It's been managed all those thousands of years. You know, this word "subsistence" is pretty derogatory to me. It defines us as, you know, scratching out a living because we have no other choice. You know, this is very untrue, you know. Where is the spiritual, economical, you know, all those aspects that go to it? It's a traditional economic that we're being denied here in favor -- you know, the majority of our lands are taken over by these agencies and turned into federal public lands, a playground for the urban people, yet people is still out there making a living off of these lands.

You know, others that don't even live in this country assume and are making decisions that affect our very lives out here on the land. Where is the justification in that? The people making these opinions and justifications, you know, we talked about -- the first meeting I went to, we talked about true co-management, incorporating our science and technology. That isn't -- you know, it's just discarded as folklore and superstition. You know, we're a viable group of human beings out there with our own science and technology that's not even recognized. You know, so what's the people to do in the villages when people from far away are running our lives as, you

know, federal aid and all that kind of monies is drying up? Yet, we're competing with people that are out here just for a play thing, you know. So what's the people out here going to do, you know? And the people making these things, you know, what's the average they've been in the country? The biologists, all these people, you know. I -- you know, I'd like to make that a finding and find that out, you know. How can they justify when they've only been in the country a short period of time? You know, how can one forum be over another? You know, that's not right. I think there needs to be a big education on the part of the urban people and the agency people that we're not just another user group; there's that whole other realm to it that they don't understand. You know, it's our store, it's our garden and we want to protect it for the future generations. Respect it, not just come out there on the weekend and catch some fish and let them go, you know. You know, like what if we went down to the corn fields of Iowa and went into their big corn fields and started riding our four-wheelers around in it, you know, as recreation? That wouldn't be stood for, and this is the same thing that I'm talking about right here. Thank you.

MR. ROACH: Thank you. I, too, would like to thank the community of Fort Yukon for having us come out. I believe that being on the ground in the areas that we're managing gives us a better perspective of other people and how their communities run. We were just talking this morning about how Fort Yukon is -- has many differences with even other communities in the same -- nearby communities, "nearby" in Alaska terms, and yet they're still a part of the Eastern Interior as a whole and need to be considered that way. So, I like holding the meetings in the rural villages. I think that we need to balance that with the ease of access for other people by holding the meetings in Fairbanks on occasion as well. I know that several of us had to travel to Fairbanks to then come up to Fort Yukon, so a good balance would be to hold meetings in the rural villages part of the time and in a larger community like Fairbanks with easy access other times of the year.

With that, we'll close the council member concerns and topics and move on to additions or corrections to agenda, and then after any additions or comments are made, I'll entertain a motion to approve the agenda.

MR. GINNIS: Mr. Chairman?

MR. ROACH: Yes?

MR. GINNIS: On the status reports on the Fortymile Caribou Management Plan, didn't we approve a plan at our last meeting, and why is this -- that on the agenda, is what I wanted to know?

MR. ROACH: Yes, we did approve a plan and that plan has begun to go into effect and I believe that Vince has information on the Federal Subsistence Board and the State Board of Game's to that plan as well.

MR. MATHEWS: Right. Team members or the area biologists for that area requested it be on the agenda to give an update. The Federal Subsistence Board will take it up possibly at their April meeting, to look at it, and I have a letter here that's pending from your last meeting for signature by the chair to send to the Federal Board asking that they adopt the plan. I'm pretty sure what they wanted to do is just give you an update

of where things are going with that plan. Maybe Conrad can tell more on that, but I believe it's just an update and to reaffirm this council's support for that plan.

MR. GUENTHER: Mr. Chair, that's correct. Craig Gardner is the area biologist frown down in the Fortymile country. He'll be coming in -- flying in today, hopefully early this morning, and he'll be giving an update and telling exactly what's happened as far as the Game Board's action and other actions that have taken place already on the Fortymile Plan.

MR. ROACH: Thank you, Conrad, and just -- go ahead. We'll go to Charlie first and then come back to you, Steve.

MR. GINNIS: Well, I'm still on the agenda.

MR. TITUS: Finish your

MR. ROACH: Oh, I'm sorry. Go ahead.

MR. GINNIS: Well, I'm still on the agenda here. The other issue that, Mr. Chairman, I would like to -- I don't know that it's on this agenda anywhere, I haven't found it, but I'd like to know what the status is on Unit 25(A) and 25(B) -- or (D) on the moose discussion we had in our last meeting. You know, during this portion of the meeting, I think one of the areas that I was concerned about was the guiding services that were occurring up there in that portion of the refuge. And I think one of the things that was said was that they would have some local resource person here traveling with some department personnel to actually be involved in the counting of the moose, I guess, or whatever that idea was. And I'd like to ask that some kind of report be given on that, if possible.

MR. ROACH: Can we make that

MR. MATHEWS: Yeah, I

MR. ROACH: Item H-1 under Other Old Business?

MR. MATHEWS: Yes. The staff will be here from Yukon Flats. I think they can best answer that question. They should be arriving this morning. And also Arctic National Wildlife Refuge staff will be here.

MR. ROACH: Okay. So we'll make that H-1 under Other Old Business, 25(A), 25(D) report.

MR. GINNIS: Thank you, Mr. Chairman. I'm done.

MR. TITUS: Mr. Chairman, I was listening here to Steve's concern about the guiding. It seems the last three years it's been a topic at every meeting we've had. The subject keeps coming up and I would like to -- perhaps it's time to put it on our agenda. We could discuss it or even draft a proposal of some kind. I would like to see it discussed or put on the side to discuss this issue because that -- I really think it's -- it is an issue that keeps coming up and I think we have to deal with it sometime and I think we should put it on our agenda for discussion at least or

MR. ROACH: Okay.

MR. MATHEWS: Yeah. I think the staffs may come prepared for that, but what I'm hearing from you is that it would be an item for future meetings to be kind of an automatic; that there be a

MR. TITUS: No.

MR. MATHEWS: No?

MR. TITUS: No. I want it here discussed with our council members.

MR. MATHEWS: Okay.

MR. GINNIS: He wants it as -- what he's talking about is a separate agenda item just to address the guiding that's going on on these refuges.

MR. TITUS: Exactly. That's been

MR. MATHEWS: They may be prepared for that today. And then at future meetings, you would want that? Is that what I'm hearing?

MR. TITUS: If it keeps coming up, then there's something wrong or there's a concern of the

MR. ROACH: How about if we discuss it under Item H-1, under Other New Business?

MR. GINNIS: We just

MR. ROACH: Guiding on federal public lands? Is that what I'm hearing?

MR. GINNIS: We just put that 25(A) and 25(D) there, didn't we?

MR. ROACH: That's Old Business. If you turn the page to New Business,

MR. GINNIS: Oh, on the other side.

MR. ROACH: Yes, New Business down near the bottom.

MR. GINNIS: Oh.

MR. ROACH: We can put guiding operations on federal public lands? Are there any other recommended additions or corrections to the agenda? Randy?

MR. MAYO: Mr. Chairman, you know, like I would like to see this board and, you know, the other regional councils to start looking into, you know, traditional knowledge and wisdom, you know, and co-management, you know, as a -- you know, getting our sciences and technology incorporated with

this Western way. You know, we live out here on the land and we know what's going on. We're very intimate with the land and what's on it, you know. Yet all -- like Steve mentioned, we get volumes of stuff that we can't relate to. It's all coming from a one-sided perspective that we have to change.

MR. ROACH: So would you like to make co-management an agenda item?

MR. MAYO: For discussion, you know, among the board here.

MR. ROACH: Any comment from the coordinator?

MR. MATHEWS: No. I think it would be a good discussion item. I'm not sure if we can do more than just get some ideas, how to address it in the future. I don't want to mislead you on that. That would be H-2, then?

MR. ROACH: H-2 under New Business.

MR. GINNIS: What would it be called? Traditional knowledge?

MR. ROACH: I saw -- I heard co-management in there.

MR. MAYO: Traditional knowledge and wisdom. That would help guide some of the, you know, policy, you know. We should be equal players here.

MR. ROACH: Okay. Item H-2 under Other New Business, I have co-management, traditional knowledge and wisdom. Any other additions or corrections to the agenda?

MR. MATHEWS: Mr. Chair, if you remember when I called to have this meeting rescheduled from the 4th and 5th to the 5th and 6th, it was because of a meeting conflict with Southcentral Regional Advisory Council. They met -- are meeting today and yesterday. The staff that's presenting Proposal 17 through 20 -- or I believe 17 through 19, but I'll check on 20, are en route to this meeting to present those proposals 17 through 20. So they asked that we hold off on taking action on those until tomorrow till they can arrive. So those will be proposals -- those are dealing with the Parks Highway, customary and traditional use, and the Mentasta Caribou Herd down in the Tok area, and I don't remember the other ones, but it was 17 through 20 that they asked for a delay.

MR. ROACH: Okay. And those are scheduled for this evening, so

MR. MATHEWS: Correct. So we would hold off until tomorrow when they arrive. They may arrive today. I don't know.

MR. GINNIS: Mr. Chairman, can I address this whole issue?

MR. ROACH: Certainly.

MR. GINNIS: You know, it's kind of disappointing to me that staff would come whenever they -- it seems like the way we're operating here is staff just show up whenever they think they ought to show up here. You know, I don't agree with that. I -- if I'm making myself available here to address the issues and concerns regarding federal management of resources, then I

would expect those people to be here, also. You know, I don't agree that we should shift our agenda around to accommodate whomever. You know, I just totally disagree with that. We're here, we're here to conduct business, and they ought to be here whenever they're on the agenda. And I'm sure they must have copies of these things, so there's no -- really no excuse as far as I'm concerned, Mr. Chairman.

MR. ROACH: The -- I understand that there is another subsistence council that is meeting at this time on those same issues, so their discussion at that council would definitely be of interest to us and their report of information from that council, I think, would also be of information to us. In this situation, I believe that we can allow our agenda for those proposals to be put off until tomorrow. But I do hear what you're saying and I think our coordinator also hears what you're saying.

MR. GINNIS: Yeah. Well, I'm not going to make a big issue out of it. I just want to state my objection to it, that's all.

MR. ROACH: Thank you. If there are no more additions or comments or corrections to the agenda, I'll entertain a motion for approval.

MR. GINNIS: Move to approve the agenda.

MR. ROACH: Do I hear a second.

MR. STARR: Seconded.

MR. ROACH: Okay. We have a motion to approve the agenda and a second. Any discussion? Hearing none, all in favor signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Opposed? Hearing no opposition, the motion passes to approve the agenda. Item 7 is Reading and Approval of October 4th/5th, 1995 minutes. Vince?

MR. MATHEWS: Yes. Mr. Chairman and Council, they're found under Tab 2. You were sent copies of them earlier to review and I'm trying to think if there were some changes. No, there were not any changes asked either by the council, agency staff, or public because this was sent out to quite a few communities across the region. So, I'd encourage you to review the minutes and see if they reflect the actions of the last meeting.

MR. ROACH: After you've had an opportunity to review the minutes, I will entertain a motion to approve the minutes presented for October 4th and 5th, '95 meeting.

MR. TITUS: I move to approve as written this document, Mr. Chairman.

MR. ROACH: I have a motion to approve the minutes.

MR. GINNIS: I'll second the motion.

MR. ROACH: I have a motion and a second. Any discussion? Hearing none, all in favor signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Opposed? Hearing no opposition, the minutes are approved as written. Item No. 8 is election of officers. I would like to ask the council that we delay the election of officers until Lee Titus arrives. He is due in this morning and I would like to have a motion to move those elections until directly after lunch today.

MR. GINNIS: Okay.

MR. ROACH: If not, then we can do it now.

MR. MILLER: I make that motion.

MR. GINNIS: I'll second.

MR. ROACH: We have a motion and a second. Any discussion? The reason that I asked for a motion relating to that is that I believe Lee has expressed an interest in continuing on as the chair and I'd like to give him that opportunity, if someone is interested in nominating him for that position. Any other discussion?

MR. GINNIS: Question.

MR. ROACH: The question has been called. All in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Opposed? Hearing no opposition, the election of officers has been moved until after lunch today. On to Item 9, Old Business. (A) is the Report of Federal Subsistence Board actions since the last council meeting. Mr. Mathews?

MR. MATHEWS: Yes, Mr. Chair, the board has met on various issues, but none that directly relate to your area. There were no special actions for your area since your October meeting. They have met and discussed some items, but at this time, I can just give you a brief summary, but you're going to have them before you this fall. Maybe this fall. One is on defense of life and property with bears; the other one would be your action that you took on residency and licenses, but that will come up when we have a proposed rule to change that section in regulations. So, other than that I don't think -- I'll turn to Sue to see if there's anything else. She works directly with the board more than I do, but I think those are the two that happened.

MS. DETWILER: The Federal Subsistence Board met in a working session mid January to primarily discuss some of the impacts that the federal furlough had.

MR. MILLER: Excuse me, Mr. Chair. Can I ask that she speak up a little louder so

MR. STARR: Maybe pull that thing closer.

MR. ROACH: We're having a little difficulty hearing you up here.

MR. DETWILER: How is that?

MR. STARR: Yes.

MS. DETWILER: Is that a little bit better? I was saying that the Federal Subsistence Board met informally -- met in a work session in mid January to discuss some of the impacts of the Federal Government furlough which lasted for three weeks beginning at the end of last year and they discussed a couple of things that will affect this council. One is that they moved the meeting date for the spring board meeting from -- or they moved it first to April the 29th. It was originally scheduled for April 29th, but it looks now like it will have to occur the week following that which I think starts on May the 6th. So that -- the meeting will start on May the 6th, and the first morning of that meeting, Monday morning will be an informal work session with the council chairs. It's a scaled-down version of the work session between the board and the council chairs which had originally been scheduled first for November and then was postponed because of the first furlough until mid January. So, that's it.

MR. MATHEWS: Mr. Chair, I need to reaffirm that, that your chair, whoever is elected, will be attending that meeting which right now, if I'm not mistaken, there will be a meeting of all the chairs, if they desire to meet on their own, and then there will be a meeting with the Federal Subsistence Board to address some of the issues that you've already touched on today. So I would encourage you before that meeting, if you have concerns that you want other chairs and the state to know and the board to know, to let your chair carry those to that meeting. And then from there, there will be a future meeting which I think will be a lot more dialogue, but this is the start of assessing where each other is at, the board and the chairs. So, I really encourage you to call your chair, whoever that ends up being after the elections this afternoon, to carry your concerns forward. This would be a great opportunity to talk to the other ten regions and to the board.

MR. ROACH: Steven?

MR. GINNIS: This -- when was the last time that this Federal Subsistence Board met?

MR. MATHEWS: Well, Sue knows that, but they met very recently on a special action for Kodiak and that was a teleconference.

MR. GINNIS: Well, other than the special meeting. Wasn't there a meeting prior?

MS. DETWILER: They haven't met in a formal meeting since -- I would guess it would have been before your last fall meeting. They've met in

teleconference meetings to deal with various special actions that come up to -- which are requested to open and close seasons, but they haven't had any kind of a formal meeting except for their work session in January.

MR. GINNIS: So then, Vince, whatever became of some of the actions that we took in these meetings, then? I mean, what -- doesn't some of the actions that we take here go before the Federal Subsistence Board? And, unless I missed somewhere along the line here, I mean, I think it makes sense that we have some kind of report of actions taken by the Federal Subsistence Board on some of the things that we recommended or have to scored (ph) or whatever you -- however you want to say it.

MR. MATHEWS: Mr. Chairman, if we're talking about the actions that the board took on proposals that this council passed recommendations on, we did go over that this fall. I could do it again soon. I have the notes here. I wasn't prepared for that. But since the last meeting that you had which was more of a proposal-generation meeting, the board has not taken other action than what we've talked about, so we're kind of in mid-cycle. And some of the proposals you're taking up were taken up earlier, so we'll be able to recapture what went on in the past. But I hear you that you need to know what happened to your recommendations and your actions. Those would have been covered in fall and then when we get to the section on Correspondence Sent and Received, that may cover some of your concerns.

MR. ROACH: Sue?

MS. DETWILER: I'd like to ask Mr. Ginnis if there is any particular issues that he was curious about.

MR. GINNIS: No, no. I don't have no particular issues. I just wanted to find out what became of some of the issues that were raised, you know. And it might very well be that if the Federal Subsistence Board didn't take our recommendations as we recommended it, we may very well want to bring that back out as a continued -- continue to try to get them to address it. You know, that's all I'm trying to say. And there has to be some format to do that. You know, right now, all we're doing is we get these proposals before the board, they deal with it, then we're just getting a status report and we just leave it at that, and I would like to see it go a little further than that because I think some of these issues that are raised here are very -- are concerns of ours. And, you know, maybe we need to continue to push it. Maybe there's something that we're doing that may very well change their mind. I don't know. You know, those are the type of things I'm talking about. I don't want to just be sitting here talking about issues and then bring it before the Federal Subsistence Board and for some reason they turn it down and then we just say, well, that's that. You know, so I guess that's what I'm trying to get at.

MR. MATHEWS: Mr. Chair, on that, there is a response. There was a lateness in getting it out and that's -- we're going to be working on that. But I think what you're addressing is the -- if you took action for a recommendation and the board took an opposite on that, you would like to know why so you could be educated as to how to work more towards maybe getting a successful match. That is in a letter that is in the packet and we're working on next year making sure that gets out more timely, but that is

addressed and we can go into that in detail when we get to that. But we're required by ANILCA if the board does not match your recommendation, that it has to respond in writing based on the three criteria of substantial evidence, principles of wildlife conservation, and that it not be detrimental to subsistence, and that's addressed in there. I hear you on your concern and we're working to tighten that up, that you get a quicker response.

As a matter of fact, what's going to happen after this board meeting - I know it doesn't help you on the last - is that right after the board, within two weeks if everything works well, there will be letters going out to all the people that had an interest on a proposal, what happened with that proposal. It will be automatically done. So, then, if there's a question, you can call whatever staff you wanted, whatever communities you wanted and say, well, how come it went this way, and then that way you can prepare for the next round of proposals either by doing a request for reconsideration on that particular one or wait till the fall meeting to issue a proposal.

MR. MAYO: Mr. Chairman?

MR. ROACH: Yes, Randy?

MR. MAYO: I'm kind of alluding to Steve's -- the same issue as -- you know, I would like to -- well, you know, we come to these meetings, you know, and then we get all of these -- we don't hear, you know, nothing. We're out here making a living and trying to survive, you know, and then we get these arbitrary opposition, you know, from these agencies and their only justification is through their field agents that don't know the country or the resources, you know. And this could come under our discussion later on of co-management.

MR. ROACH: Thank you, Randy. I would like to also reiterate that if any council member has an issue or concern that as follow-up expected, please contact the chair or the coordinator at least a few weeks prior, preferably a little more than that, prior to the meeting to ensure that that issue is being brought up and all the pertinent information can be brought to the council meeting. And especially when we hold it in rural areas, it's often difficult to get the information at the meeting if it's just brought up at the meeting. Vince?

MR. MATHEWS: Mr. Chair, Mr. Mayo, I understand your concerns there and I want to make it clear to the public that's present here, that's one of the objectives of this meeting, is that if the materials in front of you on proposal analysis doesn't seem to reflect reality, it's wide open now when we get to those proposals to address that. And I'm real encouraged by the addition of that topic because hopefully we can discuss other ways of making sure that people can get into the process and adopt a -- adapt the process to allow more into it. But please be aware that these are draft analyses and this is -- that's why you were selected to be on this council, was to address this from the user's perspective. Thank you.

MR. ROACH: Steven, you had a comment?

MR. GINNIS: No. No.

MR. ROACH: Charlie?

MR. TITUS: Mr. Chairman, this may be a little out of order, but just a question I would like to ask.

MR. ROACH: Certainly.

MR. TITUS: Why are these draft analyses sent to us? I mean, brought here like a surprise. You know, we don't -- we never get in the mail and no time to review it. I was just wondering, is there a reason for bringing it to us this late?

MR. MATHEWS: Mr. Chairman, there are reasons for that. Basically, your team is made up of three people and one of the persons is having extreme family illness and that's why the delay on those, plus the furlough. But that's why you have this additional one that's not in your packet that was hand-carried up here. It just could not get into the process soon enough in the green mail-out that you see and on the table out there. That's the reason. No one -- all the team members and the whole program want to get these. We have had extensive meetings that we would get proposal analyses out to the councils two weeks prior to the meeting to allow you to become comfortable with the information, draft your questions, and et cetera. But this time around with the furlough and family illnesses on the team, we weren't able to meet that on all proposals.

MR. GUENTHER: Mr. Chair, I would just like to add

MR. ROACH: Conrad, would you please come to the table, please? Thank you.

MR. GUENTHER: As one of the team members, I'd just like to also apologize to the council for the delays. Not to make excuses, but we did put in a lot of extra time to try to catch up after the furlough and because of the other problems that Vince mentioned, it was just impossible to get those done in time.

MR. ROACH: Okay. If there's no further discussion under Report of Federal Subsistence Board actions since the last council meeting, we'll move on to -- sorry, Steve, go ahead.

MR. GINNIS: Yes. Was there some motion made on this subsistence board action?

MR. ROACH: I

MR. GINNIS: Is there any kind of a

MR. ROACH: I don't believe there's a motion on the floor at this time.

MR. GINNIS: So a lot of what we discussed would be discussed later on in the agenda, right?

MR. ROACH: Yes.

MR. GINNIS: Under customary -- or traditional knowledge co-management stuff? Is that where we would

MR. ROACH: I believe that's

MR. GINNIS: Okay.

MR. ROACH: where the discussion -- yes.

MR. GINNIS: Thank you.

MR. ROACH: Certainly. We'll wait for a moment while people get settled out here. It's kind of difficult to hear. Let's go ahead and take a 10-minute break.

(Off record)

(On record)

MR. ROACH: Okay. For those individuals who just came in, we are on Item B of Old Business on the agenda. Agendas are available on the back table along with other pertinent information for the meeting. We'll go ahead and hold introductions after lunch for those staff members who are here representing the different agencies. If you have a question or would like to address a topic, please come to the table and use the microphones. Introduce yourself first and then make your response. Mr. Mathews?

MR. MATHEWS: Yes. Just to make sure it's clear to everybody, the agenda which was distributed throughout the area says that there will be a public comment period at 9 a.m. and at 6 p.m., but the chair has indicated that at any time you can be called upon. There are blue slips on the table if you want to fill those out. I don't know if we want to get that formal, but if we do have a lot of public testimony, we may want to go to filling out the slips. But just so it's clear to all those attending, just get the attention of any of the staff people, myself, or the chair to testify. Thank you.

MR. ROACH: Thank you, Vince. Item 9(B), Response to Council correspondence from October 1995 Fairbanks meeting.

MR. MATHEWS: Yes. Mr. Chair, if you turn to Tab No. 3., this is the response that you sent out in response to your actions and some that were received, and I can briefly go through them if you'd like or you can look at them and then ask questions. It's at your wish or pleasure?

MR. ROACH: Does any council member have a preference as to how we address these items? If not, then we'll allow you to review them and direct questions as appropriate.

MR. MATHEWS: And I'll just lay out the first one so it -- because

it might get a little confusing. That was your request that all the communities within the Eastern Interior Region be given an update or an informational letter on the customary and traditional use process and there's a map and then a listing of all the current customary and traditional use determinations, a list of the forms to fill out a proposal, and then you're going to come to something that looks kind of funny which is a list of tables showing who it was all sent to. I wanted you to know the distribution that we did on that, and that is the list of all the labels that were used to mail out. And the rest, if you have questions, can ask.

MR. GINNIS: Mr. Chairman?

MR. ROACH: Yes.

MR. GINNIS: You know, when this issue came up when we were reviewing the C&T findings for the Tok area -- I forgot what the area was called now.

MR. ROACH: The Upper Tanana.

MR. GINNIS: The Upper Tanana area. You know, I really got into some discussion there about how this process was being implemented and, in fact, I made a motion to -- because of my concern, I made a motion at that particular meeting to get these back to the villages because I was concerned that some -- the C&T findings weren't really discussed well enough with the villages. You know, I just felt like they must have used the state's prior subsistence C&T findings to come up with this C&T finding they did for that area. And so I'm just wondering if that process has been incorporated into this process of ensuring that villages actually have a say in what's being proposed as far as C&T's are concerned. And the other question I wanted to ask was that I know that the Yukon Flats was up for C&T findings, too, and I never -- I don't know what happened -- became of that.

MR. MATHEWS: Mr. Chairman, I'll take that on and I'll probably be asking other staff to fill in some of the gaps. But what Mr. Ginnis is talking about is the Upper Tanana/Fortymile C&T process and then the Yukon Flats. That was under the previous way of dealing with customary and traditional use determinations. That was where there was regions of the state in a prioritized list and then the process would march around the state and take up those areas. That's why you spent several meetings on the Upper Tanana area. Yukon Flats was the next one for your region. Since that, and with the actions that happened on the Kenai Peninsula, the customary and traditional use program now has gone to an annual process, just like if you wanted to change the caribou season in some unit, you can now put in a request to change a customary and traditional use determination. So, that's where we're at, unless I've covered that wrong and someone from staff will buttonhole me on that.

The other thing that Steven is talking about is during that process, Steven and the council asked that that report go back to the communities. That was attempted, but it was during the same time that the whole process was being reviewed and that did not happen. It did not go back. I think we did a mail-out on that, but we didn't have area meetings. Let's see, your other point was ensuring village involvement. Right now, it's basically

through correspondence through the annual process and through this council that the villages can be involved in this. It's an annual process now, so if during this process a community feels that the council, the board and that didn't hear what needed to be heard, they can go through a request for reconsideration on that or they can go through and submit another proposal. Under the previous process, it was several years before you would get back to that area. So, right now it's a wide open program that makes it a little bit easier. So I hope that clears up what Mr. Ginnis had concerns about.

MR. ROACH: And the new annual C&T process is a part of this letter that you

MR. MATHEWS: Yes.

MR. ROACH: just went through -- the correspondence you went through

MR. MATHEWS: Yes.

MR. ROACH: from the -- to the Eastern Interior villages.

MR. MATHEWS: Right. And it's going to be a learning curve to get all the public to understand that we are now going to an annual process and so it's going to be awhile on that. But right now we're receiving proposals that will be before you from communities on C&T use.

MR. ROACH: There are existing C&T determinations in place for the Eastern Interior Region and changes to those are through the C&T proposals on an annual basis.

MR. MATHEWS: Right. And they have -- when we get into proposals, you will see the use of the eight criteria that are used in that and I -- that will come up when we get into the actual individual proposals.

MR. ROACH: Steven?

MR. GINNIS: Mr. Chairman, isn't part of C&T determinations -- not only does it involve changes in regulations or proposals, but isn't it -- part of it is also to identify the traditional use areas around communities?

MR. MATHEWS: Yes. The C&T process in a very simplified form is to decide who and where. It's basically -- C&T determinations decide who are the qualified subsistence users and where they can hunt and trap on federal public lands.

MR. ROACH: And there are now two proposal processes. There are the proposals for changing the seasons and bag limits, and there are the proposals to change C&T determinations.

MR. MATHEWS: And another way of saying it, it's the same process.

MR. ROACH: Same process; both are included.

MR. MATHEWS: Yeah.

MR. GINNIS: So, you mean to tell me that if we were -- if I wanted to identify certain areas within Fort Yukon, around this area, to be determined as a customary and traditional use area, I would have to come before this committee here with a proposal?

MR. MATHEWS: You would submit a proposal to the process that would end up before this council, correct. You have one right now for Unit 25(A) moose.

MR. GINNIS: Yeah. It would seem to me, Mr. Chairman, I think the reason why I brought this issue up was that I wanted some input from the villages that these C&T findings would affect. And the way I understand you now is that anybody, no matter who it is, as long as they're living within the Eastern Regional area, could come before us with a proposal to identify various areas as traditional use areas. Is that the way I understand it?

MR. MATHEWS: I'll defer to Sue on that, but

MR. ROACH: Go ahead, Sue.

MS. DETWILER: The confusion might lie where -- in the sense that we do customary and traditional use determinations on a species basis, not on an area basis. So for each species, we would determine what the customary and traditional use area for that species would be. It's not a generic C&T determination.

MR. GINNIS: I guess that's where I differ. Okay? I think that's where I differ with the staff on C&T findings. I don't think C&T is just based primarily on the species. I think it's also -- part of it is also the areas in which people have traditionally hunted, fished, trapped, and those ought to be identified because -- simply because right now we're being, you know, hit from all sides on the issue of subsistence. Now, if we don't identify as part of the process the areas that are traditionally used, how are we to protect our interests? You know? And so I think you've got to go a little further than just determining it based on species. And I think that is another way of, from my perspective anyway, I think that's another way of targeting us subsistence users if we're just basing it on the species itself, you know, because if there's a decline, who's going to take the, you know, bulk of that decline? I mean, who's going to suffer?

MR. ROACH: Chuck, you had your hand up next.

MR. MILLER: Yes. I was wondering, you mentioned they go by species, right?

MS. DETWILER: Um-hum (affirmative).

MR. MILLER: Say if like what Steve was saying, you know, you hunt one big area. One year, there's no moose there; there may be caribou. You hunt caribou. I mean we hunt for meat. We don't hunt for, you know, for horns or for pleasure, nothing like that. And, you know, like if there's no moose, we'll hunt caribou. No caribou? Sheep. Whatever is there, we'll

hunt. So I don't see how this hunting by species really fits into subsistence hunting.

MR. ROACH: If I may. I think that this discussion on customary and traditional would fit better under the new business item of customary and traditional use proposals. At this time, we're discussing the response to council correspondence. So if it's okay with the council, I would like to continue with the discussions, but let's continue under

MR. GINNIS: Where, you said now?

MR. ROACH: New business, Item A under federal regulations proposal review, customary and traditional use proposals.

MR. TITUS: You lost me, Mr. Chairman. We're at (A) under old business?

MR. ROACH: We are -- we're talking about response to council correspondence on Item B under old business at this time.

MR. TITUS: Um-hum.

MR. ROACH: If we could please hold off on the customary and traditional use discussion until it's brought up under new business, Item A, which is the top of the next page.

MR. MATHEWS: Mr. Chairman, maybe for the record, I should summarize the correspondence you got or if the council is comfortable with understanding it -- it's up to you.

MR. ROACH: Why don't you go ahead and summarize each one of the individual correspondence?

MR. MATHEWS: Okay. I won't address the customary and traditional letter because I think it's clear to me that when we get to the proposal phase, we're going to have to do some clear explanation before we actually get into proposals on what we're doing with customary and traditional use determinations.

The letter that you requested at your last meeting for a 60-day extension on the deadline for having proposals submitted on the C&T is in your packet. It's right beyond the one with the chart showing you all the people that received the C&T. The next letter following that, and it was faxed to all the subsistence board members that are listed there, is the response to that. And the response is from Mitch Demientieff, the chair of the Federal Subsistence Board. It's dated October 31, 1995, thanking you for your request, however, there will not be adequate time for proposal analysis of the proposal submitted during the 60-day extension in order to meet deadlines for your next regional council meeting. As a result, proposals submitted between October 28th and December 26th, 1995 will be reviewed and acted on by the board during the 1997-98 regulatory cycle. So, they, in a sense, did not grant your 60-day extension. If someone did submit proposals after the close of October 27th, they would be deferred to the next cycle which starts next fall.

The next letter is the one we talked about earlier and that's why I requested maybe I needed to summarize the correspondence received. That is a letter from Mitch Demientieff, also. As you know, when you pass a recommendation, the board can only reject that recommendation if it is not based on substantial evidence, is in violation of recognized wildlife conservation principles, I believe, and if it's detrimental to subsistence. So they can reject it on it's not substantial, violates wildlife principles, and it's detrimental to subsistence. That letter is addressed to Lee Titus, Chair. The proposals are down further on page 2, and you'll see with respect to proposals that Eastern Interior took on Proposal 52 which was allow the taking of caribou and moose from a boat or stationary snow machine in Unit 25 that was submitted by Stevens Village, the Southcentral and Eastern Interior supported that proposal. The board adopted that proposal consistent with the council's recommendations. Proposal 53 recommended creating a public safety corridor within one mile either side of Kantishna Road in Unit 20(C) by closing the area to all subsistence hunting from June 1st to September 30th. That was submitted by the National Park Service. Your council supported it; Southcentral opposed it; no action was taken by the Western Interior Council. The board deferred action on the proposal because board members were concerned about setting policy precedents within the board to take closure actions to resolve issues that can be addressed by the agency.

Proposal 54 which is back before you in another proposal, that was recommending the -- amending the existing sheep management area to include drainages of Cane Creek and Red Sheep Creek in Unit 25. North Slope Regional Council supported it; the Eastern Interior took no action. During the board member -- your chair, after consulting with several council members, supported the proposal as written. The board adopted the proposal with the amendment to make the action an interim one, and the board will revisit the issue once managers and subsistence users develop a mutually agreeable solution. So we'll be talking more about the Arctic Sheep Management Area in the proposal that's coming up.

Proposal 55 is again back before you in another proposal. That's recommending establishing the Dall River Management Area in Unit 25(D) West, closing the area to fishing and hunting by non-subsistence users. The proposal was submitted by Stevens Village. This council supported it. The board deferred action, pending consultation with the Department of Interior or Office of the Solicitor regarding this.

Proposal 56 was Unit 20(E), subsistence harvest quota of 20 -- I mean 200 bulls for Fortymile Caribou Herd. It was submitted by the Upper Tanana/Fortymile Advisory Committee. Your council supported it. The board modified the proposal and the action is consistent with your council's recommendation. And I'll just keep going down the list if that's okay, Mr. Chair.

MR. ROACH: Yes.

MR. MATHEWS: Proposal 57 recommended reopening caribou season for the Mentasta Herd in Units 11 and 12, and that was submitted by the Copper River Native Association. Southcentral opposed the proposal; Eastern

Interior took no action. The board rejected the proposal because the Mentasta Herd has declined dramatically and continues to decline. The requested harvest would risk the recovery of the Mentasta Herd and would reduce or eliminate opportunities for Northway and Tetlin to harvest caribou when the two herds mix.

Proposal 58 was recommending lengthening the moose season and creating a sub area within Unit 25(B). It was submitted by Eagle Advisory Committee. The Eastern Interior supported it and the board adopted the proposal.

Fifty-nine recommended correcting terminology in the area description required for a federal registration permit to hunt moose in Unit 12. It was submitted by the Tetlin National Wildlife Refuge. Your council supported it and the board adopted the proposal as modified by the council.

Proposal 60 recommended closing sheep hunting in Unit 25(A), a portion of the Dalton Highway Management Area due to lack of use. It was submitted by the Bureau of Land Management. North Slope Regional Council took no action and Eastern Interior supported it. The board adopted the proposal.

Proposal 61 was one of your proposals. It recommended establishing a hunting season for beaver in Unit 25, excluding Unit 25(C). We -- the council modified the proposal to specify April 16th through October 31st, the daily harvest limit of one beaver and a possession limit of one beaver. The board adopted this proposal as modified by the council.

This is required, this written response, to the councils if the board does not adopt your recommendation. As you can see, the response included summaries of proposals where your recommendations matched. As I mentioned earlier, this should come out more timely in the next round to allow you to assess how well you did in your actions. Thank you.

With that, I can go down to the next one which is a letter of -- oops

MR. GINNIS: I

MR. ROACH: Vince, I've got a question.

MR. GINNIS: When these proposals go before the Federal Subsistence Board and they're approved, what's the next step in it? It just becomes a regulation change?

MR. MATHEWS: It goes to the Federal Register process and then it goes into effect on July 1st, it goes into law. But now this round, due to the furlough, what actions are taken by the board during its -- I believe it's now a May 6th meeting, starting on May 6th will go in effect August 1st. But, in general, they are July 1st they go into effect, and the come out in the regulation book which I don't have in front of me, but there's copies around on that.

MR. ROACH: Okay. Can you

MR. MATHEWS: Okay. The next letter is just to show you the distribution that happens on your draft agenda for this meeting and that there is a reply date, and then there's just a letter. I was requested by the Commissioner's Office of the Alaska Department of Fish and Game to provide you copies of the, let's see, Revised Possible Alaskan Solution to the Subsistence Impasse. So, I mailed that out earlier, plus you have copies in your booklet here and for the public there are extra copies on the table. That's all the correspondence that I am aware of that came in and the correspondence that went out. If anyone received other correspondence which sometimes happens - and Lee's not here - but sometimes it's sent to the chair and just due to oversight or whatever, it's not provided to me, let me know and then we'll incorporate it in the meeting and also into your records.

MR. ROACH: Thank you, Vince. If there -- is there any further discussion on response to council correspondence? Then we'll move on to Item C, Annual Report to Federal Subsistence Board.

MR. MATHEWS: Okay. I'll take the bull by the horns there.

MR. ROACH: Thank you.

MR. MATHEWS: That's under Tab No. 4. At your last meeting, it was decided that you would have a subcommittee of the chair and Jeff Roach. I was to take and compare the annual report from '93 and '94, and the written response from the Federal Subsistence Board and what was not addressed by the written response carry forward, and I don't think there was any new items. But this is a draft report in front of you for Annual Report for 1995 which is required by Section 805 of ANILCA. I don't know how to proceed with this other than that this will be a topic item during the chairs' meetings with the board and future meetings of the chairs with the board as to how this Annual Report is incorporated into the entire process. I suppose for the public I can summarize what's in the Annual Report because I don't think I brought -- I didn't bring extra copies because it was still a draft.

I already mentioned it's required because of Section 805 of ANILCA. Your council still again request direction and guidance from the board as to how to increase the effectiveness of the report and how the report is utilized in the Federal Subsistence Program. Okay. One of the issues that was carried forward was subsistence fisheries. Separate letters were sent to the Secretary of Interior and the Secretary of Commerce on December 14th, 1994. And in a nutshell what the council was asking for was in their resolution which I'll read: "The Eastern Interior Regional Advisory Council Resolution. Whereas the Eastern Interior Regional Advisory Council is concerned with the health of salmon stocks in the Yukon Drainage and whereas it's well-documented that factory trawlers presently operating in the Bering Sea for pollack are allowed a by-catch of other species including salmon and whereas it is documented that a large portion of those salmon, chum and chinook, are of Eastern Alaskan origin, therefore be it resolved that the council would like to see an immediate curtailment of this wasteful practice." To date, the response we have is from the Department of Interior via Fish and Wildlife Service. I'm not sure if I attached that or not. Yes, I did and that is attached, but essentially they're saying it's outside their

jurisdiction to take action to close it. We have not received a response from the Department of Commerce on that. Okay.

The summary of regional council actions for 1995 -- oh, that's right, you wanted a summary of the council actions that are there and I can quickly go over them. The March 1 through 3, '95 Northway meeting: You reaffirmed your support for the Northwest Arctic Regional Council petition. You endorsed the Mentasta Caribou Herd Cooperative Plan. You approved the Interim Fortymile Caribou Herd Harvest Plan. You reviewed the Draft Environmental Impact Statement for adjustments to military operations in Alaska, and supported having alternate members to attend meetings when standing members are unable to attend. You supported a broad alternative for customary and traditional use determinations for the Upper Tanana area with a higher level of review and involvement of local tribal/village councils. Reviewed and passed recommendations on pending proposals for seasons and harvest limits, and listened to a presentation on the boreal forest practices and values of the Northern forests.

The October 4th through 6th meeting in 1995 in Fairbanks, you requested a letter -- informational letter be sent to all regional and Eastern Interior region communities on the annual customary and traditional use determination process; deferred action on prioritizing a backlog C&T requests and C&T issues -customary and traditional use issues - to local fish and game advisory committees, and requested the federal program extend deadline by 60 days. Recommended that the Federal Subsistence Board and the State Board of Game adopt Fortymile Caribou Herd Management Plan; passed a recommendation that a state resident license be required to subsistence harvest on federal lands; requested on an annual basis that U.S. Fish and Wildlife Service provide training for regional council members with subjects to be determined by individual regional councils, and recommended adoption of a special action on lynx seasons and harvest limits. And that is, in a nutshell, your draft Annual Report.

MR. ROACH: Steve?

MR. GINNIS: Mr. Chairman, this resolution regarding the factory trawlers, it's really an issue, you know, for fishermen on the Yukon River and I know this was being addressed to the U.S. Department of Interior and I forget who else you said, the secretary or

MR. ROACH: Department of Commerce.

MR. GINNIS: Commerce?

MR. ROACH: Yes.

MR. GINNIS: I would like to request if at all possible that this issue be brought before the fishery board because it is something that I think we all supported. We supported this resolution and we supported it because of the by-catch that's occurring with these factory trawlers out in the Bering Sea. So, if there's no objection, Mr. Chairman, I would like to move that this particular resolution be addressed by the fisheries board, and that is a motion.

MR. ROACH: And could you identify which fisheries board you're referring to? Is that the State of Alaska

MR. GINNIS: I'm talking about the State -- yes.

MR. ROACH: Is there a second?

MR. MILLER: Second.

MR. ROACH: Discussion? I do have one item of discussion. We can request -- it's my understanding that we can request that this be brought up at a fisheries -- State Fisheries Board meeting and provide them with a copy of our resolution; however, they are -- because they are a State fisheries board and we are a federal subsistence council, they are not required to address the issue. However, I do believe that it is an issue that they are willing to discuss, from past experience. Do you have any comments?

MR. MATHEWS: No. I was waiting for the vote because I need to defer to state -- I think the board of fisheries has already met on this, but I'm not sure. But go ahead with your action and we can

MR. ROACH: Any other discussion from council members? Randy?

MR. MAYO: Yeah, another avenue to approach this, you know, the formation of this Yukon River Panel with its advisory boards to this panel, you know, I sit on the advisory board to the panel and maybe a resolution carried by me to this council to put it on that -- put it in that way, you know, for the panel to make recommendations in their negotiations.

MR. ROACH: Any further discussion on the motion that's on the floor at this time?

MR. GINNIS: I agree with Randy. I think that this might be something that the Yukon River Panel might be able to address and maybe that's a more appropriate place for it to go. But in any case, I have a motion on the floor and I'd like to see this come before the fisheries board because it is an issue. Whether they deal with it or not, I guess, is another thing, but I also concur with Randy that it ought to go through the panel, Yukon River Panel.

MR. ROACH: That can be a separate motion after we pass this motion. Is there any further discussion on the motion on the floor? Hearing none, all in favor, signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Opposed? Hearing no opposition, the motion passes for the Eastern Interior Regional Advisory Council resolution on Yukon River Fisheries to be presented to the State Fisheries Board. Is there

MR. GINNIS: It passed.

MR. ROACH: And it did pass. Is there any other motion relating to

that that I heard?

MR. GINNIS: Yes, I -- Mr. Chairman, I'd like to move that the Eastern Interior Regional Advisory Council resolution pertaining to factory trawlers be presented to the Yukon River -- the newly formed Yukon River Panel.

MR. ROACH: Is there a second to that motion?

MR. MILLER: Second.

MR. ROACH: I hear the motion and a second. Any discussion?

MR. TITUS: Yes.

MR. ROACH: Charlie?

MR. TITUS: Mr. Chairman, just to clarify this new panel, is that -- did that come out of the Minto meeting or

MR. MAYO: No, this is a process started quite awhile ago. Maybe Vince can bring us up on it.

MR. MATHEWS: I'm at a loss. Are you talking about YRFDA?

MR. MAYO: No, no, no.

MR. MATHEWS: The Yukon River Fisheries Drainage Association or

MR. MAYO: These panels formed to implement the U.S./Canada Salmon Treaty. They have a -- there's a Yukon River Panel and then there's another level advisory to that panel.

MR. STARR: When was this one, Randy? When you got on there?

MR. MAYO: They had their first meeting in Fairbanks that I missed. It's just starting up and

MR. STARR: Um-hum.

MR. ROACH: Any other discussion on the motion on the floor? Hearing none, all in favor signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Opposed? Hearing no opposition, the motion presented -- to present the Eastern Interior Regional Advisory Council resolution on Yukon River Fisheries to the Yukon River Panel passed unanimously. Vince?

MR. MATHEWS: Randy, you'll need to give me a contact on that so I'll know who to send that to and how to reach that panel. So, sometime during break. And then I don't know if -- I thought the Board of Fisheries already covered Area M which somewhat directs this area, so I don't know if the state can give me an update on -- I think the letter still should go

forward, but I don't want you to be misled to think that their round of meetings now I think are done.

MR. ROACH: Could you please come forward to the table?

MR. BURR: I'm John Burr from Fish and Game. I believe that the commissioner has asked the Board of Fisheries to take up some of those Area M topics again, so I believe it's back on the table again.

MR. ROACH: Okay. Under Item C which we have development of the 1996 report

MR. GINNIS: Can we -- can I interrupt here for a minute?

MR. ROACH: Go ahead, Steven.

MR. GINNIS: There's one more other thing that I wanted to ask on -- question on this. I don't remember what we did with this Environmental Impact Statement for military operations. I know we discussed it when we were in Tok, but I don't remember what became of it.

MR. ROACH: Go ahead, Vince.

MR. MATHEWS: Without looking at the minutes, basically you took no actions on it. You listened to them. The feeling was that the local communities could address their concerns and that individual members would be put on the mailing list for that, but there was no official action taken on it.

MR. ROACH: Okay. I'm sorry, before we go on, is there any other comments on the review?

MR. TITUS: How about the next one down? Supporting alternate members? Is there any

MR. MATHEWS: That item is later on the agenda when we talk about that, but the board did look at it. We need, when we review the charters, to get you to reaffirm that you want that in clearer direction. The board did not take any action on alternate members.

MR. ROACH: Will that be brought up under Item F of New Business

MR. MATHEWS: Yeah, it's

MR. ROACH: which is regional council members?

MR. MATHEWS: No, it's brought -- yes, it's brought up under, correct, under status reports.

MR. ROACH: All right. Any further discussion on the review of the 1995 report? If not, we'll go on to development of the 1996 report. Any

MR. MATHEWS: Mr. Chair, sorry to interrupt you there. Do I take your action to mean that the council supports the 1995 report? Make it clear to me if there was some kind of motion on that?

MR. ROACH: Was a motion required?

MR. MATHEWS: No, it was agreed that the council would have the chair and yourself review it. I think it might be wise just -- is it clear by the council members not taking action that they support the annual report? I'm taking that as affirmative.

MR. ROACH: Is there a motion relating to that?

MR. GINNIS: I'll move to approve the Annual Report for 1995.

MR. ROACH: Do I hear a second?

MR. MILLER: Second.

MR. ROACH: Any discussion? Hearing none, all in favor signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Any opposed? Hearing no opposition, this council approves the 1995 Annual Report. I don't want to do anything here because I don't want to rush on to the next one. Development of the 1996 report. Under the process that we used last year for the 1995 report, a subcommittee was set up to work with our coordinator. Lee Titus and I sat on that subcommittee. Is there support by the council of continuing with that process or is there other processes that would like to be brought up by the council for completing the Annual Report?

MR. GINNIS: I know -- Mr. Chairman, I know that prior to setting up a subcommittee, we attempted to try to write an Annual Report and it was very time-consuming. It took a lot of our time of trying to collectively as board trying to write our Annual Report. So I would move that we continue under the present process of developing the Annual Report, and that's that subcommittee that you're talking about. I'll make that a motion.

MR. ROACH: Okay.

MR. TITUS: And I'll second that, Mr. Chairman.

MR. ROACH: There's a motion to continue with the subcommittee development of the 1996 Annual Report. Any discussion on that? The -- I would like to remind the council that we will require volunteers if we're going to use a subcommittee.

MR. GINNIS: Well, I guess part of my motion, Mr. Chairman, was to, like I said, continue the current process and I guess what I meant by that was those people that are already involved and would continue it.

(General laughter)

MR. GINNIS: And if you want me to make it clearer, I can do that.

MR. ROACH: Well, I can tell you that Lee Titus will probably be interested in doing that; however, since I will not be on the council after August, I probably should not be on the subcommittee.

MR. GINNIS: Oh.

MR. ROACH: So any further discussion on the motion that's on the floor? Hearing none, all in favor signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Opposed? Hearing no opposition, the development of the 1996 Annual Report through the subcommittee has been approved. Are there any volunteers to sit on that subcommittee at this time?

MR. GINNIS: Mr. Chairman, I think I would leave it up to the chair to appoint someone.

MR. ROACH: Okay.

MR. GINNIS: Is that okay? Unless there -- I mean,

MR. ROACH: Hearing no volunteers, I think it will be resolved by the chair that you will have to appoint someone to that subcommittee, unless he wants to do it himself. Okay. If there's no other discussion on the Annual Reports, we'll move on to Item D, Presentation of Final Report on Dall River Use Study.

MR. MATHEWS: Mr. Chairman, on that I think we may need another break. They need to set up some high-tech equipment, I gather.

MR. ROACH: How long do they need?

MR. BURR: Long enough to put the overhead projector

MR. MATHEWS: Put up an overhead and then we have to decide -- Steven, how do they usually do it in this room? We can block that window.

MR. GINNIS: Well, I don't know. We can find something to block it with here.

MR. MATHEWS: Well, there's a big white board back there.

MR. GINNIS: Oh.

MR. ROACH: Okay. We'll take a 10-minute break.

(Off record)

(On record)

MR. ROACH: Okay. We're on Item D, Presentation of Final Report of Dall River Use Study, and I believe John has a presentation for us.

MR. GINNIS: Can you state your name, please? John what?

MR. BURR: My name is John Burr. I'm with the Sport Fish Division of the Alaska Department of Fish and Game.

MR. ROACH: And following the staff presentation, we have Ben Stevens from the Stevens Village Natural Resource Office will be making a presentation as well. Go ahead.

MR. JAMES: Mr. Chairman, members of the council, good morning. I'm David James. I'm the subsistence coordinator for the Yukon Flats National Wildlife Refuge and for the Arctic National Wildlife Refuge and Kanuti Refuge, also. I'm going to give a brief introduction to the project. John Burr will give you the details of the draft report the way it exists right now. I thought it would be worthwhile to review for you how we got to where we are right now. The rationale for this project started a year ago last fall when Stevens Village proposed a regulatory change. They wanted to close fishing and hunting on the Dall and Little Dall Rivers in their traditional use area. While the proposal was being considered, we were approached - the refuge, I'm talking about now, the Yukon Flats Refuge - to provide our support. So after we reviewed it, we concluded that we would be unable to support it because of the lack of substantial evidence. However, at the same time during our consideration, it became very clear to us and to other people that the amount of information available didn't really contradict their claims either, but we felt it didn't support them either. In other words, we felt that we needed more data, more information. So, that was the starting point. We got together, we had a number of meetings and, from that, we eventually got to the Dall River Cooperative Research Project.

I might add that in addition to the review or the summary of the report that John is going to give you, there's also another report in the makings. There's a draft -- excuse me, it's in the draft form right now. This will be the overview of the Dall River Project. So we're going to, in a sense, have a report on a report here, just to be facetious about it. Really, what we want to do is describe the entire process that we went through in order to get this project done. For example, in order to pull off a project like this, we've got to have a lot of organizational meetings and we did; we had a bunch, and these meetings were necessary to develop this cooperative partnership that made it possible for us to go ahead with the project. Another example of the kind of thing you won't find in John's report is mention of the challenge cost share agreement and that was a mechanism by where we could bring funding together from three different groups and put it in one pot, and without that there wouldn't have been any project. And then, of course, one last example and this is a general one, is that the project was very interesting because it was carried out in an intercultural environment. Communication was not easy. A meeting of the minds was not easy. It took a lot of communicating, it took a lot stopping, backing up and trying to understand one another. So, anyway, that whole process, we felt, would be worth documenting because we think that it could provide a guide for future cooperative projects. People can look at it and

hopefully get some worthwhile ideas on how to bring different kinds of groups and organizations like this together in order to get resource management projects done.

That report will be done this month and it will certainly be sent out to the members there on the Yukon Flats and if others on the council are interested, we can make sure that it gets distributed to you as well. That's all I wanted to say about the introduction and this other overview report and, at this time, unless there are any questions, I'll turn it over to John and he can talk about the main report itself.

MR. ROACH: Randy, do you have a question?

MR. MAYO: Yeah. The agenda, it says final report. Is that just an error?

MR. BURR: I think what that means is that we were optimistic when we were making the agenda. Well, last October when I spoke with you, I was optimistic, I guess, thinking that the report would be finalized at this time, but at this point it's still in draft stage. So what I have is a complete -- I'm going to be able to present you a complete package as far as the results of the report, but as far as having a completed written report and a completed discussion section in some of the parts of the report, that part is not done. So, yeah, I have a complete -- the results are completed.

MR. TITUS: Mr. Chair?

MR. ROACH: Yes.

MR. TITUS: Suppose we don't find -- we don't agree with this final report? What would happen? What's the next

MR. ROACH: Well, at this point, it's a -- we're just looking at a use study. There are proposals, I believe, relating to this issue that we will discuss further on and at that time it would be the time to bring those up for changes to the regulations or the C&T or to go back to our original idea that we had during the -- I believe it was the spring meeting -- fall meeting or the spring meeting. Spring of last year, and readdress the issues that we had at that time. But at this point, we're just listening to the use study. Any other questions? John?

MR. STARR: You said you're optimistic about your findings. What is

MR. BURR: I'm sorry, I didn't hear your question.

MR. STARR: In other words, there was no proof or what

MR. BURR: Well, I'll show you what I've got here and then I'll be happy to answer your questions when I'm done. Again, what we have here is this is a use study. I'm going to show the council what information we collected about how much use there was on the river, what kind of use there was on the river during the 1995 season, and then one of the major focuses of this project was to look at sport fishing along the river. And that's what

I'm going to show you here, and then if there's any other facets of the report that you'd like me to address or questions you'd like me to try to answer, I'd be more than happy to do that.

MR. ROACH: Yes?

MR. MILLER: Do you have a list of the agencies involved in this study?

MR. BURR: Yes, certainly, and I can provide you with a paper copy. But as far as the group that was involved in planning, designing, and implementing the project, the Stevens Village Natural Resource Program, Ben Stevens, was involved, as was Randy Mayo and a number of other people from Stevens Village. David James and Ted Heuer from Fish and Wildlife Service were involved. I'm John Burr from Sport Fish Division of Fish and Game. The Bureau of Land Management had some involvement during the planning process and they provided us with a radio to use out there. Those are the major organizations that were involved in planning and designing the project and then two people from Stevens Village, Herbert George and Don Stevens, were at the creel survey station and one employee from Fish and Game, David Hoppler. Those were the three people that were actually doing the survey on the -- at the mouth of the river during the summer. So, that's the group of people that was involved in the project.

MR. STARR: That is in '95?

MR. BURR: Yeah, this last summer.

MR. STARR: Oh, yeah. But this has been going on for how many years? You know, I'm just

MR. BURR: Well, we had -- as David brought up earlier, we had two other studies that were conducted in 1988 and '89, and then there was a large break between 1989 and then until 1995 when we were relying on a statewide mail-out survey for information about it. And so there is a huge gap in that period of time about the information that I have about the river and so we obviously have to rely on reports by local people and then what we get from the statewide harvest survey. So, I'll just go ahead and go through this. It'll take about 10 minutes and please stop me at any time if there's something that I'm confusing about or just doesn't seem right.

MR. TITUS: Mr. Chairman?

MR. ROACH: Go ahead.

MR. TITUS: One more question. So you're going to tell us why the U.S. Fish and Wildlife Service don't agree with

MR. BURR: What I'm going to do is I'm going to present the results of our 1995 study. I'm not going to speak to Fish and Wildlife Service's analysis of the proposal. I work for the Department of Fish and Game, and I would be happy to comment on their analysis if you'd like me to. But what I'm going to do is I'm going to present the results of our 1995 study.

MR. ROACH: David?

MR. JAMES: To clarify, I was talking about a year ago last fall, initially, when the proposal first came up; that we didn't think there was enough information to really base a decision on, is what it amounts to. And that was the purpose then of having the project, was to get this information and, you know, bring it all together in this report, and the report is not final. I might also mention that there were some really valuable contributions by some other groups, too. The Federal Subsistence Management Program provided some good input into the development of this project, the Subsistence Division from the Alaska Department of Fish and Game also, and there was some contribution also by CATG. All along the line, there were different people representing different organizations that had some input into the process to varying degrees, you know, some more than others. So it was actually quite a large group.

MR. TITUS: I asked a question, Mr. Chairman.

MR. ROACH: Which

MR. TITUS: It wasn't answered. I said

MR. ROACH: You don't think it was answered?

MR. TITUS: No. He didn't tell me yes or no. I asked them are they going to tell

MR. ROACH: Go ahead and repeat it.

MR. TITUS: Are they giving us a reason why the U.S. Fish and Wildlife isn't

MR. JAMES: No. It would be inappropriate. We can't have

MR. TITUS: That's fine. Thank you.

MR. JAMES: a final decision right now

MR. TITUS: I just wanted a yes or no.

MR. JAMES: because the report is not final. You know, it's a preliminary draft.

MR. ROACH: Go ahead, Mr. Burr.

MR. BURR: As I mentioned just a minute ago, the folks from Stevens Village and the Department of Fish and Game manned a check station there at the mouth of the Dall River which is here on the map. We started on the end of May, the 26th of May and we ran this check station through the 5th of September. Boats were counted as they came into the river and the people in the boats were interviewed before the left. They were asked the purpose of their trip and those that were fishing were asked how many fish they caught and harvested. We also asked them a number of other questions such as where

they were from, whether they had visited the area before, and if they were hunting, and we wanted to know about their knowledge of land ownership in the area.

From the boats that we counted during the survey, we estimated that there were a total of 630 visitor days of use on the river by 330 people and there were 107 boats that we estimated were there during that survey time. On 47% of the 103 days that the survey was conducted, no boats entered the Dall River. On an additional 27% of the days, there was only one boat on the river. The average number of boats that were on the river during the period was approximately one boat per day.

Now use of the Dall River was highest during the month of July when nearly half of the visitors came to the area. About a third of the visitors came during June and during the last weekend of May. This June period represents 26 May through 30 June. Similarly, in August, that's August 1st through the 5th of September. I'll just refer to those as June, July, and August from here out, but understand that August actually includes a little bit of September and June includes the last five days of May. Most of the visitors came during the weekends and during August almost all of the visitors came during the weekend. Most of the boats contained two or three people. We had a few boats with more, but more than 60% of the boats contained two or three people and then most people stayed less than 48 hours. More than half of them just stayed 24 hours or less. This was a surprise, given the distance from town that people would stay for such a short time.

During the 1995 season, most of the boats on the Dall River were non-local. Nearly all of the non-local visitors were from the Fairbanks area and a small portion of those non-local visitors were from other Alaska communities and from other states. The amount of use by the local people changed during the course of the summer. During June, about 20% of the people and 26% of the boats visiting the Dall River were from Stevens Village. At the beginning of July, use of the Dall River area by local people dropped and remained at a very low level for the rest of the survey. We kept the survey station open for an additional 10 days in September to monitor use of the river. During that 10-day period, only six additional boats were counted on the Dall River.

Forty-five percent of the people - almost half - said that they were visiting the river for the first time. Most of the repeat visitors - people who had been there before - had only been there for one to five years. Very few people, about 4%, had been visiting the river for 10 years or more. The visitors were asked if, in their opinion, the amount of use of the Dall River had increased, stayed the same, or decreased. About a third of the people that we talked to believed that the use of the river had changed very little since they began using the area. Again, these are the people that had been to the river before and, remember, that most of these people had just been coming to the Dall River for a relatively short time. About half of the people we talked to thought that use had increased and slightly more than a quarter believed that use on the Dall River had actually decreased.

Now, this chart shows the purpose or reason that people gave for coming to the Dall River and nearly all of the people that we interviewed this summer were visiting the Dall River to sport fish. Boating was also

given as a reason by almost 60% of the people and about half the people that visited the Dall River camped. Only 25 of the 282 people we talked to said they were hunting. Other reasons that were given included traveling, visiting, and there was one sport fish guiding operation on the river this summer. We estimated the total amount of sport fishing effort during the 1995 season and that was estimated at 553 angler days. Recall that we estimated there was a total of 663 days of use by all visitors, so most of this was sport fisherman and there was an estimated 300 fishermen that visited the river. A third of the visitors -- of the anglers came during the May-June period; about half visited during July; and just less than a fifth visited in August. Again, most of the fishermen were present during the weekends. These anglers caught about 1,300 Northern pike during the entire season, of which they released 980 and kept 340. During 1995, about 73% of the fish that were caught by sport fishermen were released. As you can see, very few -- relatively few of the pike that were caught on the Dall River were caught during the early summer period in June. Only about 8% of the catch occurred in June, 54% occurred in July, and about 40% occurred in August. The fishing certainly improved during the summer such that by August the number of fish caught per angler day was 3.3 compared with about half the fish per day, or one fish every two days during June.

This project was partially designed to provide a check on the statewide harvest survey which is a mail-out survey that the Department of Fish and Game uses to monitor participation in sport fisheries in remote parts of the state in particular. This survey has been conducted every year since about 1977. The estimated level of fishing effort by the 1995 study, the one we did on the river, was 553 angler days. This compares with an average for the last five years of 431 and the two point estimates in '93 and '94 of 845 and 450. Those are our two best estimates; that's why I put them there. In '90, '91, and '92, the estimates of fishing effort and harvest are somewhat less precise, but you'll see that they're really quite similar. Again, with the harvest we had, from this study, an estimated 340 fish harvested and the average for the last five years has been 368 from the statewide harvest surveys. So we have a pretty good agreement between the statewide harvest survey and the Dall River Project that we did this year.

MR. GINNIS: Can I ask you a question on this?

MR. BURR: Certainly.

MR. GINNIS: Five hundred and fifty-three days of fishing?

MR. BURR: Um-hum (affirmative). What that represents is if a person goes to the Dall River for one hour, that's a day of fishing. If he goes there for 23 hours, it's a day of fishing. What it does is it multiplies -- that's just the number of days that people were there times the number of anglers. So, if there were five fishermen there, each for one day, that would be five days of fishing or five angler days. So what that 553 number represents is the number of anglers that were there times the number of days that they were there and that's a real common use

MR. GINNIS: So in that

MR. BURR: statistic that's

MR. GINNIS: So then in that figure then, you're counting the number of people that were there in addition to the days they fished?

MR. BURR: That's correct.

MR. GINNIS: That's what that 553

MR. BURR: That's -- this is an estimate that was based on those -- yes, we

MR. GINNIS: Okay.

MR. BURR: We counted

MR. GINNIS: Yeah, well, it's kind of misleading because it says fishing effort days.

MR. BURR: That's right.

MR. GINNIS: You know,

MR. BURR: Days of fishing effort. Yeah. I didn't mean for it to be -- I tried to be as clear as I could with these charts, but, yeah, I apologize if it's at all misleading.

MR. SAM: Mr. Chairman, I've got a question.

MR. ROACH: Yes, Timothy.

MR. SAM: On releasing,

MR. BURR: Um-hum?

MR. SAM: does that affect people under subsistence user?

MR. BURR: Most

MR. SAM: You know, I understand -- you know, I'm -- you know, that under subsistence, you know, all kinds of animals. I understand that, you know, once that pike has been released, his mouth is hurting and won't bite again. So does that affect the subsistence user down there for harvest winter? Can you -- did you get any kind of survey on that?

MR. BURR: Yeah. Actually, we -- during this survey, we didn't directly look at that particular question. We've done projects in the past with Northern pike and catch-and-release fishing. The most recent one was done by Sport Fish Division about five years ago and in that project what we did is we actually caught and released fish multiple times and we looked at the level of mortality that was associated with mistreating these fish over and over and over again, and some fish put up with it better than others. The overall mortality rate from that study was only 6% such that 6 out of 100 fish that were caught and released twice were not showing any signs of damage

four days later. They also held some of the fish for 10 days and the difference between short-term mortality and the 10-day mortality was there was no difference that we could detect. So we have looked at that, but another piece of information is that from the people that were doing the creel survey said that they thought that the level of mortality at the Dall River this summer was higher than what we were suggesting was -- we were seeing from this other study, and that's understandable because, of course, the people that were doing the study were people that were concerned about the fish and they were much more careful than the anglers were likely to be. So, I suspect that the level of fish mortality by anglers on the Dall River was higher than 6%, but I'd be very surprised if it was higher than 15% or 20% based on what I've seen from other on-site creel surveys. Go ahead.

MR. GINNIS: Yeah. I kind of take issue with this idea of releasing fish, also. I

MR. BURR: I understand.

MR. GINNIS: I don't think that's consistent with traditional practice, if you know what I'm saying. And so -- and then the mortality rate is something that it sounds like you don't really have a handle on in terms of these fish that are being released. I think that should be something that ought to be studied and not only that, but it's not really consistent with traditional practice. And I don't know if those are issues that are raised in your study or you're just looking at the folks that's using that area and how much fish they're taking and how many days they're there. That is all good information, but I think we need to find out what the mortality rates are when they release these fish and

MR. BURR: Yeah, I don't disagree with you. I agree.

MR. GINNIS: the traditional practice.

MR. BURR: Again, the purpose of this report is to provide the basic data from which we can figure out where we need to look at this harder and, indeed, the catch-and-release issue is discussed in the report and that's something that we're continuing to work on. Go ahead, Randy.

MR. MAYO: Yeah. You know, this catch-and-release, you know, it's a very barbaric and savage practice, you know, that isn't in our culture. We have more respect than that. It's beneath us to engage in such activities, you know. You know, the number of hooks lost, you know, there's one guy that grew up down there at the Dall River that feels that he can't live there no more because of the great increase in outside traffic. You know, he put a net in under the ice and, you know, the numbers of fish he caught with hooks still in their mouth, you know. So that has to be brought out, too, the number of fish -- the number of hooks lost, you know. That's all I got.

MR. BURR: I have a few more overheads here. I'll go ahead and continue and then I'll be glad to answer any other questions. Please feel free to stop me at any time, though, if there's something I'm confusing you about or if there's something you'd like to take issue with.

Another thing we looked at was where the anglers were actually

fishing within the Dall River area and what we found was that most of the anglers fished in the lower part of the river. About 14% of the anglers fished within sight of the mouth of the river, about half of the anglers fished within the lower two miles, and 80% of the anglers fished within the first eight miles of the river. We had a few individuals that went farther upriver, but, by and large, the sport fishing occurred in the lower part of the Dall River. Another question we asked anglers is what other areas they had fished during both 1994 and 1995. What we found was that almost all of the other locations that these people were reporting were down by Fairbanks; the Chatanika, Minto Flats areas was the primary and most frequently reported location. And very few anglers that we talked to at the Dall River reported fishing other Middle Yukon sites. We only had about 15% in '94 and in '95 of those 1995 Dall River anglers that had fished other areas such as Old Lost Creek or the Ray River or other spots within the Yukon Flats.

Again, this is a graphic showing the results of the statewide harvest survey up through 1994 and then here are the results of our study in 1995. And the estimates for Northern pike harvest and catch for -- and fishing effort obtained in 1995 of the Dall River are really quite consistent with the recent estimates provided by our statewide harvest survey, and until different information becomes available, we will continue to consider the estimates provided by the statewide harvest survey as representative of the level of sport fishing occurring on the Dall River. The other thing I'd like to say in conclusion about the pike fishery is that we have no direct evidence that there is a conservation concern for the Northern pike population which inhabits the Dall River and the surrounding area. The previous studies showed that the population of Northern pike is composed of fish that move out of the Dall River and into the Yukon River as well as those that come into the Dall River from other locations. The 1995 project showed that most of the sport fishing for Northern pike occurs in the lower part of the Dall River and that few anglers are fishing in the Dall River and in other nearby locations of the Yukon Flats. Given the huge size of this area and the size of the pike population that inhabits it, we have no reason to think that we are having an unreasonable level of exploitation on that population and that the catch of Northern pike, even if it was all harvest and not with the -- if we assume that all the fish that were caught and released were killed, then, it's still a sustainable level of harvest for this population.

That's all I have to say about the pike population. I do have some information about other aspects of the project I'd be glad to go over if anybody has any questions.

MR. ROACH: Can we go with Chuck and then Steven.

MR. MILLER: Yes. I was wondering, when you did your survey of the people, you know, utilizing the river, did you by chance ask the locals from Stevens Village if they would utilize that area more if there wasn't so much impact from outside area -- or outside people? Was that on that survey or did you by chance

MR. BURR: No, that wasn't part of the survey. We did interview some people, a number of -- as you can see, we had some participation in this survey by people from Stevens Village and, you know, they were asked a number

of -- one of the opinion questions -- one of the opinion questions -- excuse me, one of the opinion questions that was asked was, in your opinion, has the level of use increased, decreased, or stayed the same, and that was scaled between increased a lot and decreased a lot and there was an opportunity for anyone that was interviewed to comment. But that's not a question that was directly asked, no.

MR. ROACH: Here, and then we'll go to Randy.

MR. GINNIS: You know, my understanding of this study came as a result of the increased use of the river. Okay. You just made an issue here of saying that this is not a conservation issue and I don't think that -- I don't want to be speaking on behalf of people that's involved in this study, but it seems to me like the issue is not conservation or whether there's enough fish there or not. The issue has to do, I think, with the influx of people coming into the area. And it seemed like you're not really addressing that in your comments as you're addressing this issue.

MR. BURR: Yeah, that's absolutely right, I'm not addressing that because that's not the part of this whole project that I was asked to do. I was asked to look at the use, who was using this study -- using the river, when they were using it, and specifically to focus on the biological health of the Northern pike population because that's my job. And that was my part of this project, and so, of course, that's the part of the project that you get to hear from me. Ben Stevens was also part of this project. He's much better able to talk to those issues than I am and the people from the subsistence coordination group of the Fish and Wildlife Service are better able to talk to those issues than I am. But, you're right, that's a totally different issue and not something that I addressed.

MR. GINNIS: Okay. Well, I guess that's what concerns me, okay, is that as long as there's no conservation problem here, this use is going to continue if it's presented in the way that you're presenting it here. I mean, to the general public and whomever else is going to listen to it. It seems to me -- it's good information, don't let me mislead you, you know, it's good information, but I'm a little concerned but it's more tilted toward saying to us that, well, there's really no problem there because there's plenty of fish there.

MR. BURR: Yeah. Well, I didn't say there's not a problem. I said there's not a problem with the health of the Northern pike population.

MR. GINNIS: Well, yeah.

MR. BURR: And, I agree, that's the larger issue and something that we hope to address in this report that we're putting together.

MR. ROACH: Okay. Randy and then, Charlie, you can be after Randy.

MR. MAYO: Yeah, I was just going to answer Mr. Miller's question there. You know, it's one thing to ask the local people to put their comments down on paper, you know, but if you go into the community and, you know, ask people one-on-one, the overall majority will be -- you know, the feeling is we're pushed out of that area. You know, there's people that's

been born and raised down there. There's cabins there and we feel we can no longer use it. It's been defiled, desecrated if you will, made dirty. You know, there's people -- you know, one time my uncle found a rotten mother bear there that somebody just shot and left there. The cub was still trying to nurse off of it. Dead fish floating in the water and, you know, trash around, laying around there, you know, and empty beer and whisky bottles. And so, you know, the majority of the people feel we can't use it no more; there's too much outside interference. Just to answer your question.

MR. MILLER: That's what I was trying to get at, Randy.

MR. MAYO: And you won't find it in no agency report, but that's where the people are coming from.

MR. ROACH: Charlie, and then, David, you can come up.

MR. TITUS: I didn't understand your last statement about -- you said if everything was taken out of there, it would still not -- the number of fish

MR. BURR: What I said was if the number of fish that were caught and released were added to the harvest category, if we assumed that all the fish that were caught by anglers this last year were actually harvested as opposed to the large proportion that they said they put back, they said that about 74% of the fish that they caught they released, well, if we assumed that all 74% of those fish were actually killed, that total level of harvest, 1,300 fish, would still be sustainable by this population which inhabits this part of the Yukon Flats. That's what I was saying.

MR. TITUS: That's the whole Yukon Flats? That's downriver?

MR. BURR: Yeah, and that's -- the point is that when we did the work in '88 and '89 or '87 or '88, whichever years it was - I'm sorry that I'm fuzzy on that - we showed that fish that were residing in the Dall River came from a number of other places as far downstream as Hess Creek and as far upstream as Old Lost Creek upstream from Stevens Village and we also found that fish that we tagged in the Dall River were caught in those areas down by the Ray River and Hess Creek. So what that indicates is that there's a lot of movement into and out of the Dall River and in the whole area. And so, as a result, we were unable to estimate the abundance of Northern pike in the Dall River itself because it's just a portion of a much larger population.

MR. TITUS: Yeah. I was just going to point out that it's the same feeling they had on the Minto Flats. Now, when I talk to the older people about the fish that -- the pike we catch in Minto Flats, they're decreasing in size, in population.

MR. BURR: That's absolutely right.

MR. TITUS: And I was hoping that the council is aware of this, that the population -- the people are aware of this.

MR. BURR: Yeah.

MR. TITUS: Because what happens in Minto Flats could easily happen downriver.

MR. BURR: Yeah, if I may, I'd like to speak just real briefly about Minto Flats. As I'm sure you're very aware, a number of years ago, maybe five or six years ago, we had an excessive harvest in the wintertime on over

MR. TITUS: Not only wintertime. Summertime.

MR. BURR: What's that?

MR. TITUS: Not only wintertime. Summertime, too.

MR. BURR: Yeah, but the real damage got done by that winter fishery because they were concentrating on those big adult females and, as a result, that sport fishery was closed and they don't fish at all in the wintertime legally anymore. And as a result of that huge impact, the number of large fish in that population was greatly decreased and the population is primarily made up now of relatively young and small fish. The abundance of Northern pike out at Minto Flats is very high right now. And so our belief in Fairbanks is that that population is once again improving and the size and age distribution of fish in that population should be changing, and we're looking at that very closely in the next few years to ensure that that's the case. If we find out that, no, the fish aren't getting bigger, then we're going to have to have a further restriction on the use by sport fishermen in that area. But, you're right, the Minto Flats pike population is primarily made up of three- and four-year-old fish and relatively small ones.

MR. TITUS: I just wanted to point that out, Mr. Chairman.

MR. ROACH: Thank you. David, you were next.

MR. JAMES: Thank you, Mr. Chair. I wanted to address the issue that Randy brought up about the other point of view on these kinds of resource issues and I can tell the council what we've discussed in our Dall River working group, as we call it, about what's going to be in that report. And the way I see it, when that report is done, if Stevens Village looks at it and in the discussion section of that report, if they don't see their point of view, then the whole project will be a failure. We are dedicated to getting both points of view in that report. We think the data are basically very solid. We saw so many boats, we made an estimate, we got some numbers. We realize that's not the entire picture and if we have different viewpoints in that report that come up with a slightly different interpretation, that's okay. That's going to be, then, the decisionmakers. The board will have to look at that and try to come up with what they think is a fair balance. But one of the goals from the beginning of this project was try to bring together the scientific data and knowledge, you know, the Western science point of view, and combine that with the traditional ecological knowledge, the stuff that's been, you know, around for a long time. And that's not easy. I don't think anybody has a cookbook recipe on how to do that. We're just stumbling through this and we have been, you

know, for over a year now and we're trying to bring this stuff together. And any shortcomings, I think, eventually are going to be because we're learning, all of us are learning as we go. But it's a sincere effort; at least that's the way I feel. So we want to make sure that different interpretations of the data do see the light of day. We're trying to do that.

MR. GINNIS: I just wanted to ask a question on what kind of control is there in place, you know, to ensure that the fish remains healthy in the Dall River? Now, Charlie was just talking about what happened in Minto Flats. Now, I don't know what that could be attributed to, but if there's increased use, certainly the population will go down. So, you know, what kind of controls do you have in place to ensure that they remain healthy?

MR. BURR: What we have in place all the time when there's no specific project going on is this statewide harvest survey and what this gives us is it gives us an idea of the level of participation in a particular area by sport fishermen. The reason that we use this concept of angler days of fishing is that it's the very best way that anyone has found for guessing what the harvest and catch is likely to be because if use by anglers goes up, without question catch and harvest will go up. And so what we do is we monitor the fisheries through this statewide harvest survey and when more people start going to an area, we start getting more and more responses from that particular fishery and our estimates get better.

One of the main things that I wanted to look at with this project that we did in 1995 was to estimate things from the Dall River that are also estimated in the statewide harvest survey so as to provide a check on the statewide harvest survey because if the answers I got from the on-site creel survey were really different than what I'm getting here -- I don't expect them to be the same, but I expect them to be similar. If they were really different, then I'd say, well, there's something wrong here. This isn't giving me any useful information. And what we found out was that they're very similar. For the last five years, the information that we got from the statewide harvest survey is very similar to what we got from our on-site survey in 1995. Now, a problem with this is that we don't get this information until about a year later. So, I won't have the estimates for 1995 until the beginning of the 1996 season, but based on what we saw in 1995 on the Dall River, I don't expect that the estimate that we get out from statewide harvest survey is going to be a lot different. But that's what we have in place to keep track of what goes on in these fisheries. Now, if I see the amount of harvest or effort in a particular fishery really start to increase, that tells me I have to get out there and monitor that fishery with some sort of a project. And what we look at in that case is to look at the size and the age composition and the level of sport fishing that's going on. Does that sort of answer your question?

MR. ROACH: It's still the same question?

MR. GINNIS: Yeah, the same -- related to the same issue.

MR. ROACH: Okay. Go ahead, finish up.

MR. GINNIS: Yeah. I'd just like to respond to what you have been saying here. It just doesn't seem, I guess, appropriate to manage fisheries

based on some sort of a statewide survey. You know, it just doesn't make any sense to me now.

MR. BURR: I understand.

MR. GINNIS: Let me take it a little further than that. It would seem to me that the best way to control this harvesting of these fish is to implement some sort of an allocation system rather than basing it on some kind of a statewide survey. It just doesn't seem like that's the way -- it's the management way to address the issue. I guess that's the way I'm looking at it.

MR. BURR: Yeah. I don't disagree that this is not the best solution. It's the one we're using and I'm certainly open to the concept of a different approach, but at this point, this is the best approach that we have. The problem is, and it always comes down to this, is the amount of money that you spend collecting various kinds of information. This project that we did at the Dall River this summer, just the field work itself, was about a \$30,000 price tag and that doesn't include any of the time that people spent putting the project together nor the analysis of the data or writing up the reports. I mean, it's expensive to do any of this kind of stuff. And this provides us a relatively inexpensive way to keep track of what's going on in a reasonable fashion. But, no, it's not perfect by any stretch of the imagination.

MR. ROACH: John, you had a question?

MR. STARR: What about that -- this is not from Dall River, but I'm talking about fish they got at Tanana there and, you know, years ago, you used to catch big pikes in there. You don't catch that anymore. And there's two mining camps on that. There's one at Boulder (ph) Creek and one American Creek. There's mining camps on there since I remember at American Creek and it's drying that lakes up. You know, we try to get people that talk to Tanana Chiefs and see if they can sample that water and this guy down at Tanana Chiefs said -- he said he can't get no budget to sample that water because there's -- he can't get money to have that water studied. So then you have reports that some places the water is -- they said not to eat fish, just like, for instance, down in Nowitna. They said not to eat the fish you catch way up the river. You people hear about that.

MR. ROACH: Are you -- is that your question?

MR. STARR: Yeah.

MR. ROACH: Timothy is next.

MR. SAM: On that survey, it's sort of the same question again, but you did any kind of survey about, you know, the next village up in harvesting fish for their winter use or do you -- on the other hand, do -- did any kind of survey on how far they migrating upriver? You know, I can't -- that was sort of good report, but, you know, I'd like to see expand a little bit. Just like back in '50, I recall, right back in the early fifties, they put tag on those fish so they -- you know, so they'll know how far they go upriver or things like that. Are you trying to do some kind of survey like

that on them?

MR. BURR: Well, during the earlier survey, they did tag a bunch of fish in the Dall River and then in the various number of areas around the Dall River, at Hess Creek, the Ray River, up by -- I think it was Old Lost Creek and in the Little Dall River. And they tagged, I believe, in the neighborhood of a couple of thousand pike and the next year they looked for those tags in all of those same areas, trying to find out. But it was -- again, it was only in a relatively small area. It was from about Old Lost Creek down to the Hess Creek which is, you know, when you think of the Yukon River, that's a little tiny area, but when you think about trying to run around in a boat and catch fish for -- and get enough fish so you can start seeing some tag returns, it's a large area to try to work in. And other than always ask from the subsistence surveys that occur later on in the season, did you get any fish with tags? No, we don't have any sort of a project ongoing that would be able to detect how far these fish might be moving and we also haven't tagged any more fish since then. It's my impression that, in general, unless it's necessary, people are not enthusiastic about having a tag in -- you know, catching a fish and tagging it. I don't feel like that's a reasonable thing to do unless there's an important question you need to answer. I hate to abuse a fish more than necessary.

MR. SAM: Now, during the survey, would you say that Dall River should be closed to the public? Because, you know, I was down -- just an example, I was down in Arizona last year and it happened to be deer hunting season open and what they did was they raised these deers out in corral and when hunting season took place, taking place, they released, you know, numbers of them. And, you know, this -- I'm talking about two, three hundred deer, doe, and there were 2,000 -- over 2,000 harvest ticket were being issued out. Is this the kinds of problems we're getting into in the State of Alaska? This is last frontier. We, as American, move in late -- early. We should close these place down. I mean, you know, just like Minto. I heard about that, about the decline of pike and if we don't make a regulation at early stage, we're going to be like -- Alaska will be like any state in the United States. Like that Can- -- like one place down in Arizona, northern part of Can -- Grand Canyon. When I went down, it took six months before -- you know, advance time before I could rent a little donkey to pack my stuff down to the base. It took me one whole day to get down to the -- where the main river is and you see Coke machine. And then, you know, I mean if we don't -- I'm pretty sure it's not only happening in Dall River, but I see it happening in various places. We should say time out and set a -- close it to public in numbers of places. I'm pretty sure Fort Yukon had that problem here because you get -- I understand they get a lot of outside hunters when moose season opens here.

MR. BURR: I

MR. ROACH: Go ahead.

MR. BURR: Can I address a couple of things you brought up? First off, I don't believe that we need to close the Dall River because of the pike fishing. The pike population is able to sustain the level of use that is occurring now and a substantial increase in use would still be sustainable by the pike population. And that was the main reason that I got called into

this whole project, was because it was suggested that we should close the Dall River to sport fishermen because they were killing too many Northern pike. The information we collected this last year along with the information we had previously indicates that that's not so. Now, whether the area should be closed for other reasons is not something that I am in a position to address.

The other thing you brought up that I wanted to say something about was the Minto Flats. Yes, the size of Northern pike in Minto Flats is very much reduced. The population has changed. The number of fish in Minto Flats is at an all-time high based on what we know about the population presently. We are assuming that that population is rebuilding and we have a very restrictive regulation on the sport fishery to encourage that rebuilding. But if we find during our -- and, again, this is one of those places where we realized there was a potential problem and we're spending a lot of time and energy studying that population. But if we find that, no, the population is not rebuilding, then we will probably just have to curtail sport fishing altogether out there. One other issue that he brought up that I wanted to mention, you talked about hunting on the Yukon Flats and, although there are a lot of people hunting on the Yukon River, during this survey up until the 15th of September, very, very few people were seen on the Dall River itself hunting. In fact, I think a total of 10 boats between the 1st of the September and the 15th of September, six of those happened after the 5th of September and very few of those people said they were hunting. I'm over.

MR. ROACH: Randy, you were next, and then Charlie.

MR. MAYO: Yeah. I have a couple other issues, but I'll put them in the back as I sit here and observe this exchange here. You know, we're talking about conserving what's there and this gentleman here made a strong point and then you just turned around and just -- you know, I guess to sum it up, I think the Western way of thinking and dealing and this so-called knowledge doesn't include reason and common sense, you know. So, to me, you didn't even listen to what the gentleman said. Where is the reason and the common sense? You know, that migrant population of pike is adversely affecting the neighboring streams if they're moving in and out. And so you say that it can sustain the increased use till there's nothing left and then you say we have a problem. We know there's a problem; there has been one for years. You know? To us, this is just an exercise in futility. You know, it's too one-sided. Our views aren't incorporated or included.

And the other issue of visitors from other streams, and this has to deal with the reasoning and common sense, the more populated southern urban, you know, centers of Alaska, you know, how are they faring? Is that the reason why the people are moving north because those resources are being depleted? And another perception is the usage, the way it's going to be presented to the decisionmakers that 113 boats is really low compared to like Fairbanks where you have hundreds of boats going up and down the Chena River every day. You know, historically, that's a high number, but, you know, going way back. So, you know, we differ greatly here. We have a lot -- if we're going to get to this understanding, you know.

MR. ROACH: Charlie was next and then John. Charlie, go ahead.

MR. TITUS: I was wondering what's the escapement of fish when they're caught? The survival rate on the caught fish, the pike. Do you have any statistics on that?

MR. BURR: You mean of fish that's caught by sport fishermen and then you let them go?

MR. TITUS: Catch and release.

MR. BURR: Like I said earlier, the study that was done in Alaska by sport fish biologists that were trying hard not to have any of them die, those studies have ranged from about 3% up to about 6%, depending on what kind of hooks they were using and whether they had barbs on them or whether they were treble hooks and where the hooks were -- you know, if they get caught in the gills, they die. If they get caught in the mouth, they do pretty well, is what it amounts to. And then other studies that have been done in other parts of Canada and the United States have ranged from about 3% up to about 10%, so that about up to -- in these studies up to about 10 out of every 100 Northern pike that are caught and released subsequently die as a result. Like I said, David Hoppler who was working for me and then the two fellows from Stevens Village that were working out there watching the actual sport fishery take place thought that the level of catch-and-release mortality on the Dall River this summer was probably higher than what these studies were suggesting. And so I don't know what the level of mortality for fish that are caught in the Dall River and released is. I would suspect that it -- and, again, this is just a guess, I would say that it's probably potentially twice what you're seeing in the literature which would make it up to 20% or a fifth of the fish. But, you know, I really -- that's just a guess.

MR. TITUS: Mr. Chairman, just one comment. I don't have any direct interest in the Dall River. Like I'm not a subsistence user there, but my concern is I would -- I don't like to see it end up like the Snake River or Columbia River or Minto Flats, for that matter. I'm very concerned with this issue.

MR. ROACH: John?

MR. STARR: I'm concerned about the -- just like Minto Flats -- like Lake Minto with all that mining that's going on in there. That lake is drying up, too, same as Fish Lake down there and what does that do to the -- the problem is all that sand that's coming into the lake. That's changing their -- changing them lakes quite a bit. And I don't think there's any studies and I tried to get water samples of, you know, what's coming out of the mines. And I heard that they use cyanide to wash their rocks, the mining, and what it's doing to the water.

MR. BURR: Legally, they are prevented from putting pollutants in the water. You and I both know that that's illegal and what actually occurs is sometimes not the same. What it amounts to is our ability to detect their violations. It's important and there are a number of state and federal agencies who are charged with doing that very thing. And if there is reason to think that their operator is not operating legally, then, those people

obviously need to be monitored. But I have no

MR. STARR: Well, just think what it do to the water?

MR. BURR: Well, there's no doubt about it. Mining is going to have very detrimental effects on sport fisheries.

MR. STARR: Like that mining job in American Creek. I know that's been done when I was a little boy because the area -- we lived near that ridge there. It's not there anymore, but there's still mining there. I'm trying to get help to get that water tested and never got help yet. I ask the state and the state say they got no money to go out there and test the water. I ask Tanana Chiefs and they say they can't get budgeted to. So that's my concern, about the water and (pause)

MR. ROACH: Are you done now?

MR. STARR: Yeah. That's my concern.

MR. ROACH: Steven, you had a question?

MR. GINNIS: Yes. You know, I guess I -- like I said earlier, I think your study is -- I mean this information that you provided is good, but I kind of -- I agree with Randy in terms of this study being pretty much lopsided, one-sided rather. You know, if I was a newcomer and I wasn't familiar with this issue, I would look at your study and say, you know, there's a lot of fish there. There's no problem to go there and fish, you know. I would look at it from that perspective. So, I guess I would request that your study expand a little more beyond just biological and use information. I think it has to be a level report from all interested groups. Now, your presentation here is simply telling us how -- what kind of user groups are there and that's all good information, but don't you think it's kind of lopsided?

MR. BURR: Well, I don't doubt that that's your perception because that's, indeed, what -- all this was was a presentation of the information that was collected and it's

MR. GINNIS: But I'm asking that it expand beyond that. Okay? Because I think it's very vitally important that all parts of a study includes the concerns that are raised in terms of the release of fish. That is not consistent with the way we -- our traditional practice. Okay? There's other things in there that I think needs to be addressed. You were talking about the harvest and I'm very concerned about using a statewide survey to determine the harvest. I would request that you look at some sort of an allocation system for this, monies set aside. I mean, you know, this may be a convenience of doing it this way, you know, but in the long run -- we're looking at the long run of what may occur to these fish as time goes on. And, certainly, we don't want it to happen like it happened in Minto and try to address this too late, after the fact. So if your study entails all these concerns, I think, you know, that would serve its purpose.

The other thing, I wanted to ask a question regarding management of this particular river. My understanding is that at the mouth of the -- at

this particular river here, it's managed by feds and then further up the river, it's state. Is that true or is it all part of the refuge?

MR. BURR: No. My understanding is that it's -- well, it's private land for Dinyee and Doyon. Randy can help me with the actual land ownership, but it's private land along the Dall River at the mouth up a ways, and then there's a bunch of other land for the -- most of the length of the river has been selected, but some of it has not been conveyed yet to local people. So, as a result of that, the current system on all that private land, the land is managed by the state if I'm unders- -- if I've got this right. If I screw this up, please somebody point it out. And the water is at this point is considered navigable for the lower part of the river, at least, and as a result, currently the State of Alaska has jurisdiction in navigable waters. So, at this point until something changes through land ownership changes or through decisions made by various courts, the State of Alaska has jurisdiction on the management of the fish and wildlife in that part of the lower part of the Dall River.

MR. ROACH: Maybe now would be a good time to ask Ben Stevens from the Stevens Village Natural Resource Office to come up and give his presentation and then continue to ask questions. Is he -- there he is.

MR. STEVENS: Thanks. My name is Ben Stevens and I'm from Stevens Village. I worked as one of the components in this project at the Dall. I feel kind of uncomfortable in that this was a cooperative project and yet we're making separate presentations. Anyway, we're here to talk about the Dall River Proposal, whether to support it or not. And I think that I would like to throw a couple more clouds into this quagmire of ours; some things that did come up that weren't necessarily brought up in some of the real good information that John came up with.

I think for starters, I'd like for you folks to make no mistake about the fact that the residents of Stevens Village are getting elbowed out of the Dall River. That has been the case for probably over 10 years now. We don't have any real good ways to quantify that and make it the Western science kind of format for those people that need that kind of information. But when you walk down the street in Stevens and ask anyone, you will find one of two answers: Too many white people down there and there's no more fish. So, let's not make any mistake about that. The residents are getting excluded from the Dall. I think that might -- in my notes here I have one note that says that one of our agencies are mandated to protect that type of subsistence activity, right? We'll talk about that later. According to some of this good information here that John came up with regarding the Dall River use information, I'm looking at a section here where it says where the visitors came from and the first -- the very first sentence says that 92% of the visitors were non-local. Ninety-two percent. Well, if that does not indicate that there's a lack of local participation there, then, I don't know what does. I think the few people that did go down to the Dall went there because they had local residence down there.

In terms of the population of -- in terms of the fish population, the actual health of the population, you'll have to excuse my terminology. I'm not the Western scientific science person like my colleague here is, so sometimes my terminology can be just a tad different than what they would

use. But if there's a question or if I create some type of ambiguity in your mind, please let me know. In terms of how well that fishery is doing down there, I think that we're going to have a problem deciding what's real. John here seems to think that according to the existing data - remember that word, the existing data - there is no problem down there. I think that I would have to disagree with that. There are a number of just minute indications that there is a problem and one big one. One of the professionals in the field mentioned to me that one of the indications of a health -- of the actual health of a population of fish was the size. Well, also in this piece of good information here we've got on page 6, an estimated harvest and catch-and-release chart that throws around some numbers like the estimated harvest of the Northern pike there this summer was 340 fish; 283 of those were less than 30 inches. Now, the person that reputed to know what he was talking about said that that might be an indication that there might be some trouble there because there's not a whole lot of old fish there. Down in the caught-and-released part, all pike was 958. Those pike that were under 30 inches were 874 with 111 more than 30 inches. Now, to my simple mind, that would cause me some concern. And, again, you'll have to keep in mind that I'm not the professional Fish and Wildlife biologist or whatever you want to call those professionals. That would be one indication.

Another indication is that a few years ago, the Dall River was considered to be a world-class pike fishery. World-class pike fishery. However, if you'll notice there because of what I consider to be very, very low numbers of anglers this summer, I would -- you know, I would be concerned about that. If it's really a world-class pike fishery, why aren't people just zooming in there? There's a side to that story, also. But if you'll take a look at some of the information that John pulled up regarding the years that people were going to the Dall, you'll find that a majority of them have been going to the Dall between one and five years. That's fine, but a question that would come to mind regarding a world-class pike fishery is where are the old-timers, the people that have been coming there for 10, 15 years? It was a world-class pike fishery. Where are those folks? Of all the people there, only 2% of them were listed in that category, between 10 and 15 years. Where did they go? I've got a good hunch they went further up the Yukon. Yes, sir? I'm sorry, I'm getting carried away here.

MR. SAM: Correct me if I'm wrong, if this taking place down there at Dall River, how come it hasn't brought up to Fish and Game Advisory Committee? I thought that -- you know, like I say, correct me if I'm wrong. You know, I thought that Fish and Game Advisory Committee are the ones that know this proposal either for or against and then this regional council is acting on it. Why wasn't it -- it wasn't brought to the floor last meeting about this Dall River study.

MR. STEVENS: I'm sorry, I don't understand the question.

MR. BURR: I think the question was how come this Dall River issue was not brought before the Fish and Game Advisory Committee. And I guess the real reason is that there's not currently, nor am I aware of, a plan to have a Fish and Game or Fish Board proposal concerning the Dall River brought before that committee. And if I'm not mistaken, one of the major functions of the Fish and Game Advisory Committee is to consider proposals before the Fish and Game boards and because this is a Federal Subsistence Board proposal, I assume that's why it was not on your agenda.

MR. SAM: I've got another question here. Studying that Dall River, you know, people going in and out, you know, local and non-resident misuse the -- like he said there's beer can, whiskey bottles, trash laying all over. Did you report that to environmental group or did you request some kind of, you know -- my -- in my Native culture way, the land is real important to me. This is the way it been brought in our -- in Native culture. If we misuse the land, the moose won't come around, caribou won't come around, the fishing area will be -- won't be catching any fish and things like that. I mean just like Yukon King, if Fort Yukon don't catch any King or beaver or Stevens, we're out -- our community is out of fish because that's where we buy most of our fish and, you know, King salmon and things like that. You know, sometimes (indiscernible) and things like that. And if that Dall River being misused from outsider, I think it should be closed to the public. Thanks.

MR. ROACH: Okay. Go on.

MR. STEVENS: Okay. One thing that we need to keep in mind here is that we really don't have any good, clear data on the Dall River. All we've got are real good guesses. There is no solid baseline information on the health population down there or the population of the

MR. BURR: Yeah, I

MR. STEVENS: You realize the idea?

MR. BURR: I understand. Pike is

MR. STEVENS: The fish. How about if we just call it the fish? Yet we're making all these decisions and conclusions based upon those guesses. So, there's a lot of float here. I think the final thing that blows me out of the water here as an indication that there may be a problem down there is that our old ones, the elders in our home, they say that there's a problem down there. Now, they compare it with like 20 years ago and, you know, according to the Western way of thinking, this is subjective. It's like a judgment call. Right? Who knows what it was like 20 years ago? That's the thing that we get and it kind of implies that what they know carries a lot less weight. But let me try to give a little bit of weight to this. Again, let's go back and talk about the Western science way of looking at life. It's long-disregarded the science and the technology of the traditional Alaska Native people. We -- you know, despite the fact that we've lived here since before a lot of our grandparents can remember, that should say something for the level of knowledge that we've got to offer, yet that's discounted. In a matter of -- I guess it's a matter of life and death that we know our environment and our old ones do know the environment. Mr. Starr there mentioned earlier about the lady looking out over her garden. You cannot abuse that, and we work accordingly. When an elder in our home speaks, we listen. It's -- we don't discount that. One older gentleman said it's just like it's deserted down there, referring to the Dall River. That, in its simplicity, blows my mind. That is a very significant statement because he knows what it was like 20 years ago. I guess in my simple way of looking at the world, I would tend to believe someone who knew the area and knew the animals, knew the environment. I would not discount that.

I think another cloud that I want to throw into our quagmire here is the quality of information that we have. I mentioned earlier that we're basing a lot of our conclusions and even making decisions based upon information that's not as good as we'd like for it to be. A lot of those conclusions are based on limited and often disjointed information. Many of our management decisions or conclusions are not supported by substantial evidence. I'm sure we're going to hear about that in a second. I think an example that I can throw at you really fast is in this booklet. You have this booklet here on -- I'm looking at the discussion on Proposal 60 -- what is it, 64? And if you'll turn to page 39, there's a couple of examples. Let's take the first paragraph. In 1987, the Fisheries Board passed a -- or received a request to close it down

MR. ROACH: Excuse me just a moment.

MR. STEVENS: Yes.

MR. ROACH: Let's let everybody have an opportunity to find -- get the information so you can

MR. STEVENS: Good.

MR. ROACH: -- we can go through that together, please.

MR. STEVENS: Oh, I'm sorry.

MR. ROACH: That's all right. Vince, are the copies of the draft proposals within our packets here?

MR. MATHEWS: No, they were sent to you earlier. If you need additional ones, I have additional copies.

MR. ROACH: Please, could you give those to the members who don't have a copy of that?

MR. STEVENS: It's about midway through the document.

MR. ROACH: Okay. Is everyone with us on page 39 now?

MR. TITUS: Thirty-nine?

MR. ROACH: Thirty-nine. Page 39. Okay. Go ahead.

MR. STEVENS: Okay. A couple of sentences down, it says that as no biological information on the status of the Dall River stock existed, the board elected to close the fishery -- not to close the fishery but reduce the harvest limit and then directed the Department of Fish and Game to determine the biological status of the population. There were hardly any conclusive information out of that study, yet based upon -- the study actually concluded that based upon the age and the size composition data, they determined that the population was only exposed to light harvest pressure. See, now there's conclusions being made despite the fact of good, solid information. Another

example would be the second paragraph. This referred to our project this summer. This information, plus information on the size of pike caught suggests that this level of exploitation is well within the range of sustainable harvest. Conclusions based not entirely upon good, solid information. Those are just a couple of examples that kind of would lead me to believe that the quality of information that we're making decisions upon are -- it's kind of shaky. The Dall River is close to becoming a dead fishery and we're dealing with this kind of information. So I think that we're going to have to do something to better, I guess, equip ourselves to make good, solid management decisions.

Let me jump down to the statewide harvest survey. We are placing a lot of information or a lot of credence on this statewide harvest survey and I'm not too sure if that's a good idea. John here says that it's representative. I'm not too sure exactly what that means, but if you look at some of the information, I guess this started around 1978 and in order for these results to be published, you have to have, what, 12, 13 responses? And only one year out of -- since 1978 were these results published. That means that in 1978, there were four respondents; '79, seven respondents; '80, five, and so on down the line. That means of all the people fishing at the Dall, those were the responses that we got. I'm not too sure if that's a good way to hold information. I mean, it's not something that we can use to base the management decisions on. So, I think that we might have to take another look at that. I think that this fishery is in trouble. I'm just having a hard time proving it. If you have any questions, I'd be happy to try to answer them.

MR. ROACH: Vince?

MR. MATHEWS: Mr. Chairman, just for the public, I want to make it clear that at this moment, and you knew from your last meeting, you do not have jurisdiction over navigable waters. The area in question, if we're talking the lower river, we've already discussed the land status. The other thing is, we're getting close to actually debating the proposal and I would recommend that at that time the proposal be brought up and its analysis and discussed. I know Ben was bringing up different points, but I think you're going to be going over the same ground again when you bring up the actual proposal. Thank you.

MR. ROACH: Are there any questions for Ben relating to the -- or to John or any of the other staff involved relating to this study?

MR. GINNIS: I have

MR. ROACH: Go ahead, Steve.

MR. GINNIS: I guess one of the things that's very confusing to me is the land ownership in that area. Okay. What I'm hearing is that there's some Doyon lands there, there's some corpora- -- I guess village corporation lands. Can you kind of clarify that for me from your knowledge of the land area there?

MR. STEVENS: First of all,

MR. GINNIS: The reason why I'm asking this question is it seems to me that if these issues that were raised regarding how the land has been left with all this trash and all this good stuff that's been raised, it seems to me like maybe those land owners need to implement some kind of, you know, rule or something for use of that area. I think maybe that might very well stop some of these folks that's coming in there; that we could get Doyon or whomever to address this issue. And have you guys worked with Doyon on this thing?

MR. STEVENS: Yeah, we've explored that possibility.

MR. GINNIS: So what was the

MR. STEVENS: It wasn't very fruitful. First of all, we've never given up the land. Just people with bigger muscle and more guns came in and said they claim jurisdiction. But, yeah, we have explored those options to no avail.

MR. TITUS: Mr. Chairman?

MR. ROACH: Go ahead.

MR. TITUS: This is not a new issue for me. I've been through this concerning the Minto Flats area. All this data, all these same issues. I remember one time back in the early eighties when they recog- -- the local population recognized that the fisheries was going down, the white fish was depleting, the pike was depleting, and not till we told the department, or unless it's just coincidental perhaps, that they did a study. That's saying the local people know. They do know what's going on in their own rivers. For instance, the Minto Flats people, the Minto people knew that the fish were going down. So, it's hard to argue with the people that live off these resources. So I just wanted to bring that out, Mr. Chairman.

MR. ROACH: All right. If there are no more questions or comments, I propose that we break for lunch. Vince, do you have a suggested time, or, Steven, you might know about how long it's going to take us to go and get lunch?

MR. STARR: Take a lunch break.

MR. GINNIS: Take a lunch break, yeah.

MR. ROACH: How much time do you think we need?

MR. GINNIS: I don't know, an hour, hour and a half.

MR. MATHEWS: Steven, when did you think about the request for a tour of the school? Did you want to wait on that till tomorrow or

MR. GINNIS: Yeah, we can do that tomorrow. I need to make arrangements to do that, but I can't just take you all down to the school

MR. ROACH: Sure.

MR. GINNIS: and walk on through.

MR. ROACH: Okay. Let's be back

MR. ALEXANDER: When you're

MR. ROACH: I'm sorry, go ahead.

MR. CLARENCE ALEXANDER: discussing an issue like on Dall River, is the public invited to make a comment regarding the issue before you guys make your decision?

MR. ROACH: Yes. And we have public comment periods

MR. ALEXANDER: I understand

MR. ROACH: throughout the day.

MR. ALEXANDER: there are public comments, but on the front of your agenda on the top it says, "Note:"

MR. ROACH: Yes, we also have -- Vince, correct me if I'm wrong, but there are blue slips in the back that you can fill out if you want to address a specific topic. If we are discussing an item, specifically a motion on the floor, and I ask for further discussion, public comment is welcome at that time. Just raise your hand and make sure that somebody notices you.

MR. ALEXANDER: I fill out a card before I raise my hand?

MR. ROACH: No, no. If you want to address a specific topic previous to that topic being discussed, then fill out the blue card. But if we ask for discussion up here, then at any time you may raise your hand. Okay? Randy?

MR. MAYO: Oh, yeah, I just wanted to make a comment to the board here and to the audience, you know, before we get off of this subject, that this not only concerns a specific -- a little tiny spot, you know. We're looking at the big picture, you know. This involves everyone sitting here representing their areas. It involves the resources people live off of, not only fish that, you know, these agencies are mandated to protect. And that's all I wanted to say about this.

MR. ROACH: All right. Be back at 1:30 to start the meeting again.

(Off record)

(On record; 1:30)

MR. ROACH: We're going to be returning to Item 8 of the -- on the agenda, election of officers, before we go on to the status reports. I'd like to open the floor at this time for nominations for the chair. We'll

have nominations and then at the end of the nomination period, we will put some yellow stickies down here and we'll all vote. Pass those to

MR. TITUS: For the chair, right?

MR. ROACH: For the chair. Pass those to Vince and he'll make the count for us. At this time, are there any nominations for the chair?

MR. STARR: I nominate Lee Titus.

MR. ROACH: Okay. A nomination has been made for Lee Titus.

MR. SAM: I second that.

MR. GINNIS: I'd like to nominate Randy Mayo.

MR. ROACH: Okay. A nomination for Randy Mayo. Is there a second for that?

MR. MILLER: Second.

MR. GINNIS: I move to close the nominations.

MR. ROACH: There's a motion on the floor to close the nominations.

MR. MILLER: Second.

MR. ROACH: And seconded. Any discussions? The nominations as they stand are for Randy Mayo and Lee Titus for the chair. Any further discussion?

MR. STARR: Did Lee say he would run again?

MR. ROACH: I don't know. Vince, do you know?

MR. MATHEWS: Mr. Chairman, I talked to him a week ago. I asked him, in conversation, was he considering going for chair and he said yes.

MR. GINNIS: Well, he's been nominated.

MR. ROACH: Any further discussion? Hearing none, all in favor of closing the nominations, signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Opposed? Nominations are closed. We will have the secret vote at this time. (Pause)

MR. MATHEWS: Okay. Seven people voting. We have four for Lee and three for Randy.

MR. ROACH: So, Lee Titus has been elected to retain the seat of chairman. I'd like to open the floor now for nominations for vice chairman. Randy?

MR. MAYO: I'd like to nominate Steve.

MR. ROACH: Do I hear a second to that nomination?

MR. STARR: Second.

MR. MILLER: I second it.

MR. ROACH: Okay. Nomination for Steve Ginnis. Any further nominations? John? Any other nominations.

MR. STARR: Close the nomination.

MR. ROACH: John has made a motion to close the nominations. A second?

MR. SAM: I second.

MR. ROACH: Second by Timothy. Any discussion? Right now Steve Ginnis is the sole nomination for the vice chair. Hearing none, all in favor of closing the nominations, signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Any opposed? Nominations are closed. We'll have the vote for the vice chair at this time.

MR. TITUS: Mr. Chair?

MR. ROACH: We can ask for a unanimous consent.

MR. GINNIS: Well, I'm not asking for this

MR. ROACH: Charlie?

MR. TITUS: Can I ask for

MR. ROACH: Yes, you may.

MR. TITUS: unanimous consent?

MR. ROACH: Okay. Unanimous consent has been asked. All in favor signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Opposed? Steve Ginnis has the office of vice chair by unanimous consent. I open the floor now for the election of secretary -- correction, the nominations for secretary.

(Pause)

MR. MATHEWS: The position doesn't require a lot of work.

(General laughter)

MR. ROACH: Save that for the discussion part, Vince.

MR. GINNIS: I'd like to nominate Jeff Roach.

MR. ROACH: I'm sorry, I will be vacating my seat this summer
so

MR. GINNIS: Oh.

MR. ROACH: I will not be able to take that
position.

MR. TITUS: Mr. Chairman?

MR. ROACH: Charlie?

MR. TITUS: I'll nominate Charles Miller.

MR. ROACH: Okay. One nomination for Charles Miller. Do I hear a
second?

MR. GINNIS: I'll second it.

MR. ROACH: Thank you.

MR. TITUS: I'd like to close the nomination.

MR. ROACH: The motion has been made to close the nominations. Do I
hear a second?

MR. STARR: I'll second it.

MR. ROACH: Second by John Starr. Any discussion?

MR. GINNIS: Mr. Chairman, I'd like to ask for unanimous consent on
the motion.

MR. TITUS: I'll second that.

MR. ROACH: Okay. Unanimous consent has been called. All in favor
signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Opposed? Charles Miller has the position of secretary
by unanimous consent. At this time, in the absence of Lee Titus as chair,
Steve Ginnis will take over the meeting as vice chair.

MR. GINNIS: Okay. Thank you. Okay. We'll move on. I think where

we left -- I think we -- did we finish up the Dall River Use Study? Are we done with that? There's no further questions on that? There is a proposal that's going to come before us on the issue, so we'll move on with our agenda, then. We'll get on to status reports, training/requests needs for Regional Council.

MR. MATHEWS: Yes, Mr. Chairman. If you want to turn to Tab No. 5 in your book, and the same for the two public copies out there. This is a summary of the different councils' actions. We'll start off with the training one. It lists by region -- I'll just give some highlights. There was a request, I think it was the staff committee that asked for an idea of what the councils needed for training. Southeast didn't discuss this topic, but had nothing at present to share. Southcentral and many of the other ones requested training on ANILCA, Alaska National Interest Lands Conservation Act, in particular with Title 8. Others wanted information or training on biological limitations, social limitations, things like that. Your council, in particular, asked a fairly strong motion saying that the Fish and Wildlife Service should provide training and funding for at least one training on an annual basis for regional council members on subjects to be determined by individual regional councils. With that, I don't know if I'll summarize. I think you can see most of the other ones are asking for ANILCA, how to deal with the biology of questions, but there were some that asked for -- Kodiak-Aleutian Islands wanted a training session for traditional environmental knowledge. You requested that there be cross-cultural training for staff and for boards -- board members. And that pretty much summarizes the training requests. Where we go from here, it's not real clear with it, but it is in the process and I think by fall, we'll have a better idea of where the program is going to proceed in this area.

Okay. The next status report is on the council nomination process. At the last meeting, you were asked what level of involvement regional councils would like. Most of them supported the existing program the way it is now where people submit their applications, there's a panel that reviews those applications, ranks them, passes on their recommendation to the staff committee and the board, the board passes its recommendation to the Secretary of Interior and the Secretary of Interior with concurrence with the Secretary of Agriculture appoints the members. So, basically, you, at your last meeting, said you supported the existing process. Let's see, Kodiak-Aleutians supported to add alternative council members. I'm trying to find -- there was another one there, but maybe someone else can find it, that was just a little different than the existing program. Later on you're going to see in the book the list of people that applied for the three seats that are up. A third of the council is up each year. Okay. So, that's the status report on the nomination process, unless there are some questions.

MR. GINNIS: There is one thing that I would like to raise regarding this process even though, I guess, the board had already taken a position on it. Personally, I don't support this open nominations process. In other words, anybody and their brother can put in a nomination to be considered to be on this board. I would prefer to see some process that would involve some involvement of the local village councils in this process. The reason why I say this is that, you know, we're all accountable to this whole region, but in my particular case I -- since I come from Fort Yukon, I report to my council of the activities that go on here. You know, I feel accountable, it

makes me feel accountable to them, and I guess that's why I would like to see a little change in this process, if there's some way of approving this through the village council. And maybe that's a little different than the way it's written into the process, but I would like to at least have that looked at.

MR. ROACH: Mr. Chair, if I may? The only concern that I have with that is that it may limit people who are outside of villages who are interested in living the subsistence lifestyle that are outside of the normal village such as Fort Yukon or Tok or any of the other established villages or communities. So, I think there still needs to be a way for people who don't live in a community to be nominated for this, a seat on the council.

MR. GINNIS: Anyway, what is your response to that?

MR. MATHEWS: The only response I could have would be that you'd have to take an action, a motion, that would be passed by the council that would direct the process for your concerns because the council did -- this council did take up and was comfortable with the way things were handled and comfortable with who was appointed. So, it would have to take a motion, an action by this council now and then we would plug it back into the system here and see how it comes out.

MR. GINNIS: Well, I'm kind of in the -- kind of in a unique situation here. I'm chairing this meeting and I don't know if I can make a motion. You know, I mean, it's a concern of mine. I don't know how the other people feel about it, but

MR. MAYO: Mr. Chairman,

MR. GINNIS: Go ahead, Randy.

MR. MAYO: this -- so this nomination process, it goes out to all the communities in the Eastern Region, right?

MR. MATHEWS: The applications go throughout the region to everyone on the mailing list and then there's usually announcements in the various papers and try to get it on radio and stuff. And then the application is filled out and a panel is formed that reviews those applications, interviews the person applying, interviews their references, and then ranks them, and then looks at geographic diversity across the region, looks at various factors for the makeup of the council.

MR. MAYO: You know, the fact that we're -- you know, I'm a tribal council chief myself, you know, and I'm accountable to the people at home along like with Steve. And, you know, the fact that under ANILCA, we're like defined as just another user group, a rural user group. You know, we're stripped of our tribal authority here. You know, with the continuing open, blatant attacks on us by the state legislature, you know, this business between -- you know, they're a third party, you know. This business is between us and the federal government, you know. So, you know, I have a concern, along with Steve, along those lines, you know.

MR. GINNIS: Getting back to Jeff's -- the issue he raised, you

know, I'm not trying to eliminate anybody from being considered to serve on this board. I'm just trying to look at a way that the councils may have an input in this because we, as tribal people, we make individuals responsible for whatever it is that they're involved in to come before us and report on their activities. And with this open process, there's really no guarantee of that, and I guess that's what I'm just trying to get at, is some way to be able to say -- to run it maybe through the council, you know.

MR. ROACH: Mr. Chair, if I may? Mr. Chair?

MR. GINNIS: Go ahead, Jeff. I forgot I was running the meeting here.

MR. ROACH: You're the chair now.

MR. GINNIS: Okay. Go ahead.

MR. ROACH: The councils at this time can make nominations for individuals and submit those into this process and I think that the way it works with the council who does that, then the panel knows that that council has made that proposal or that nomination from their area and that may be looked at, and it still allows other people to apply, to nominate themselves or fill out an application from outlying areas.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Charlie?

MR. TITUS: Mr. Chairman, I don't know when the process is set up. I wonder if the department really looked into the democratic function of this council, whether it was like -- maybe we're missing something here. Like perhaps the chair is right.

MR. GINNIS: Go ahead.

MS. DETWILER: I'd like to add just a little bit of background information. Can you all hear me on this? I don't hear any feedback on this.

COURT REPORTER: You're not getting feedback?

MS. DETWILER: Pardon me?

COURT REPORTER: You're not getting feedback?

MS. DETWILER: No, I don't hear any.

MR. ROACH: Just speak loudly.

MR. GINNIS: Can you hear back there?

MS. DETWILER: Well, I'll speak a little louder then. The board is constrained by the requirements that are in the statute in Title 8 and those requirements are that the subsistence priority is to be done on a non-racial

basis, and so the board can't be too restrictive at the very outset of the nomination to try and elicit more applications from one group than another. And the involvement of the councils and the traditional councils, the IRA councils and other local government leadership groups is done in the review process, the panel review process where once the staff gets all of the nominations in, they contact the various leaders in the different communities to get their feedback on those nominees or people who have applied for those positions. And so that's more of an informal avenue for you or feedback, but it is supposed to be incorporated into the process.

MR. GINNIS: You know, that may very well be, but I'm just curious how well that's been followed up because I haven't been contacted by anybody about some of the folks that have applied, you know. And so that's what brings this issue -- for me, that's what brings this issue up. You know, you have to understand there's a little difference in how we view representation versus how the law might be, you know, the statute that you're referring to. You know, it's quite different from how we interact with each other out -- at least in this area, and I'm sure other villages are just the same. And we make folks, like I say, that serve on various boards accountable and we expect them to report to us in our meetings when we have our meetings and if there's no accountability like that, that person very well may be out there advocating something that's not really in the best interest of our people. And that's the thing that I'm concerned about, is that I wouldn't want to staff this board with people that are not consistent with how we -- you know, with some of the issues that we're concerned about. You know, that could very well happen with this kind of open process; we can very well staff this board with people that are totally against subsistence use and that's the danger in that kind of a process. That's the way I look at it anyways. Maybe I'm being a little prejudiced. I mean, maybe some people might view it as being prejudiced, but I think subsistence priority is a priority on federal lands, the way I understand it, and, you know, I would hate to lose that control simply by allowing open nominations for whomever wants to run for this thing. So, anyway, that's what brings this issue to the table, from my perspective, and this is an appropriate time to talk about it. But, in any case, if other people don't seem to think that's a problem, then we can just move on with our agenda. We can beat this thing to death if we want to, but -- go ahead, Clarence.

MR. ALEXANDER: I've got one thing to say. Maybe what you need to say is "appropriate entity" instead of tribal entity. Each village does have their own entity that does deal with selection of nominations to other boards. That's what you're saying, right?

MR. GINNIS: Um-hum (affirmative).

MR. ALEXANDER: And I know that Jeff comes from a community that doesn't have a community and that's why he said what he said. There's no city or village there. It's just a group. You need a group -- appropriate group if that's an assertion that you want to make.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Go ahead.

MR. TITUS: Maybe I'll ask Vince, when -- you know, when you get on the board, we're endorsed by different organizations, for instance, the city government, village government, or local corporations. When we first got on here, I remember they asked -- the Secretary of the Interior asked the village corporations whether we were free to endorse someone for this council. If I remember right, they sent a letter to our corporation asking if we wanted to submit a name to the regional council or the board or the Secretary of Interior to -- you know, I think it's -- isn't it -- am I right that any group or organization can endorse

MR. MATHEWS: Yes.

MR. TITUS: a candidate?

MR. MATHEWS: Yes. Any group can, or any group can put in an application for an individual that's interested. So that's where your present safeguard in getting -- preventing members from being on the council that are not accountable is to have people nominated from tribal or other groups with that support from those groups, and letters of reference sent in.

MR. TITUS: Um-hum.

MR. MATHEWS: Because the people are just not selected on this council just because they fill out an application. They have to have a grounding in subsistence use and knowledge of the area -- of the subsistence use of that area.

MR. GINNIS: Well, you know, Vince, there's -- I guess, you know, I have no idea who applied for these -- this seat here, at least from this community. You know, I was never informed who had applied. You know, I know I submitted my name after thinking it over, but other than that, I don't know who else had applied from here, you know, and it would be nice to have that information, at least to share it with our council and we can say, well, here's a couple individuals that have applied. What's your action on it? You know? Where's the support?

MR. ROACH: Mr. Chairman?

MR. GINNIS: And that's all I'm asking for, I guess.

MR. MATHEWS: Yeah. Mr. Chairman, you do have that under Tab 10, but I -- you do have it there for Region 9 who has applied as of February 29th. There may be some others that applied after that. And the council here can pass recommendations on individuals; the tribal council can, the village councils, whatever entity can also. But if you look in the last -- second to the last page and last page, you'll see Region 9 and that lists the individuals that applied as of the 29th of February.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Yes, go ahead.

MR. TITUS: Can I ask, what's the "yes" and "no" at the end of it?

MR. MATHEWS: Oh, that's -- let me look at that.
Reference.

MR. TITUS: You have two

MR. MATHEWS: That they put down a reference or not. The last column is, Did they put down a reference or not? And if they didn't, then, the answer is no; if they did, the answer is yes. So, for the one in particular that you're looking at, he didn't put down a reference, so we would probably get a hold of him to find out what reference or references he would recommend and then call his references like we did with the candidates.

MR. TITUS: What's a "Moses"?

MR. ROACH: That's the person who entered it in as a candidate.

MR. MATHEWS: Yeah. Moses is the coordinator for Kodiak-Aleutian Islands and he's been doing other tasks, so someone else might enter an application, so he wanted to know who entered it in so if it ends up missing or that, then he can find that person. So, he's the coordinator for Kodiak-Aleutians. That's who's putting together this information.

MR. GINNIS: Who is the person that's responsible for notifying? You know, you just said there's something in place here already to notify communities of people that are running. I think you said that.

MR. MATHEWS: This is it here. We -- this has not been mailed out to anybody. It's just brought up to the council. We don't mail out the list of all that apply.

MR. TITUS: We only have two that applied or

MR. MATHEWS: No, turn the page over. You don't have a lot more than two, but

MR. TITUS: Okay.

MR. ROACH: Not that many.

MR. MATHEWS: there's a few on the other side. And we have three seats that are open unless Selina has decided -- well, even if she has decided, she may have sent in her application, but we have three seats that are open. Jeff has made it clear he's not -- he didn't reapply, so that seat is open. Charlie, I think you indicated earlier in the meeting, so that's another seat that's for sure open. They're all open, but an incumbent has a known track record.

MR. GINNIS: Go ahead, Randy.

MR. MAYO: Like Fairbanks, how do they qualify as a rural subsistence user?

MR. MATHEWS: Presently, under the sections that deal with that, you only have to be a resident of the region.

MR. ROACH: And what we had -- during our first year, we had a member from Fairbanks who was a resident of Fairbanks at that time, but was from a village in the Eastern Interior and had a lifelong experience on subsistence use.

MR. MAYO: Well, I see another Fairbanks person here. You know, so how do they -- so anybody walking down the street in Fairbanks can say, you know, say Ralph Seekins, "I want to be on this board to further my interests," you know? And you know what his interests are. He can get nominated. You know, like one time he was on an interview on TV claiming he was a subsistence user, you know.

MR. MATHEWS: You're correct that anyone that's a resident of Fairbanks could apply, but would they survive through the evaluation process and et cetera? It would be unlikely that someone that has not lived a more traditional subsistence lifestyle would survive that. But you're correct. And that will be back before you next fall. If it goes well, those sections of the program will be back before you and at that time you may want to look at adjusting the requirements for who can serve on the council. But right now, you just need to be a resident of the region and be knowledgeable about subsistence.

MR. TITUS: So the way the system is now, McDowell could be a member of this?

MR. MATHEWS: Correct, correct.

MR. GINNIS: I guess the point I'm really trying to make here is who are they accountable to? You know, I mean, if I was from Fairbanks and I was sitting on this board, I wouldn't feel accountable to anyone. You know, I mean, I'm from a -- I mean, that's the way I would feel, I mean. So, I guess that's what I'm trying to get at, is the accountability of our representation here. You know, and I know that we say we're users or user groups, subsistence users and on like that, but that's fine, but we have to interact with a group of people in order for us to do an effective job. And I think I do that out here. I try to communicate with like Clarence and people that work within the department and people out there in the village and that's who I get my information from. You know, I'm not actively out there living off the land. I get that information from people that actively do this stuff, you know, and so I -- that's how I -- that's where my point of view comes from here, not only that I live out here, but the views come from the people that I feel that I have some accountability to, you know. And I think that's what this whole issue is all about, is accountability of who do we represent. You know, we can set this board up to have sports fishermen on here, we can have commercial interests on here, we can do all those kinds of things, you know, but that's not our function, the way I understand it.

MR. ROACH: Mr. Chairman?

MR. GINNIS: Yes, sir.

MR. ROACH: I think when we, you know, made the motion to support the process as it exists, we recognized that the application process, the review process, and following up on references would adequately look at the need for a subsistence background. And I think, in my opinion, that that's happened so far and I don't see any reason that it's not going to continue to happen.

MR. GINNIS: Okay. Well, I'm not going to debate this thing all day long, but I think I've made my point of view on it and as time goes on we might want to address this thing. But I'm one of those people that likes to address things before they happen, not after the fact, and I think too many times we do that. We think everything is okay, but then as time goes on, we find out that, no, it isn't, you know. And I just can foresee this thing developing into something other than what is currently existing. So with that, I'll just go ahead and move on with the agenda. Okay. The next item is Regional Council Requests for Alternate Members.

MR. MATHEWS: Okay. Good follow-up point. Your -- there was a request on adequacy of regional representation; it was asked of each council. Your council was fine with the number of seats. You didn't want additional seats, but you desired to have alternate members. Not alternate members per seat, but to have alternate members per area of the region and that was not defined, but it looked like it would be two alternate members. That -- the board did not take that up. When we get on the agenda to charter review, you may want to at that time look at reaffirming your support to have alternate members and request that through the charter review that you have alternate members. That means that if John Starr can't make it, there would be an alternate that would fill in for him, not maybe from right in his area, but from somewhere within half the region or something. That's something you may need to define when you get into your charter. Right now, additional seats have been approved for other councils, but the board took no action on alternate members.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Go ahead.

MR. TITUS: Isn't that a problem right now of setting up the Western Interior meetings? Are they having trouble getting a quorum or

MR. MATHEWS: No, it's not a problem with Western Interior. It's -- your concern was Western Interior brought up this idea and it was shared with you. They were very uncomfortable voting on issues that affected an area without a representative there. So they didn't want additional representatives; they wanted alternates, so if that person could not make it, there would be an alternate and they were looking at half the region, is what they were talking about. But neither council has really defined that, but it was clear to me that you weren't asking for each of you to have an alternate person. And the outcome of it is that during the nomination process, we'd have to select alternates at that time and then I think to have them effective, they would have to at least attend one meeting to understand how

things go, so when they come as an alternate, they're not coming in completely not understanding. So that's the discussion item on alternate members and you can address it when you come up with the charter which is under New Business.

MR. GINNIS: Okay. Is there any questions?

MR. STARR: We can bring that up at New Business then? We can bring that up on New Business?

MR. MATHEWS: Yeah, it's under New Business. Correct. The next status report you have is request from Alaska Department of Fish and Game to give you an update on the Fortymile Caribou Management Plan and staff is here to do that and I believe they have copies of the report -- the plan, excuse me.

MS. GRONQUIST: I'm Ruth Gronquist with the Bureau of Land Management, and I sent out a copy of the final report to everyone during last week. During the Fall 1995 Regional Advisory Council meeting, we presented the plan to the council and asked for you to take action on endorsing the plan and at that time you adopted two motions; one that recommended to the Federal Subsistence Board to endorse the Fortymile Caribou Management Plan, and one to the Board of Game to ask them to adopt it as well. Since that time in late October of '95, the Board of Game was presented the plan as well, and they endorsed it in its entirety. At this point, there are two steps, two regulatory steps that the Board of Game will take. One is that they will have to adopt a harvest quota proposal or regulation, as recommended through the plan; and the second will be a proposal to implement the fertility control part of the plan.

The planning team has begun working on implementation of the plans and preparing these proposals; in fact, Thursday, we have an all-day meeting to work on this. The Federal Subsistence Board meets in the beginning of May, I understand, and they will be getting a status report on the plan. They'll have your letter asking them to endorse the plan. They won't be needing to make any regulatory -- taking any regulatory actions because the quotas, the seasons, the bag limits, and access to areas that the Fortymile Caribou Herd use will not change under the Federal Subsistence Program. Just so that you aren't confused, a year ago in Northway, Craig presented to you an interim allocation strategy plan which just took us from that point until we had the final plan prepared.

MR. GARDNER: Yeah, basically, really what I wanted to do is bring you up to date because even though, as Ruth said, that there's to be no changes in the federal regulations, you know, so subsistence hunting for -- under federal law will go on, you know, as it has been for Fortymile Caribou, but what I wanted to do was maybe inform you how the state proposal we're putting forth - the team is - may affect the subsistence user. Because in this area, you know, federal land is, you know, it's fairly discrete, sometimes hard to figure out where it's at, and so most of the users actually use state land or, you know, private land as much as they use federal land. In fact, most of the harvest is occurring on state lands. And so what we tried to do with our proposal is to try to put the least impact on the subsistence users as we possibly can, but yet still reduce the harvest down

to 150. And so what you're going to see go in front of the -- hopefully in front of the state board is a proposal that doesn't change, really, any of the regulations even on the state books and what we want to do is actually manage under the authority of the restoration permit that's in place now. And what we're trying to do is basically keep the season length the same, and that was due because Eagle needed the windows of opportunity to hunt Fortymile Caribou early and late, and so we couldn't shorten season. That was one of our ideas. And so the season length will stay the same. The bag limit is going to stay the same. But what we're hoping to reduce harvest is, is by basically transportation and some access restrictions on to some of the more popular trails. And so, basically, what we're putting forth as a team is a closure of what's called the Chicken Trail which about for the last five, six years, 40% to 60% of the total Fortymile harvest is occurring on that trail, but most of the hunters that use that trail are non-local. And the second step we were going to make is the Glacier Mountain Controlled Use Area which is by -- just south of Eagle, is basically keep that controlled use area to the end of the caribou season and that will also kind of keep the -- you know, the more -- the transportation, what they think is keeping the herd from accessing the road, is to keep that going.

I've been kind of going to all the different villages and communities and to see what kind of impact that, you know, possibly this reduced harvest is going to have, and I've gone to several village councils, corporations and to the advisory committees, and so far I've gotten just full support. I mean all the communities supported the harvest reduction; they think it's a good step. You know, they figure that reducing harvest, you know, to try to get some kind of a predator management plan -- operation in the next year or two is a good compromise, you know. But one of the things that they're saying is that - and the reason why we're not also now changing regulation - is if no -- you know, there's not a lethal wolf control -- is not implemented, that harvest will go right back up to what it is today. You know, so basically they'll give up one season, possibly one and a half if it's not implemented. And then the Yukon, you guys might be interested in what the Yukon government did. The Tundra Gwich'in Nation, their chief actually put out a letter to all their members and asked them not to hunt Fortymile Caribou anymore and then also the Yukon government has put a proposal in that was just passed by their board to stop all hunting of Fortymile Caribou. So, on the Yukon side, too, they're also, you know, basically supporting the reduced harvest on the herd.

I guess I'd like to say it's going to be just something easy that we'll put it in front of the board and it'll easily go, but as much as you guys wrestle with probably some of the federal regulations that make what you're trying to do difficult, there are some state subsistence regulations that are going to make this somewhat difficult. And I'm sure the lawyers are going to be taxed to try to figure out how we're going to reduce the quota from 450 to 150 and still say that subsistence opportunity is being met.

MR. GINNIS: Yeah. You know, I -- that's a question I was going to ask in regards to this whole Fortymile Caribou Management Plan, is that my understanding was that you're trying to increase the population of caribou in that area, right?

MR. GARDNER: Um-hum (affirmative).

MR. GINNIS: And I guess you're putting in some kind of predator control type of a program

MR. GARDNER: Um-hum (affirmative).

MR. GINNIS: to try to help increase this, but on the other hand, you're not doing nothing in terms of changing the harvest?

MR. GARDNER: No, actually, we are changing the harvest. We're reducing the

MR. GINNIS: Well, you just said there wasn't no regulatory changes.

MR. GARDNER: Right. The reason why we don't want to make a regulatory change to reduce it, basically, it's a quota of 450 today and we're going to reduce it to 150. What we tried not to do is affect the subsistence user. So, no, we are reducing the harvest by quite a bit.

MR. GINNIS: So how are you ensuring that going from 450 to 150 -- how are you ensuring that the subsistence priority or subsistence use is being implemented or however you want to say it?

MR. GARDNER: Well, it's the tough -- and that's why I said there isn't any change in the federal laws. You know, we're not asking -- see, right now the federal quota is 150, you know, for local subsistence users. And so we didn't change that. And so the federal season will go from August 10th to September 30th and November 15th to February 28th. That's a given.

MR. GINNIS: How many people harvest this thing? How many communities harvest this herd?

MR. GARDNER: Well, local communities, there's, off the top of my head, six or seven.

MR. GINNIS: So, for six communities, there's a limit of 150?

MR. GARDNER: Um-hum (affirmative).

MR. ROACH: Just to bring that up, the subsistence take has never reached 150 yet.

MR. GARDNER: Right. The average is like 120, Steve.

MR. GINNIS: Um-hum. Okay.

MR. GARDNER: Yeah. And there's some -- okay, and some of the steps that we're taking to try to keep, you know, the harvest not to be exceeded really quickly -- well, like I said, it's closed down the most popular trail which is hunted mainly by non-locals. Okay, that's one of the steps. Another one, the Nelchina Caribou Herd, there's proposals up for the spring board meeting that, you know, are going to liberalize that herd, you know,

greatly. Now, I don't know which one they're actually going to adopt, but there's no doubt it's going to be liberalized quite a bit and so I think a lot of the hunting pressure from outside the area will start going down there instead of the Fortymile. So that -- and then other steps -- see, the state can shut -- I can shut the season down, you know, and so if I'm starting to see that too many caribou are being taken, that the 150, you know, the federal quota is not being -- you know, that not many non-locals are taking -- I mean, locals are taking caribou, then I can shut the state season down. That puts it right back to just the federal season will be the only thing running.

MS. GRONQUIST: The federal season won't close until 150 caribou have been taken and, as Jeff pointed out,

MR. GINNIS: So that's why you're not proposing any change in the regulatory

MR. GARDNER: Well, there's -- actually, there's

MR. GINNIS: That gives you that flexibility, right?

MR. GARDNER: Right, right. And there's a couple other reasons. One, the Fortymile Caribou Herd in their infinite wisdom never do the same thing twice and so it would be hard to make a regulatory change that might predict how they move, you know. And then the other one is that hunters, subsistence-wise, to -- into the urban areas were against making a strong regulation change that caused reduction because they feared that the board in, you know, maybe as it changed, they may not see that quota increased again. You know, so they said if we make it a regulation that's 150, everybody was fearful that it wouldn't be back to 450 if wolf control wasn't implemented or at the end of the program. So, they were more supportive of not trying to make something, you know, really cast in stone.

MR. GINNIS: So, is there any other questions on the Fortymile Caribou Management Plan? (Pause) Thank you for your time.

MR. GARDNER: All right.

MR. GINNIS: Okay. We'll move on here. The update on the status of navigable waters fisheries management and the NARC petition.

MR. MATHEWS: Mr. Chairman, Sue Detwiler will cover that. And the NARC petition is the Northwest Arctic Regional Council and others' petition, so we can let people know.

MS. DETWILER: Okay. The Katie John litigation has to do with federal subsistence jurisdiction over navigable waters. Up until this point, the federal government has taken the position that Title -- the subsistence priority in Title 8 does not apply to navigable waters; that those waters are, instead, under state jurisdiction. Katie John, an elder from the Copper River area, filed a suit challenging that position. Her suit went to the Alaska District Court. Judge Holland, of the Alaska District Court ruled that she was right; that, in fact, Title 8 subsistence priority did apply to all navigable waters in the state. That decision was appealed to a higher

court. It was appealed to the Ninth Circuit Court of Appeals in San Francisco. The Ninth Circuit Court decided that only navigable waters in which the federal government has reserved water rights fall under Title 8 -- the Title 8 subsistence priority.

The state has subsequently appealed that decision to the U.S. Supreme Court. We don't know if the Supreme Court is going to take that case or not, so in -- at this time, the federal government is coming up with regulations to implement that decision. So they're outlining which waters they have reserved water rights and, generally, those waters are the waters that are within CS use, Conservation System Units such as parks and preserves. And as part of that regulatory package which is being drafted right now, the federal government is also incorporating responses to two petitions that have been filed, one by Northwest Arctic Regional Council, and then the other by the Native American Rights Fund. And those two petitions ask the board to do two things: one is to include selected but not conveyed lands within the subsistence priority; and the second is to grant the Federal Subsistence Board the authority to manage hunting and fishing off of federal public lands, that those hunting and fishing activities are preventing the subsistence priority from being fulfilled on federal public lands.

So we might know in June when the Supreme Court ends its session whether or not they're going to take the case or not. If the Supreme Court doesn't take the case, then that means the decision will hold and we'll have to assert subsistence management jurisdiction over those navigable waters within those Conservation System Units.

MR. GINNIS: Would that include the Yukon River?

MS. DETWILER: Those portions

MR. GINNIS: As being part of this conservation area that you're talking about? Would that

MS. DETWILER: I don't know what the specific areas are. The general guidance, though, is that it's lands that are within the external boundaries of those refuges -- or waters. I'm sorry.

MR. GINNIS: Is there any questions? So, Sue, what's happened to this Northwest Arctic Regional Council's petition? It just stopped at the federal subsistence level -- Subsistence Board level or did it go

MS. DETWILER: That petition asked the board -- or asked the Secretary to include state and Native corporation selected lands in federal subsistence jurisdiction and that's what these newly drafted regulations do. It says that federal subsistence priority does apply to those selected but not conveyed lands.

MR. GINNIS: Okay. Is there any other questions? Thank you. Okay. We'll go on to the travel reimbursement discussion.

MR. MATHEWS: Okay. Mr. Chairman, that falls in my cover. It's -- you received in your packet of filling out your itinerary, the yellow-colored sheet that I gave most of you. Some of you I have not been able to yet.

There's a travel reminder sheet in there and I just added it to your list to make sure, but the main thing that we want to get across to you is fill out the forms, return them; that allowable expenses are taxi fare, official phone calls; and that you return the receipts for your unused -- your receipts and your unused airline tickets. And let's see where she put it in here. You cannot charge food, phone calls or liquor to your room if you happen to be staying in a hotel. We have had problems with that, so we're trying to prevent it before it gets any worse. And that's it. So, that's the travel reminder thing. Review that form, and if you have any questions on travel, your best bet would be to talk to Janice Collins or Terry Wilde in the office. They're the ones that have to push this paperwork through. Or call and talk to me. So, that's pretty much it. That you can't charge a lot of things on your room and that -- fill out the itineraries and return your unused airline tickets.

MR. GINNIS: Okay. Remember that now, you can't charge anything on your room.

(General laughter)

MR. GINNIS: Okay. I think we knew that, though.

MR. MATHEWS: Well, we were trying to be polite.

MR. GINNIS: So, let's move on then if there's no discussion on this issue. We'll go on to the Old Business. The first one is 25(A) and 25(D) moose. Actually, I'm the one that asked for that and I -- at the beginning of the meeting and now I can't recall why I asked that.

MR. MATHEWS: Maybe I can jog your memory. You asked for an understanding of use and what studies were being done in portions of 25(D). The refuge staff was prepared to present that during their agency reports, but they'll just move it up to now. And I talked to them during the Fortymile discussion and they were comfortable at that time to present it.

MR. GINNIS: Okay. Well, in that case, then, if they would come forward and I guess we'll report on what's happening in terms of the moose in the -- moose populations in that area. Who was -- who's doing this?

MR. MATHEWS: I think they're negotiating on it.

MR. GINNIS: Okay. I guess just to summarize the issues that were raised, I guess at the last meeting, these were issues that I brought to this board here, was that I was concerned about the user groups up in that area with the air-taxi and guide services. There was also concerns expressed about waste of meat. You know, with just antlers going out of the airports there, there's no meat going out with it. The other thing, I guess, was the -- we wanted some kind of -- the moose -- what do you call it, moose-counting program. This was another thing that was raised. And I guess those are the type of things that -- just an update on what's happened with those concerns. I guess that's what I wanted to find out. So, with that, Ted, then you would -- you're on.

MR. HEUER: Okay, Mr. Chairman. My name is Ted Heuer. I'm the

refuge manager of the Yukon Flats National Wildlife Refuge. We were going to talk about the -- actually Bob Stephenson, he's going to talk about the moose survey that we did back in November and will be glad to try and respond to any of your questions about guiding or whatever else you have, too. Just in terms of general information, in an effort to keep the local residents of the Yukon Flats a little better informed of some of our activities, we started sending out an information bulletin to all box officeholders within the Yukon Flats. Started that last August and we've sent out two bulletins so far. The last one that went out in December of '95 had some information about the moose survey in there and, hopefully, everybody on the Yukon Flats is getting this. Steve, you should have gotten a copy of it. Randy should have. Yes? And we can pass it out to the rest of the council members; it'll kind of serve as a start on the discussion anyway. And, by the way, we -- like I said, we're sending that out to all box officeholders within the Yukon Flats, but if any of the other council members would like to get on the mailing list, just let me know and we'll be glad to put your names on there. So, Bob, you want to start off with the moose census?

MR. STEPHENSON: Thank you, Mr. Chairman. This last fall, we did a -- we worked with the Fish and Wildlife Service to do a moose census in 25(D) East and we did it a little different than we had in past years, but basically covered an area of about 1,500 square miles including the Fort Yukon area and the Lower Black and Porcupine Rivers, and Mardow -- the Mardow Lake area east of here, and that's pretty much the area where most of the moose come from for people in Fort Yukon and Chalkyitsik. And we spent about three days at that with four airplanes and a number of people, and we broke it into three 500 square mile areas, roughly. One was around Fort Yukon, one was on the Lower Black River, Graveyard Lakes area, and one was kind of what we call the Mardow Lakes area, from the foothills out on the Sucker River flats. And basically what we found is -- we observed 232 moose in these -- in all this flying and we estimate there were about 700 present in the area, using the statistics that go with this kind of a technique. So, a total of 700 moose in about 1,500 square miles. And the Graveyard Lakes area had the highest density of about -- well, the way we express it is about .75 moose per square mile or about a moose every one-and-a-quarter square miles or so. And there was about one moose per two square miles in the Mardow Lake area and around Fort Yukon it was near one per 10 square miles. So, the Fort Yukon -- in the area within about, oh, 20, 15 or 20 miles of Fort Yukon was the lowest density, but the others were higher.

The calf survival is pretty good. It was about 37 per 100; 37 calves for every 100 cows or about 16% of the moose in the population. There's about 16 yearlings per 100 cows which is, oh, just fair yearling recruitment and 54 bulls per 100 cows which is a pretty good bull ratio. And, I guess, based on this, comparing it to the past, it didn't indicate that there had been any real big change in the population over the last few years. It's still -- the density in 25(D) East is certainly higher than in 25(D) West where it's down to around one per seven square miles or so, and things aren't looking bad. I think the concerns are that people are telling us that the bear population has increased, both black bears and grizzlies compared to years ago. There's -- wolves are certainly holding their own. There's a moderate density of wolf population, and there's a concern that this could decline some time. But right now there's not an indication that it is. It seems to be doing okay. So, are there any questions?

MR. GINNIS: Yeah. I -- well, it's good to know we have a good healthy moose population out here, at least in the eastern part of this refuge. But we also have a moose decline on the southwestern part of this refuge and I still haven't heard how you folks are going to address that decline there. The other part of the issue that was raised at the last meeting was these guiding services that's occurring in the northern part of the refuge here, in the Brooks Range area. And the issue there just simply has to do with how that is being monitored and whether the meat that's actually being taken out of there -- and I don't know what you're doing in regards to that.

MR. STEPHENSON: Well, I'd like Ted, and perhaps Jim Lowe from Fish and Wildlife Protection should talk a little bit about the way they look at wanton waste and that problem. I would just -- I think you'll recall that at the last council meeting in Fairbanks, I think it was October, David James gave a little presentation about the number of moose taken in 25(A) and Fran Mauer talked about the moose movements from the mountains over to the Old Crow Flats and now they're back in Alaska. In the winter, they're all back in the country. So it seems that that's one pattern. But I think as far as guiding in the refuge, maybe you and -- or Jim could talk.

MR. HEUER: Yeah. I can talk about the Yukon Flats and maybe it's be appropriate for Jim Kurth to talk about the Arctic a little bit. On the Yukon Flats Refuge, we have two guide -- permitted guides. One that basically -- one of the areas, basically, corresponds to 25(D) West, that area around Stevens Village and Beaver and Birch Creek. And since that area, at least the federal lands are closed to moose hunting except for residents of those three villages, this particular guide only takes out bear hunters, black bear hunters mostly. And David James just looked up some information. His take last year was five black bears from the western portion of the refuge. Those were the only animals that were taken by that guide.

On the eastern portion of the refuge, the guide in that area is authorized to take moose hunters out, also, but generally has a very low take. This past year, he had no moose taken, one wolf, and one black bear from the eastern Yukon Flats. So, in terms of the moose that are taken by guided hunters on the Yukon Flats, it's very low. Last year it was none.

MR. GINNIS: Then where are all these -- I know last -- was it last year or the year before last, I guess it was, I was coming back from Fairbanks and I got off the plane and I was -- there was a guy there, in fact two people, with six antlers and no meat. Now where are all those coming from, you know?

MR. HEUER: I

MR. GINNIS: I mean I guess I'm just asking for a little more control over this activity. You know, like I said earlier in this meeting, my understanding is that subsistence is a priority on federal lands and these kind of activities just don't seem to be consistent with that. And if there's no real control over it, then those are the types of things that could happen. You know, people just coming out of here with horns and where

is the meat? You know, and that's the issue and that's the concern of the people I've talked to, anyway, in the region.

MR. HEUER: Yeah. In terms of non-guided hunters -- of course, any non-guided hunter can go out there with an air-taxi service and hunt on the refuge and I guess our philosophy is, as long as there's a healthy population of moose and it's not impacting -- you know, negatively impacting subsistence users, that the refuge will remain open. As far as, you know, people coming in with just antlers, you know, we hear about this all the time and all I can say is, you know, we'd love to catch people that do that. You know, we have two other law enforcement people on our staff besides myself. We have a toll-free number. If people can get us specifics, you know, if they can get tail numbers off those planes, come to us with some specific information, we'd sure love to check it out and, you know, follow up on it.

MR. GINNIS: Did you utilize local resource people in your moose survey when you did your survey on the moose?

MR. STEPHENSON: Well, Craig Fleener was involved in doing the flying and another -- actually, someone from Galena, Orville Huntington was -- who works with the Fish and Wildlife Service, helped with it. So, that's who was involved.

MR. GINNIS: Okay. I don't have any more questions. Are there any more questions on 25(A) and (D) area? Go ahead.

MR. SAM: Now, Mr. Chairman, we do have a problem in Arctic that in fall time hunting season open, we've got, you know, I mean, numbers of people going through there hunting Arctic Wildlife Refuge area. And this is the same thing we seen up there is they come in -- come back with only antlers. I'm pretty sure that can be put to a stop if you have agents with the airlines around Fairbanks area where they have to go through or at Arctic Village where they mainly catch -- they're right there when they carry that. We have been request that to Fish and Wildlife, but they haven't done a darn thing about it and if our -- you know, when I get back, the council expecting of me to report what's taking place here. That's my responsibility. Same thing with Fish and Game, you know, meeting. I say why you guys can't do that if you're on the payroll.

In the past, we have moose decline in Arctic area and I went through a drum and -- a 55-gallon drum of gas and didn't get anything. And they did -- you know, we each had our plane and looked all over the area and we covered pretty good area and we have counted only five moose and that's, you know, hundreds of mile away from Arctic Village. The kind of people that are -- you know, outside hunter taking them. It's about time that we, you know, say time out and set, you know, a regulation there or close the area to outside hunters.

MR. HEUER: I certainly hear and understand your concern and, like I said earlier, you know, we have a toll-free number. Alaska Fish and Wildlife Protection has a toll-free number. You know, we'd sure like to be notified of situations like that. I can't be every place at once. You know, we can't -- we just don't have enough people to station them at all the airports and check all of the hunters coming through. But if you can give us

specifics, we'll sure follow up on them the best we can.

MR. GINNIS: On the decline on the western part of this refuge here, the southwestern part of it, what is the plan to work on increasing that population there?

MR. HEUER: Well, it's something that we've had concern about for a long time and, of course, we have the Federal Subsistence Regulations in place. What we'd really like to do is form some kind of a work group with representatives of the local villages, Stevens, Beaver, Birch Creek, Alaska Department of Fish and Game, and the Refuge, and get together and talk about the issue and see what we can do, explore all the options and try to come up with some sort of a moose management plan that will help us correct that low population.

MR. GINNIS: So when is this going to happen?

MR. HEUER: Well, you know, we've done some preliminary talking to folks in the three villages trying to get some interest in getting together and forming some sort of work group and those things, as you know, take travel and money and time and we're still working on it and it can't be soon enough, as far as I'm concerned. As soon as we get some interest out there in working with us.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Go ahead.

MR. TITUS: Did they find out the reason for the decline exactly?

MR. HEUER: Nobody's real sure what the reason is. All the biologists that I talked to think that there's plenty of moose habitat out there, so it's probably a combination of, you know, harvest -- human harvest and predation from black bears, wolves. But we're not absolutely sure what the reason is.

MR. MAYO: Mr. Chairman?

MR. GINNIS: Go ahead, Randy.

MR. MAYO: Yeah. You know, down there on the western edge of the flats, we're just a little short distance from the Haul Road, you know, 20 miles. That's had a significant impact on them, you know. There's a lot of activity. There's a pumping station there and, you know, in the summer that activity increases, you know, people going up and down the river. You know, that has a big impact on them, you know. Even your scientists say that, you know, and we've known this for a long time. One of our elders that passed away mentioned it in a meeting one time that since that road came in, you know, the decline in the moose and caribou population, it just cut them in half, you know. So that plays a significant role, you know, and that can't be discounted either.

MR. GINNIS: You know, I think we've really got to get serious about this problem in this portion of the refuge in terms of moose population. I

mean, we can no longer just sit around and try to figure out what the hell is going on there. I really think we need to get some kind of control in there. If it's predators that's causing this thing, then, and primarily wolves, I guess, we need to address those things, you know. And I think your idea of a working group is a good idea, but, you know, I think the sooner we -- there ought to be some time lines to try to address this whole issue. I would hate to come back here next year and then still talking about the same issue. It seems like each meeting I've gone to anyway since I've been on this thing, on this board, this same issue has -- it's still there and that's two years ago. You know, and in the meantime, those folks that really rely on this as part of their diet are getting the -- you know, they're not being addressed. And so, you know, without debating this any further, I hope that soon something happens here and maybe it might not be bad idea for you to as a refuge manager out here to set some deadlines on when some of these things can occur. I don't know if that's how you work, but it seems like absent of something like that, it's just going to continue.

MR. HEUER: One of the things that we talked about to the council - I think it's probably been almost two years ago - was that we had hoped to get some money to do a moose calf mortality study to find out exactly what is happening to the population out there and that is still something that we would like to do. I think the council actually developed a letter of support for us doing that study, but it was not funded and, you know, this year we still don't know what our budget is going to be because of the Congressional and Presidential budget impasse.

MR. GINNIS: Well, let me just respond to that portion of your -- what you just said. You know, these villages out here can be very helpful in terms of giving you the support you need to seek the funding, you know, and it can be done through resolutions brought before the annual convention, for instance, at Tanana Chiefs requesting that, you know, funding be provided because of the importance of this to the people in this region. You know, there's ways to get around it. A lot of times you folks try to battle your own battles, but there are ways to address these things and I think one of the ways is simply through the support of the villages through a supporting resolution asking for these funds that you are requesting to do the study. You know, a lot of times you folks tend to do it on your own and it doesn't work because you're working within the system. You know, where are the user groups? Maybe they might -- it might give you a little more edge on the funding of these projects. I'm not saying it's going to occur, but it would be helpful. And those are different ways we can help out. Now, there's a convention coming up here next week and if you could draft some sort of a resolution to address this issue, I'll be more than happy to bring it before the convention for their consideration. It might sound like it's in conflict with you, but it's not. I think it's really helping try to help out the situation.

MR. HEUER: I appreciate that and we appreciate any support we could get. We have to be very careful when we go to outside agen- -- or outside groups and ask them to help us in our funding requests.

MR. GINNIS: Yeah, but that would be a matter between you and I.

Okay?

MR. HEUER: I hear you.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Yes.

MR. TITUS: I would just reinforce your view on that because why I asked this question -- because I asked the same question two years ago and still I got the same answer. I was wondering where the -- what you were doing about this issue on the mortality rate. So I think it's -- if the question is still there two years from now, there's something wrong.

MR. GINNIS: Go ahead.

MR. SAM: Mr. Chairman. Why not just put issue out to harvest ticket for, let's say, like we done that in Beaver on bag and then moose population went back up. They would know -- you know, you request that -- it depends on how many hunters there. If there's 30, issue 30. And then close it to the public. We done that one time and then the moose population really went back up. I don't see why we can't use it now.

MR. HEUER: That's basically what we have right now. The area is only open to hunting by residents of Beaver, Birch Creek, and Stevens Village and there's a 30 bull moose bag limit or the season is going to be shut down after 30 animals are harvested. One of the problems is that there's also a state Tier II season within that area and a lot of the lands that are actually where people hunt are actually within state jurisdiction and not on the refuge. So, there's two systems in place. We have agreed with Alaska Department of Fish and Game that, you know, 30 animals was a good target to shoot for and that's what we've been shooting for for a number of years as far as the harvest, but the population is still remaining low.

MR. GINNIS: Go ahead, Randy.

MR. MAYO: Yeah. You know, here we sit here, this council, you know, and, you know, we're asking what are you going to do about it, you know. Well, you know, I think that's the wrong approach. What are we going to do about it? We live here, you know. You know, like with this Dall River study. We kicked in some money there and what do we get back in return for our dollars is that justification, you know. So, we're like paying ourselves to get kicked in the rear-end there, you know. That kind of system can't work and a working group is fine, you know, but actually this statement should come under the co-management discussion. You know, in the village we're working on our ordinances, you know, and that's the only way it's going to work, is the local ordinances and the agencies recognize those ordinances, you know. Like you only have one or two officers that have to cover a big area. There's no way they can cover it. So, down there, run from our approach isn't asking you what you're going to do for us, we're going to say, you know, this is what we can do for you, you know. So I'd like to explore that further under discussion of co-management, you know.

MR. GINNIS: Go ahead, sir.

MR. LOWE: My name is Jim Lowe. I work for the Division of Fish and Wildlife Protection for the State and I'm one of the troopers in charge of patrolling this area. And you had some questions about meat and antlers, the state law requires that the meat be brought out of the field either prior to or with the antlers. The antlers should stay back in camp and the meat should be brought to a place where it will be transported for processing or shipment back to town. So there's a possibility that what you saw was since the antlers are lighter to transport, sometimes the air-taxis will bring the meat in first and then wait till they have a light load and then take the antlers out. We do back-track any time we get a case and follow from the hunter back to the kill site to see what's left; go from there to see what was transported in and where it was processed and if we have a violation, we'll issue citations. Most of the moose hunting activity that I worked on was in the Circle area and in conjunction with fisheries patrol and it seemed like the majority of the people in that area were hunting out of river boats and the camps were fairly accessible with an airplane, so I didn't really have any violations regarding waste of moose or antlers without meat. I understand the problem does go on. We do investigate waste cases. There have been waste cases that have occurred up in this area and, in fact, there have been a number that have been called in to the Fish and Wildlife Safeguard Program that were investigated. So like Mr. Heuer says, we do appreciate all the calls that come in because, like you say, there's just a few officers to cover this whole area and without everybody's involvement and our quick response as soon as we know about it, the quicker we can get on things and the quicker we can put our case together.

MR. GINNIS: Okay. Is there any further discussion on this issue?

MR. TITUS: Yes.

MR. GINNIS: Go ahead, Charlie.

MR. TITUS: Do you patrol the corridor, too, the Pipeline Corridor?

MR. LOWE: We have everything from the Alaska Range north, so the corridor is ours.

MR. TITUS: So do you patrol by road

MR. LOWE: Yes.

MR. TITUS: from Fairbanks?

MR. LOWE: Yes. We have a trooper in Coldfoot now, so that position is filled whereas it wasn't last -- I believe it got filled last June. So that gives us one more person up there and he does have an airplane. Thank you.

MR. GINNIS: Thank you. Any other concerns on 25(A), 25(D)? Okay, if not, then we'll move on in our agenda. We're now -- oh, what's this, New Business

MR. ROACH: Mr. Chair?

MR. GINNIS: Yes?

MR. ROACH: I'd like to make a recommendation that we adjourn at this time and return at 6:00 for the public comment period and begin New Business directly after that.

MR. GINNIS: Okay. For the people that's in the audience, at 6:00 we'll reconvene the meeting here. The purpose of reconvening would be to go over these proposed changes and that's when we would accept public testimony from whomever on these proposed regulations. So, with that, then, I guess we'll recess.

MR. ALEXANDER: Steve?

MR. GINNIS: Yeah, go ahead, Clarence.

MR. ALEXANDER: I just have one comment regarding that moose.

MR. GINNIS: Would you come up to this -- it's a formality. State your name and

MR. ALEXANDER: Yeah. My name is Clarence Alexander, resident of Fort Yukon for this purpose right here. First of all, I think you need a moose management plan in front of you to make a determination of whether it's on the western or eastern side. Several -- maybe about 10 years ago, we had a plan in Fort Yukon that -- I think that helped us increase our moose population and that was dealing with cow moose. Prior to this, we had moose hunting season in our area and it pretty much eliminated all the cow moose because we had outside hunters coming in, also. But about 10 years ago, I think we had -- Roy Noland that was stationed here, he was a moose biologist, and he come up with a plan. I think it shows that there was about 3,500 or up to 3,500 moose within the valley and that with 10 villages harvesting moose, I don't think it ever exceeded any more than 100 moose. I'm not too sure. I never know that information. Unless we get those information in front of us, we wouldn't know. But within the harvesting, we -- I know that there is -- the reason I'm up here now is because in the enforcement isn't also in the vicinity (ph). And we're talking about customary and traditional activities. Well, traditionally, we're not law-breakers out here. But today because of the season and the way that it has been established, that we've become all of a sudden criminals whether we like it or not. There are some people in our community that are haves and have-nots meaning that some do not have boats, some do not have snow-machines, but they do have dog teams. There are seasons that are mostly designated to be utilized for boat purpose, is the way the season is designed. But what I'm trying to tell you is there's a certain harvest level, that safe margin within our Yukon Flats.

Now, there was supposed to be 3,500 moose at the time -- at that time. It was just an estimate and there was only three on the eastern -- on the western side. Three moose. And that's when the Tier II process began because the Fish and Game Advisory Committee members made it a point to do

that. They went to Anchorage. They were being delayed, delayed, denied, but they wait it out, eating hamburgers for two weeks down there and they finally made it and that's why we got Tier II, because we had an individual from Fort Yukon that stuck it out. But what I'm trying to tell you hear is that there is moose harvesting taking place out of season, but those people are definitely doing it for subsistence purpose and use only, but it does not go over that safe margin that I mentioned.

If we were to harvest 350 moose, according to Noland at the time, and that has never been reached, so the idea at the time was that we start educational process within our community and the educational process was to put -- go to the community's school and the school -- the kids there, the potential hunters, are going to be coming out soon. High school students were being educated about the reproduction process that moose -- a cow moose can reproduce 10 to I don't know how many moose, but if you get rid of that one cow moose in that vicinity, then you have nothing in that vicinity for a long time. Moose just does not appear. They do have certain patterns that they live. I don't know how many damn years you guys going to use collars to understand moose. Why don't you start initiating some of the traditional knowledge that exists in the community and start utilizing it. For some odd reason, you just refuse to do that. I know it. I feel it. I hear it sitting here. I don't have to -- there is a hidden agenda as far as I'm concerned. If we're going to be a little more productive, I think you should have a complete plan on moose regarding the whole Yukon Flats and what is safe to take, what should be our goal on a yearly basis. We don't do that. I know there are 50 moose taken out of season. How do we know that? It's being done for years. This 50 moose I'm talking about might take in all 10 villages, and that's not going to stop. It's just the way that people live. People living out there in the country are not going to starve. And the justification at one time was given to me that if I was going to be arrested out there, I'd better not have five cans of Spam because that would be the justification for utilizing other sources. If I had five cans of Spam and the guy said if you had moose meat, you'd been arrested. But, anyway, the reason I'm telling -- I'm here is to let you know that there is certain safe margins that nobody even talks about. What is our goal? What's the population safe margin to harvest out there?

MR. GINNIS: Okay. Is there any comments? Ted, maybe I can ask you

MR. ROACH: I was going to say Vince has got his hand up.

MR. GINNIS: Oh. Go ahead, Vince. Sorry.

MR. MATHEWS: Earlier I mentioned that there would be a -- asked for a deferral on proposals to allow the Park Service staff to get here. They have arrived early this morning, so there's no delay on any of the proposals. They must have heard your strong request this morning and flew a little harder. But they're here so we don't have to change anything on proposals, and that's all I have.

MR. GINNIS: Thanks. Ted, could you come up here? I'd like to -- can you respond to what Clarence had to say in terms of a moose management plan for this area? Is there such a thing in the works or what your thoughts

are on it?

MR. HEUER: Yeah. Like I mentioned, we have a harvest goal for 25(D) West right now of 30 animals. We would like to have, you know, a moose management plan like I mentioned also and ideally, like Clarence said, it should cover the whole Yukon Flats, but we thought we'd take one piece at a time and concentrate in the west where we have the problem right now. Develop a plan for that and if -- you know, in the future, add on to it; perhaps include the whole Flats. Does that address your question?

MR. GINNIS: Thank you. Go ahead.

MR. MAYO: Oh, yeah, just one more thing. Yeah, we will call you to the village on this, but I just wanted to mention one frustrating aspect of, you know, plans between us and the agencies, you know, we have a land use plan. You know, I'm on different boards and that comprehensive plan has been out for some time and you guys have it and it's all -- it's our Traditional Land Use Plan, but it's -- yet it's not acknowledged, you know, and yet it's right alongside with your plan. See? See what I mean? There's -- we're like this, you know. Ours is like -- you know, it's not acknowledged. So this will be discussed between you and I at a later time. I just wanted to point that out, you know. Any kind of scenarios where we're going to work together, you know, it can't be like this.

MR. HEUER: Yeah. You know, you and I have talked about this before, Randy, and we have a copy of your plan and I've read it and there are a lot of things consistent in your plan and our plan, and on those things I think we can agree and work together. And we do recognize your plan.

MR. GINNIS: Okay. Thank you. So, at this time, we'll recess and we'll come back here at 6 p.m. Thank you.

(Off record)

(On record; 6:00 p.m.)

MR. GINNIS: I'll call the meeting back to order. Children, I'm calling the meeting back to order. Okay. We'll go to our New Business on our agenda. This is the public comment on the proposed -- what do you call it?

MR. MATHEWS: These are proposals to deal with customary and traditional and seasons and harvest limits for federal public lands in Eastern Interior.

MR. GINNIS: And those of you that's going to testify, I'd appreciate it if you'd come up here and state your name and give your testimony. So with that, I'll just turn it over to Vince and he can take it from there.

MR. MATHEWS: Okay. I think what we're going to go ahead with, I mainly see staff here, but there is -- oh, they're here. We're going to go through the booklet, this green cover, that you have in front of you, Region 9 Draft Staff Analysis, and we'll use that as our guides of how to proceed.

So, what that means is you're tracking along through, you'll come -- the first couple of pages, you'll come to a chart, it shows you briefly the proposals and where they're located in case you're wondering, and we'll just start with Proposal 1, and I think the staff that's presenting it will be at the table over here. But we're going to have to be conscious to watch if public wants to testify, that we work on that. So, Proposal No. 1. Okay, I do need clarification from you.

In the past, most of the proposals you dealt with did not have a lot of public comments. So, I'm wondering if the chair or the council would like us to conduct proposals the way we do it for the Federal Subsistence Board which is someone brings the proposal up to be adopted and then the staff presents -- let's see, we go usually with the synopsis of the proposal, public comment, and regional council recommendations, and then we go into the biological analysis, and then you guys can go from there. Is that how you'd like to proceed? For the public and staff that's here -- I don't have my copy with me.

MR. GINNIS: Oh, you need this?

MR. MATHEWS: No, this one. We're trying this year similar to what we do with the board. There's five or six of these books around the room. This is the summary of the actual comments on proposals and in there are the actual copies of the letters you received. So if I may misinterpret a comment or that you have other questions about the written comment, you can turn in here, turn to Proposal 56 or whatever, and find out that a gentleman from Juneau commented in his letters here and also Upper Tanana/Fortymile Local Fish and Game Advisory Committee minutes are in there. So that's there for you to help and for the public and staff. Okay? It's blue-covered with a beaver. There's one on the public table. There's five or six up here.

MR. TITUS: Steve?

MR. MATHEWS: No, it's not the same as your green one. This is the public testimony. The green book is the proposal with the staff analysis. It does not have the public comments in it because time lines did not allow us to put the public comment in the green-covered book which is the straight analysis. Okay. So what will happen is, I can bring up a proposal, the council can move to adopt it and then we'll go through public -- summary of public comments and regional council actions. And then it'll either go to Conrad, George or other staff to give you the analysis that's in the green book and then you guys can ask questions any time and the public can raise their hand and be recognized at any time. So it will prepare whoever goes to the board meeting how the board meeting is run.

MR. GINNIS: Okay. So then let's begin then with -- we're just going to follow what's in this booklet here, right, beginning with Proposal No. 1?

MR. MATHEWS: Correct.

MR. GINNIS: Okay.

MR. MATHEWS: Proposal No. 1 is a statewide proposal and I have to

work off the green book. Okay. Proposal No. 1 is a recommendation to the Federal Subsistence Board on the statewide proposal to allow the taking of wildlife from a motorized land or air vehicle on federal public lands in all units as long as that vehicle is not in motion. The proposal would not change the existing regulations with respect to the taking of wildlife from a boat. It's on page 1 through 4 in your book. Unless someone else has seen any, I have no copies of public comments Proposal No. 1, but let me double-check.

MR. ROACH: I make a motion that we approve Proposal No. 1.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. TITUS: Second.

MR. MATHEWS: Okay. I stand corrected. There were two -- three comments -- four comments on Proposal No. 1. Do we have -- no, we don't, but maybe they have directions. The State of Alaska, I don't want to speak for them unless everyone is here that wants to cover -- I don't think Craig wants to cover all these?

MR. GARDNER: (Shakes head.)

MR. MATHEWS: No. And I don't see anybody else. Okay. Proposal No. 1. State of Alaska Department of Fish and Game opposed the proposal. The department supports continuation of existing regulation prohibiting the taking of wildlife from a motorized vehicle and recommends that exceptions be continued to be made on a case-by-case basis. Let's see, Matt Singer of the Alaska Wildlife Alliance, they are basically concerned about this proposal. "Motorized use creates opportunities for harassment, illegal pursuit and poaching of wildlife. We recommend that the board work to prevent damage to wildlife and habitat by maintaining strong monitoring and regulatory oversight of these machines." Catherine Kennedy of Ninilchik supports Proposal No. 1. So, that's all the comments on Proposal No. 1. So now if Conrad or George would give the staff analysis on that.

MR. GINNIS: Go ahead.

MR. GUENTHER: Mr. Chair. This proposal was submitted by the Fish and Wildlife Service and, basically, the decision was made last year after a number of other proposals had been submitted on individual units to allow the use of shooting from motorized vehicles, use of motorized boats and that sort of thing. Actually, there was no real reason to not allow the use of motorized vehicles statewide. We're concerned about -- every year, we got -- we would get a proposal in for one unit, so we felt this would be taking care of that one time this way. Basically, the state already has regulations permitting the taking of game from motorized land and air vehicles as long as the vehicle is not moving and the engine is not running. We didn't see any reason why we could not have a similar proposal under Federal Subsistence Regulations and we didn't feel that this would have any detrimental effect on wildlife. Also, just to -- in case the point may be brought up, there are already regulations that prevent harassment and chasing of wildlife, so this is not -- this regulation would not allow chasing of wildlife with a motorized vehicle. Basically, it's being able to use motorized vehicles, a

land or air vehicle, as long as the vehicle is not in motion and it can legally be used to access the area. And that's all I have on that proposal. By the way, also, Mr. Chair, if you have a question, you know, we do a full analysis on these proposals, so what you see in the book here is actually an abstract, abbreviated form of the analysis. This book contains the analysis I did on six proposals. So, I have a lot of additional background information on proposals if you want additional information other than what I'm presenting here.

MR. GINNIS: Thank you. Go ahead, Charlie.

MR. TITUS: Mr. Chair. On the -- my only concern, where's -- where did this air vehicle come in? I don't remember seeing that.

MR. GINNIS: Air boats. It's talking about air boats, right?

MR. TITUS: Air boat or airplane?

MR. GUENTHER: No, airplane.

MR. GINNIS: Oh.

MR. GUENTHER: So, somebody could shoot from an airplane as long as the airplane is stopped and not flying.

MR. TITUS: I mean I'm asking who proposed that? Who added that to it? We -- as far as I remember, we didn't -- this council didn't propose any air -- I don't remember -- I remember discussing the boat, but I don't remember discussing any airplanes.

MR. ROACH: I don't think -- Mr. Chairman?

MR. GINNIS: Go ahead.

MR. ROACH: As I recall, I think the original information we saw was just motorized vehicle. It didn't specify what type of motorized vehicle, did it?

MR. GUENTHER: I'm really not sure. That's probably correct, though. You know, I did not originate this proposal and I didn't do the analysis on it specifically, but I think this was written this way so that we're somewhat near the state's existing regulations dealing with motorized vehicles.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Go ahead.

MR. TITUS: My concern is there's not many subsistence users who hunt by air. As a matter of fact, I don't know any. So that's my

MR. GINNIS: Yeah, we're -- you know, up in this part of the area, that was a concern several years ago of people utilizing airplanes. Even though they couldn't shoot from the air, they would go fly out there and

locate these moose and just land and take it from there. You know, so I guess I would object to that particular portion of this proposal to include

MR. ROACH: Mr. Chairman, I'd like to make an amendment to my motion.

MR. GINNIS: Yes, sir, go ahead.

MR. ROACH: I'd like to amend my motion to approve Proposal 1 with the change of removing "land or air" from Item 25(b) (1) section IV and have it read "taking wildlife from a motorized vehicle" and remove "land or air."

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. MILLER: Second.

MR. GINNIS: Seconded by Chuck -- Charles. Okay. Is there any further discussion on this motion? Now, the original motion you made was to approve the proposal. Now, so help me out a with a parliamentary thing here. So, essentially, we have two motions here. So I guess we would vote on the first motion.

MR. ROACH: We would vote on the amendment first and then on the motion.

MR. GINNIS: Okay. Okay. Right now, then, we're going to vote on the amendment; that is, to the strike the -- what was it?

MR. ROACH: Strike the words "land or air" from section 25(b) (1).

MR. GINNIS: Okay. So, we're voting on this particular amendment. Are we all ready to vote? Okay. All in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. Now, we'll go back to the main motion or

MR. ROACH: Yes.

MR. TITUS: Yes.

MR. GINNIS: The main motion was to approve the Proposal No. 1 as stated. Right?

MR. ROACH: Well, now it's as amended.

MR. GINNIS: As amended.

MR. ROACH: Yes.

MR. GINNIS: Okay. So, that motion is before us. Are we ready to

vote? Okay. So, then, all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. Thank you. Proposal No. 1 is adopted.

MR. MATHEWS: Then we go on to Proposal 54 which is on -- yes, it's on page 5 of your booklet and that's a proposal from Stevens Village and it is dealing with black bear hunting in Unit 20(F) and 25(D). On Proposal 54, we have three public comments. Alaska Department of Fish and Game opposed the proposal. "Restricting harvest to males would be redundant since cubs and sows with cubs are already protected under State and Federal Regulations. Serious law enforcement problems would also be presented since there is no way to reliably determine the sex of black bears from any distance. There is no biological reason for reducing the black bear season or harvest limits. Reducing the season would have minimal effect since much of the land along the navigable portions of the Dall River and associated drainages is on federal lands." If I pronounce this right, is it Dinyee?

MR. ROACH: Um-hum (affirmative).

MR. MATHEWS: Corporation for Stevens Village voted to support the proposal. It was "crafted by the people of Stevens Village to properly reflect their customary and traditional use of wildlife within their traditional use area. This use should be grandfathered as it is a critical component of their spiritual and economic life." The Kwethluk Joint Group also supported the program and John -- I mean, Joe Sonneman of Juneau also supported the proposal.

MR. GINNIS: Go ahead.

MR. GUENTHER: Mr. Chair, I'll just state over what the proposal -- the way the proposal reads again. Proposal 54 would change the subsistence black bear season in Units 20(F) and 25(D) from the current year-round season to a fall season from September 15th to October 10th and a spring season from April 15th to May 30. It would allow only male bears to be taken during the spring season, April 15th to May 30th. We're dealing with two different subunits. In both of those units, black bear sows accompanied by cubs are prohibited from being taken. In Unit 20 -- or 20(F) in this case, black bears are required to be sealed by the state and so we have sealing data from Unit 20(F). In Unit 25, there's no requirement for reporting black bears and so the reporting data is fairly poor.

Some additional biological information that's of interest, this last summer the Yukon Flats National Wildlife Refuge started a black bear tagging study and the tagging that they did this summer, the information they gathered would indicate that on the Flats the black bear population may be extremely high. They found a very large number of black bears. In Unit 20(F) we have approximately 20 years of tagging data; from 1973 to 1994 this bear sealing data. During that 20-year period, there were approximately 315 bears reported -- black bears reported taken and sealed. The state feels that this number of bears being harvested is well below the maximum number of animals that could be harvested and maintain the population. So, again, we're harvesting well below what could actually be harvested to maintain the

current population.

In Unit 25(D) since there's no reporting requirements, information is not very good on black bear harvest, but one indication of harvest may be information that we got from the Cooperative Dall River Study survey that was done this summer which ran from May through September. During that period, there were 25 people that reported hunting. Now, we're really not sure if -- we know that some of those people were not bear hunting; they were hunting for other animals. Muskrat, for example. There were several boats of people hunting for muskrat. Since we're talking about bears, we really don't know what percentage of those 25 considered themselves bear hunters. We do know, though, that five bears were taken -- five black bears were taken. Three were taken in May, one was taken in July, and one in August. Four of the bears were taken by non-rural residents and the fifth bear was taken by a qualified rural resident.

Based on the information from the study that was started this last summer on black bears on the Yukon Flats, and the number of black bears that was taken by people on the Dall River this summer, it would not appear that there was an excessive number of black bears being harvested out of the area. Also it was sort of an interesting side line of this study: Apparently, a number of the black bears that were taken were black bears that were taken in camps on the Dall River. They came into camp. One individual reported that he had seen 11 black bears before he harvested a bear and the bear that he did harvest was a bear that came into camp. It was also interesting to note that of the bears on the Dall River, that most of those bears were taken within the first eight miles of the Dall River. There was one bear taken beyond eight miles up the Dall River. This is based on the distance that boaters felt they traveled on the Dall River. Also, and I'll mention this again later, but approximately the first 60 river miles of the Dall River are non-federal. In other words, you've got to go about 60 river miles up the Dall River before you get to federal land. Also, from the CATG information that's been gathered during the past three years, rural residents of communities in both 20(F) and 25(D) which includes Stevens Village have taken black bears outside of the proposed season, at other times than during the proposed spring and fall season. Of the 20 black bears that were reported, 17 of those bears were taken outside of what has been prescribed -- requested as the proposed season for spring and fall.

Another factor that's sort of interesting is I think it would be extremely difficult to determine if you had a male or not a male black bear in the spring under most hunting conditions. One additional factor that I think needs to be considered in this is that we know from a few studies that have been done in the last several years that bears are significant predators on moose calves. Reducing the black bear harvest in the area might just encourage this problem with low moose numbers that we have in the area. So, actually, increasing the black bear harvest might help the moose situation. Now, again, we don't know this for sure, but we do know for sure that black bears are significant predators on moose calves.

Another thing that needs to be considered in this is that the proposal, as it's put in, first of all, really would not change anything. It would only limit federal hunters hunting on federal land under federal regulations. If the state regulation is not changed, both subsistence users

and non-subsistence users could continue to harvest black bears during the current year-round season on both state and federal land. And so, in reality, unless the state regulations also change, this would really not change anything as far as harvest is concerned. Now, there is a proposal into the state board to also set up only a spring and fall season. The spring season is a little bit different than what was proposed to the federal board and the proposal to the state board would require male bears to be taken both in the spring and the fall.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: Just before we -- I have some comments, but just before we go any further, I'd like to make a motion to get this one on the floor for discussion.

MR. GINNIS: Okay. It's been moved to put Proposal 54 on the table. Is there a second?

MR. TITUS: Second.

MR. GINNIS: Second. Go ahead. Discussion.

MR. ROACH: Yes. If I may, Mr. Chair. As several of the points that I wanted to bring up have already been brought up by Mr. Guenther there, a couple of other things that I noticed about this proposal that -- I'm not from the area, but how it would affect me if it occurred in my area, and just some thoughts that I had. Most of my black bear harvest is incidental to hunting other animals. I don't go out very often just looking for black bear. And especially during the caribou and early moose season is when I often get black bear or if I'm out at a fish camp during the summertime and a bear comes around, we will take bears. As for keeping them, my mother used to can black bear meat and that's how we kept our black bear that we got in the summertime, as canned meat.

On the males only being taken in the spring, that really puts a burden on the subsistence user; it could really put them in a predicament if they inadvertently took a barren sow. I know that, you know, it's very difficult for me to tell a male and a female especially in fairly close quarters. My adrenalin gets going pretty high when I'm real close to a bear. And, you know, if a subsistence user shot a barren sow in the spring season, then they're up for law enforcement action and that's really putting them in a predicament on federal lands. This regulation would, as Mr. Guenther said, be more restrictive on subsistence users only. It would only restrict subsistence users. It would not restrict sport harvesters at all because they could still harvest under state regulations. And then the last one is -- my note says use limited during this period. I think that -- oh, that harvest during these time periods, for me, I don't recall ever taking a bear during those two time periods. Most of my bears are, for me, personally, are taken in August or very early September.

MR. GUENTHER: Mr. Chair, one additional comment, of the 20 bears that were reported in the CATG reporting, the 17 bears that were taken outside of these proposed seasons, most of those bears were all taken during the summer. And even though we realized that from the information that we've

gathered that bears are probably best to eat in early spring and later in the fall, people do eat bears all summer long and they are primarily, as Jeff had said, taken incidental to other activities or bears that come into camp, fish camp or otherwise. So, bears are utilized year-round by all residents from the best information that we have. And that's all I have.

MR. TITUS: Mr. Chair?

MR. GINNIS: Go ahead, Charlie.

MR. TITUS: Are we -- we're dealing with the 30-mile limit again -- I mean 60 miles. That -- correct me if I'm wrong. The 60-mile limit, that's under state jurisdiction, right? And above that, above the 60-mile navigable waters, that's what we're dealing with now, right?

MR. GUENTHER: Mr. Chair? Vince, could you get those maps out for Proposal 54 and pass those around, please?

MR. MATHEWS: Sure, but

MR. TITUS: Are we trying to align this with the state regulations or what are we

MR. MATHEWS: Well, Proposal 54, Mr. Chair, unless I'm on the wrong book, it's for the whole unit of 20(F) and 25(D).

MR. GUENTHER: Yeah, that's correct.

MR. MATHEWS: It's not dealing with just the Dall River. So I -- we have maps on the Dall River, but not

MR. TITUS: Well, this would affect not only the users but the users from up from Beaver, also.

MR. GUENTHER: Mr. Chair, that's correct. This proposal would affect all subsistence users who are -- would harvest brown (sic) bears in both 25(D) and 20(F) and since there is no determination for black bears in those two subunits, literally, any rural subsistence user would be a qualified hunter of black bears in those two subunits. So, you're correct, it would affect people from Fort Yukon, people from anyplace else that came into the area, subsistence users that might be hunting in those areas but only on federal lands.

MR. TITUS: I understand.

MR. GINNIS: Randy, go ahead.

MR. MAYO: The reason we put this proposal in was, you know, we had a problem with, you know, this year-round open season, you know, and this is why we wanted the seasons changed to more -- you know, when the meat is good, you know. Not in the summertime. And, you know, here we go again with the agency's report that this population is healthy and can sustain this. But for how long? If you look in the other areas that you claimed were healthy and sustainable, how are those numbers, you know? I mean, what's the -- you

know, just keep going and going till there's nothing left? You know? How do you -- you know, you can't just keep going and going till there's nothing left, you know. You might have said that 20 years ago around Fairbanks, but is there any bears left around Fairbanks? So how do you justify that? You know, it was mentioned earlier, let's do something preventive, you know. And another thing, we have a real problem with this term "subsistence." You know, a lot of people haul their boats over the road and come up the river. Well, why aren't they subsisting near their home? Why do they have to come up to our area? You know? To me, they could buy a lot of meat with all the money they're spending coming up to our area to -- you know, they're not subsisting, they're sport hunting.

MR. GUENTHER: Mr. Chair, the only response that I can really give to Randy is that based on the bear information that was gathered on the Flats with the study this summer -- in fact, we may be looking at some of the highest known black bear densities that have ever been recorded in the world. Black bear populations seem to be very healthy on the Yukon Flats and, of course, it'll take a bigger look at it than this. Basically, throughout most of the state, black bear populations even in fairly heavily hunted areas like the Kenai Peninsula are very, very good. Black bears are an animal that can withstand a moderate amount of hunting pressure without damaging the population. It would appear from the best information that we have at this point that the black bear population on the Yukon Flats could stand substantially more harvest than is occurring before the population would start declining.

As far as why people come from other areas to hunt or fish in certain other areas, I can't answer that question.

MR. GINNIS: You know, you said this proposal affects two different units, but, you know, when I look at this summary here, for some reason, it discusses the Dall River and that this proposal wouldn't have much effect mainly because this area is non-federal land. Why is that in there like that if it has an effect on all the -- why are you zeroing in, I guess, on this Dall River?

MR. GUENTHER: Mr. Chair, the only reason that we used the Dall River in there is because in Unit 25(D) we don't have any black bear harvest information because people do not have to report harvest. Therefore, there really wasn't any harvest information. The only harvest information that we had available to us at all was the one study from this summer on the Dall River. That's the only reason the Dall River is included in this study. The only other -- in fact, I could show you the information. The only other information that was available for 25(D) was non-resident hunter information and there were very, very few bears taken in the last -- in the 20 years since they've recorded sealing data by non-resident hunters in 25(D), I think there was something like 10 or 15 bears taken in 20 years over all of -- actually, it was all of 25 by non-resident hunters taking black bear. So there just wasn't good information; that's the only reason the Dall River was used. No other reason.

MR. GINNIS: Okay. Then let me just ask you another question on biological reasons. Okay. If you're saying that this harvest information is not reliable to determine, you know, what's being harvested,

MR. GUENTHER: Um-hum.

MR. GINNIS: then how can they say there's no biological reason for reducing the black bear season or the harvest limit?

MR. GUENTHER: It doesn't appear from the information that we've gathered, discussions with local people, with people that are in this area, that there is an excessive number of black bears being harvested out of the area. Basically, all we can do is compare it against, for example, 20(F) where we do have good information on what the harvest is, in other areas where we have harvest information (ph). Because there were so many black bears located in the study that was started this summer on Yukon Flats, it appears that we have an extremely healthy black bear population. Again, there's a lot of guesses here. You know, management in a case like this is very expensive to gather information on on black bears and since there is no harvest records kept, it's very difficult. In fact, one of the things that I recommended is that next year a proposal be put forward that would require sealing and reporting of black bears in 25(D) so that we would have information; possibly in all of 25. That's something that I think would be very valuable in the future because we're going to have these kinds of questions coming up over and over again. I wish I could give you better answers, but I can't. It's the best information that we have right now.

MR. GINNIS: Now, let me take this another step here. You know, I think this is a clear case here where we may very well disagree on this particular proposal. Now, when it goes before the Federal Subsistence Board, you'll be saying the very things you're saying right now, contrary to how we may very well -- we may vote on this issue. So, it seems to me that we're just -- this process just seems to be kind of an uphill battle if we want to get things done out here. It's your biological information versus our knowledge of the resource and how we view it. See, there's a real difference here. And I don't know if we'll ever get anything done with conflicting testimony coming before the Federal Subsistence Board in an issue like this. You know, it'd be nice if we were all on the same wavelength once in awhile, but we're not. You know, you folks are hitting us with some biological information that is contrary to the way we view things and I think that's been brought out at the beginning of this meeting. Go ahead, George.

MR. SHERROD: I think that the important point here is, as worded, if this proposal goes forward, it would not stop Fairbanks hunters from coming down or Anchorage hunters coming down and hunting anyplace.

MR. GINNIS: We understand that.

MR. SHERROD: All it would stop is it would basically impact the harvest practices of roughly 85% of the people and most of the bears taken by Fort Yukon hunters, for example, that were reported through the CATG project were taken outside of the season. They would be the ones that would be impacted. If there was a biological problem - and I'm not saying there is or there isn't - then, the logical step is to request a restriction of harvest by non-qualified users. Instead of three bears a year, one bear a year, or seasons-wise, this proposal doesn't do that. What this proposal does is

simply restrict subsistence users from harvesting in a pattern that they appear to be harvesting in over the last few years.

MR. GINNIS: So, if this is an issue that is something that the people in Stevens Village really feel strong about, then why isn't it that this proposal only addresses that? It can't be done? It has to be all the whole 25(D) and whatever that other unit is? I mean, it seems to be a concern of theirs and it may very well affect us the way you're saying up in this part of the river, but they're -- it's an issue to them and it's an issue in that area. And why isn't it just presented in that way?

MR. GUENTHER: Mr. Chair, we can only analyze a proposal the way it's submitted and this is exactly how the proposal was submitted to us from Stevens Village.

MR. GINNIS: Okay. Go ahead.

MR. ROACH: Mr. Chairman, I'd just like to reiterate that I'm opposed to this the way it's written because of the predicament -- primarily because of the predicament that the subsistence user will be in, and that they're going to be the only ones limited and if they harvest a barren sow in the springtime, they're going to be subject to law enforcement action. The proposal -- if they have a concern in Stevens Village, the proposal needs to be reworded so that those issues can be addressed.

MR. GINNIS: Okay. Is there any other -- go ahead, George.

MR. SHERROD: One other comment, Mr. Chair. I think that, you know, that in the fall when these proposals are drafted, this is the time to try to get the issue out on the table and then have the staff here help you write the proposal to accomplish what it is that you want to achieve. Now, it could well be that when we go back and look at the information we have available to us and the information we put before you to scrutinize and evaluate, that it doesn't agree with what was there. But we can help you write proposals that will achieve what it is you want to have done and if we can't, then I'm sure that the refuge staff is willing to help, as is our staff from the Park Service and so on. So, I'm not saying that there's not a biological issue, I'm not saying that wanting to restrict take is not a good thing. I'm just saying as drafted, it doesn't come across. And this is not the only proposal that winds up in this situation. But as a body of individuals that are learning together, I think we have to put perhaps more effort this fall in making sure that when we -- that meeting adjourns, that we draft a proposal that achieves what it is we want to do. Thank you.

(Mr. Ginnis not present at council table.)

MR. ROACH: Okay. Is there any other discussion? Charlie?

MR. TITUS: Mr. Chair, on this proposal, I would be abstaining to vote if I was -- mainly because I wouldn't want to vote on something that would affect another subsistence user. For instance, someone from Fort Yukon living off the same resources and for someone downriver, mainly because that -- I would abstain my vote because I wouldn't want to jeopardize my feelings for these people. And damn if you do and damn if you don't in this

situation. It's one of the hard things this council has to put up with. We don't know who we're really hurting; someone maybe living 15 miles down the river.

MR. ROACH: Vince?

MR. MATHEWS: If I understand the issue on this proposal, if this proposal was passed, those people 15 miles down the river would be restricted by this proposal. If the status quo was voted in, meaning this proposal was not adopted, they would have what is going on right now which is a year-round season. But I think there needs to be clarification that the proposal -- I think it's coming forward on that as to the intent of this proposal.

MR. ROACH: Any more discussion? Randy, did you have a comment to make?

MR. MAYO: Yeah. The original way this was supposed to be written was we put in some proposals and there's another one in here for caribou which the department is neutral on. You know, these were all for C&T, you know, the way we put them in; that's what they were for, you know. And then I got a letter back saying that some of them couldn't be looked at because of the funding, you know, this year. But we put in a bunch more proposals besides this for customary and traditional. You know, according to your law, it would restrict the upriver people, you know. But what we're trying to say is that it's a traditional and customary use and these times of, you know, taking them -- you know, I fish all summer. I live there, you know. I don't live in Fairbanks or Anchorage or Juneau or wherever you guys come up with your findings. You know, I put up racks of fish all summer and those bears could smell it from a long ways, you know. There's no bears stumbling into my camp, you know, not for the last few years. So that's what this was intended for, you know, the same with the other one about caribou.

MR. GINNIS: Is there any way we can change the language in these proposals as they're presented or do we have to act on them as they're presented to us?

MR. MATHEWS: You can amend the proposal or the submitter could amend the proposal.

MR. GINNIS: Then can we take a little short break so we can try to work on the language to this thing? Otherwise, we're going to be debating this thing all evening.

MR. MATHEWS: I would

MR. MAYO: Yeah, because

MR. MATHEWS: If you're asking me on that, I would recommend a break.

MR. GINNIS: Is that all right with my -- the rest of the folks? Okay. We'll take a short break and we'll

MR. ROACH: How long?

MR. GINNIS: About 10 minutes.

MR. ROACH: Okay.

(Off record)

(On record)

MR. GINNIS: Okay. I'll call the meeting back to order. What's the council's action on Proposal 54? Randy? Council action on Proposal 54?

MR. MAYO: To -- how did you say that?

MR. GINNIS: Defer action?

MR. MAYO: Yeah.

MR. MATHEWS: Well, Mr. Chair, what we were talking about there to make it cleaner to all parties involved would be to ask the submitter to withdraw the proposal and that they will be meeting in their area over the next few months to come up with a proposal that reflects their real concerns in that area; that it's clear to everybody what they desire.

MR. GINNIS: Okay. So, Randy, your motion then is to withdraw Proposal 54 for further consideration?

MR. MAYO: Um-hum (affirmative).

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. ROACH: Second.

MR. GINNIS: Second by Jeff. Is there any discussion on the motion? If not, then all in favor of the motion signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. Proposal 55. Fifty-five.

MR. MATHEWS: Yeah. I'm here.

MR. GINNIS: Okay. Is there a Proposal 55?

MR. MATHEWS: Proposal 55 is from Alaska Department of Fish and Game. It starts on page 9 in your book. It deals with sheep in Unit 25(A), the Arctic Village Sheep Management Area. The proposal would exclude the drainages of Red Sheep Creek and Cane Creek from the Arctic Village Sheep Management Area. Proposal 55. We had one public comment which was from the submitter, Alaska Department of Fish and Game and they support that proposal, and that's all I have for public comment.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Hang on a minute. We're on the sheep management area. You have

MR. SAM: Yes. I got a letter from the tribal government of

MR. GINNIS: Excuse me. Let me get this motion on the floor first. Is there a motion to consider Proposal 55?

MR. ROACH: I'll make that motion.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. TITUS: I'll second it, Mr. Chairman.

MR. GINNIS: Seconded by Charlie. Okay. Discussion.

MR. SAM: I got a letter from tribal government about this Proposal 55 that Fish and Game brought and that letter was written to the chair person, Lee Titus. And the letter says, "The people of Arctic Village and Venetie request the Regional Council to strongly oppose Proposal 55. The proposal would not remove Red Sheep Creek and Cane Creek from Arctic Village Sheep Management Area. We also ask that you recommend a technical amendment to the Sheep Management Area by moving the northern boundary north from north rim of Red Sheep Creek to valley floor below. This was original intent we requested on the maps submitted by Sarah James two years ago and follows standard practice of defining Sheep Management Area as using creeks and rivers for boundaries, except for the Continental Divide, because we always talk about the area as Red Sheep Creek. People thought we only mean the valley, but the sheep live on the mountain and a boundary on ridge does not make sense for sheep.

The issue of Red Sheep Creek and Cane Creek, name (ph), and Walking Cane we use to tell when sheep are hunted. We've been going on for a long time after several years of Subsistence Board made these valleys called subsistence hunting area around Arctic Village last year. We request some of our traditional hunting area be set aside as the Sheep Management Area because of a great increase in flying-in sheep hunting since '70. There were barely any sheep left in many of our traditional hunting place. We need to protect the sheep better so that there will be enough to meet our subsistence needs. The Subsistence Board established the Sheep Management Area, but would not include the most important area to us: Cane and Red Sheep Creek. When we look at the sheep population numbers, we found out our hunters already knew. They only give us an area without any sheep left. Cane and Red Sheep Creek still have sheep left and were left open to sport hunters. Because this area is so important for our sheep hunting, we did not give up.

Finally, last year the board add Cane and Red Sheep Creek to Arctic Village Sheep Management Area. Now the State of Alaska has proposed that we open debate, reopen these areas up to sport sheep hunting again in Proposal 55. Nothing has changed since last year to justify this proposal. Instead they're trying to mislead the council and board by half-truths and possibly

worse. For example, they said that no evidence has been presented to indicate that non-subsistence hunting in Cane Creek and Red Sheep Creek (indiscernible) the subsistence needs of Arctic Village. In fact, we have submitted testimony and comments to the feds for several years (ph). We have had to raise money so people would go testify again and again. We explained that while Red Sheep and Cane Creek still have some sheep, we still had problems getting sheep for Arctic Village. More and more sheep might be too high on the mountain because of plane and sport hunters on the ground. We couldn't get to them. After several years, there were so few rams that a hunter had to shoot smaller sheep, sometimes to go back with nothing. Because it is hard to get sheep, there's more strangers there -- were there. Our people begin to go less and less often. In recent year, we mainly went to Red Sheep Creek mainly when there is little other meat available. In this case, the state is simply not telling the truth."

And it goes on and on, and our tribal chief has signed and I have the copy of it. On behalf of this Proposal 55, we use Cane Creek and Red Sheep Creek in mid October on account of it's hard to get to that area in summertime or fall time and mainly sheep are better eating after October, anyway. And I do go out for under subsistence using and get some for my elderly and in summertime we do and in fall time we do have a lot of hunters up there. I fully disagree with the Proposal 55 that Fish and Game have written. The only time they spent up there in that area is when that hunting season is open. In fact, I went up there a couple weeks ago and got me a sheep and we still use that area quite a bit and there are guides up there that does the guiding and -- but the proposal, the way it's written, is that it sounds like we never use that which is not true at all. And to the point if this proposal have been passed, Arctic Village will no longer lease the land to Fish and Wildlife and Fish and Game, the land they use up there at the airport.

MR. GINNIS: Okay. Go ahead, Vince.

MR. MATHEWS: Mr. Chairman, Mr. Sam, was a copy of that letter sent in or

MR. GINNIS: No, he just hand-carried it down.

MR. MATHEWS: Okay. Because we'll need a copy for the council here and then that needs to go to the board.

MR. SAM: I'm pretty sure they have sent a copy to

MR. MATHEWS: Thank you. Thank you. Do you need a copy of this back?

MR. SAM: Lee Titus and this

MR. MATHEWS: Do you need a copy?

MR. GINNIS: No.

MR. SAM: I didn't have any copy, but you can have a copy of that.

MR. MATHEWS: Okay. Thank you.

MR. GINNIS: Okay. With that, then, would you get into the justification for Proposal, what is it, 55?

MR. GUENTHER: Yes, that's correct. Mr. Chair, the map that was passed around, it shows the area we're talking about. The map is the whole Arctic Village Sheep Management Area and the cross-hatched area up on top is the Cane and Red Sheep Creek area. Just a little bit of information on this, the Arctic Village Sheep Management Area was established by the Federal Subsistence Board in 1991. At that time, when it was established, Cane and Red Sheep Creek were not included. The reason they were not included at that time is because the sheep densities in Cane and Red Sheep Creek were much higher than they were in the remainder of the area where it was established. It was felt that the remainder of the area had such low sheep densities that it could not support both sport hunting and subsistence hunting. It was felt at that time that the Cane and Red Sheep Creek areas could support both subsistence harvest and also the sport harvest that was occurring.

Last year when the board took action to include the Cane and Red Sheep Creek into this area, the board based their determination on a concern that sport hunting might be excluding subsistence hunting. It was not based on the biology. The biology at that time, and still is, that the number of sheep that are being harvested by subsistence hunters and what had been the sport harvest in the area did not exceed the maximum harvest that could come out of the area before it would start having an impact on -- a negative impact on the sheep population. When the board passed the proposal last year to include those areas, it passed the proposal to be re-evaluated in a period of one year which would be this spring.

In order to give the Federal Subsistence Board information to make a determination on this area this coming year after one year, the Red Sheep Creek Monitoring Project was put into place and that ran from August through September, basically during the sheep season. August 10th through September 6th were the dates that there was actually information collected and there was staff sitting on the airstrip from August 11th through September 4th. I can go through the number of aircraft they saw and everything else, but, basically, what it boils down to is Red Sheep Creek was closed to sport hunting this year. There's an arunway at the mouth of Red Sheep Creek. There is one guide that uses that area. He lands on that runway and he hunts areas to the east -- the south and east of Red Sheep Creek, primarily. He took out -- let's see, he had five clients there this year; four were hunting, one was a non-hunting client. In addition to the guide's activities, there was one other aircraft that flew into the area that landed on the strip that was not part of that hunting activity that went on with that guide. And there was one guide that came up headed for the Sheenjek River that was getting horses to hunt in the Sheenjek. There were no other hunters seen during that period of time, including subsistence hunters in the area. Basically, the feeling was that the -- what was to be accomplished by -- to eliminate hunters out of the area still did not even make the aircraft activity in the area because of the strip that's down in the area -- it was still a moderate amount of aircraft activity even though it was just from that one guide; approximately 42 of what were called "events" or flights where a guide flew

in and out of that strip.

To try to keep this short, some of the additional information that Chief Gilbert had made a statement on the record to the Federal Subsistence Board in 1993, that they did not use that area for sheep every summer and then some years it was used for special occasions, for celebrations -- and the quote is in there; you can read it if you'd like. After we evaluated this, basically, our recommendation to the Federal Subsistence Board and our recommendation -- our preliminary conclusion that we would recommend to you also is that the Federal Subsistence Board not take action on this proposal at this time; that they continue to evaluate the Red Sheep, Cane Creek area for an additional year, and make a determination at that time. So, we're recommending that the board basically do not make a determination this year, to continue its evaluation that it said it would re-evaluate in one year, to delay that for one additional year to make that evaluation on this. Again, I have a lot of additional information, but to keep it short that's what I have at this time, Mr. Chairman.

MR. GINNIS: Jeff?

MR. ROACH: Yes. I would like to make a motion that we adopt that recommendation.

MR. GINNIS: What's the motion? Adopt what?

MR. ROACH: The recommendation that this proposal is deferred for one additional year.

MR. GINNIS: There is a motion to defer this for another year. Is that what you're saying?

MR. ROACH: Yes.

MR. GINNIS: Okay. That is the motion. Is there a second to the motion? (Pause) Okay. That motion dies because of the lack of a second. Okay. Is there any other folks that want to testify on this proposal here? Go ahead, Gideon. If you would come up here. If you would state your name for the record and where you're from.

MR. JAMES: My name is Gideon James. I'm from Arctic Village. I raise -- I was raised in Arctic Village and I'm also was originally live around Sheenjek River when I was much younger. So I know the area that you people are talking about, is where I grew up and my people grew up around there. And we must realize that over the years that when we talk about traditional knowledge and traditional value that we're trying to protect is associated with how we manage our fish and game and other resource that we depend on as Native person. As my friend over here, you know, Randy expressed from the beginning of the meeting, that he expressed traditional knowledge. We should put that in there. We should include the study of our fish and game in it so we can incorporate some type of traditional knowledge into your study. Every time we bring up some type of things that are wrong with our animals, we always have to wait two to three years to get any kind of information. This is what we always come up against. Now we talk about sheep management. We put that -- we declared that sheep management because

it was being abused by sport hunting. Over the last 25 years, that sport hunting been taking place year after year in that area. the airport that they're talking about, a portion of that airport is a Native allotment. All these things are not investigated. There's airplane -- it's a big enough airport where two-engine can land there. And you see those trails that people that -- those hunters had made in that area. There's a lot of them. Those places are being abused. That's what we are saying.

Let's wait five years and see the return of those animals. Too many of our area is being abused, being depleted, just like my friend, Randy, said. We just go to the extent to depletion, just like wolf control. They blame the wolves where Native -- where humans have made mistake all along with their cars and trains and everything. This is what we mean when we try to express our traditional knowledge. We just don't know where to turn to sometimes. Like sometimes there's things wrong with the ducks that return from the south. Sometimes there's fish that was swim in the water. It's got sores on it. Why do they do that? Why do those things happen? You guys call yourselves biologists and do your studies year in, year out. You should know that. You should know why they -- why those things occur. I think it's too much greed in this type of management. So that's why I like to keep this management area -- the sheep management area for at least five years to make that study. This little thing that they put in, that don't tell me anything. Thank you.

MR. GINNIS: Thank you, Gideon. Okay. So what's the action of the council on this Proposal 55?

MR. TITUS: Mr. Chair, I move to oppose.

MR. MAYO: Second.

MR. GINNIS: It's been moved to oppose. Is that kind of a negative, that's what we call -- okay. The motion is to oppose Proposal No. 55. It's been moved and it's been seconded. Is there any discussion? Okay. If not, then all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. We'll go on to the next proposal, Proposal 56.

MR. MATHEWS: Proposal 56, Mr. Chairman, is dealing with Unit 12 caribou. It's on page 15 and 16 of your book. It is a customary and traditional use determination request to add the residents of Copper Center -- boy, I'm not sure if I can get all these pronounced right so someone may need to help me on those.

MR. GINNIS: You need to learn.

MR. MATHEWS: Chitina, Gakona, Gulkana, and I didn't get the first one. Can someone from

MR. ROACH: It's Chitina.

MR. MATHEWS: Chitina?

MR. ROACH: Copper Center, Chistochina, Gakona, Gulkana, Mentasta, and Tazlina.

MR. MATHEWS: Okay. On that proposal, we have two comments that were submitted. Upper Tanana/Fortymile Fish and Game Advisory Committee supported the proposal with the amendment to include Glennallen. Joe Sonneman of Juneau said it's "Okay for those villages which use the area in the mid 1980's, but no to residents of Mentasta and Chistochina because they have not hunted here since before 1900. Customs and traditions change in four generations, so that there is no longer customary and traditional in Mentasta and Chistochina to hunt the Nelchina. . . however, low-income residents of the area ought to be allowed the subsistence preference." I think we discussed earlier in the meeting, and I'll ask the chair if he's comfortable with that, there may need to be a brief discussion on what a customary and traditional use determination does and how it affects the program because there seemed to be a need for that earlier in the meeting.

MR. ROACH: Mr. Chair, I'd like to recommend that we have a discussion on the effects of customary and traditional use proposals at this time.

MR. GINNIS: Is there any objection? Okay. If not, then go ahead.

MR. SHERROD: I'm handling this one. I'll have to apologize. You do not have a written analysis. Due to health problems in my family, I was not able to get this completed. I don't think it's going to trouble us here, but I'd like to say if my supervisors are at fault, they're at fault for being perhaps a bit too compassionate in my case.

I'd like to talk about 56 and 57 together because I think that perhaps what we can do here is to deal with some of the issues associated with C&T. Fifty-seven also requests a change in the customary and traditional use determination for Nelchina Caribou in Unit 12. So, both proposals have requested adding additional communities. In terms of what is C&T, I think if you'll recall, the Park Service made a fairly lengthy presentation a year ago or a year and a half ago in Tok about Upper Tanana C&T. In fact, Steve, you asked a question about what happened to that earlier during this meeting. The idea behind C&T is to try to decide which rural communities have a customary and traditional use of certain resources and, in trying to make that determination, the board has set up -- or the board -- actually, I guess it goes beyond the board, but there is an establishment of eight factors that the board is supposed to review in making these determinations. These eight factors are very similar to the eight criteria that the state used in making their original determination. One of the changes that has taken place in the way that the federal system is trying to deal with this is that we moved away from the idea that we would look at an entire area, hit it once, and it would be set in stone; that, in fact, we would deal with these issues as they came in on a year-by-year basis. I think that this body perhaps can appreciate that, at least the ones that sat through the Tok meeting, because I think you have some feeling of just how complicated and difficult these issues are. This one is, I think -- the two

issues brought up in these proposals are particularly problematic and I'll jump ahead right now and tell you what my recommendation is and then we'll back up and I'll try to explain why.

I've recommended that these proposals both be deferred until staff can try to sort out some of the problems associated with making customary and traditional use determinations of caribou, particularly in Unit 12. What appears to have happened in the past, and I could be wrong on this, is that we've had a shift in herds. We've had the Nelchina animals move into 12 and the Fortymile animals move out. We currently have a situation where we have a number of communities that have customary and traditional use of caribou, Fortymile Caribou, in Unit 12. There are no Fortymile Caribou in Unit 12. We currently have a season in our Federal Regulations for Unit 12 in which there are no animals available. In the case of the Ahtna communities who have traditionally hunted Nelchina Caribou in Unit 13 and wish to continue to do so now that the animals have moved into Unit 12, again, we've got a problem.

So, we've got a situation where we have hunters that say I've hunted this area all my life. I used to hunt caribou "X"; now caribou "Y" is here. I want to hunt it. We've got hunters who say, hey, wait a minute. I've hunted caribou "Y" herd all my life and if goes across that boundary line, I want to be able to go across the boundary line after it. The Unit 12 issue is further complicated by the fact that the subunit boundaries within it were not closed polygons. In fact, in part of the national park, we have an area where the state has a hunt and the federal government says the area is closed to non-subsistence hunters, but I think the case is the areas -- the subunit descriptions that are in the regulations don't create a closed area. So, in Unit 12, we've got situations where we've got hunts for animals that don't occur, we've got caribou seasons when animals aren't available, we've got unit descriptions that do not close polygons, and we've got people that wish to go into a new area to some degree and hunt the population that -- the caribou population they used to hunt, and we've got a hunter group -- and this is saying this is my home community and I'd like to hunt the animals that are there now. It's a very complicated situation and I think it's going to take a fair amount of deliberation.

Currently, the Nelchina hunt is keyed to the state hunt, although not totally. The state hunt occurs first and then if the animals are still there and the harvest guideline hasn't been met, we have a federal subsistence hunt. I'm not so sure that that actually provides a preference. So my feeling is, as I say, what I would suggest -- my conclusion would be that we stop and we take a look at the whole question of caribou management in it. We've also got the Fortymile Caribou Plan that's going before the board; that potentially could affect future regulations. Perhaps not because the animals aren't there anymore. It may impact the user groups, though, that are currently harvesting that and not -- see, there's a lot of questions here that I don't know. I think that one of the things this group can do here, you know, in dealing with C&T is to decide, you know, perhaps between these two proposals, which is the valid claim? A claim to an animal population that has moved? A claim to an area and a new population that's emerged in it? Or whether both are valid points.

I've gone through the harvest statistics and there's no way that I

can, based on Western science and based on these eight factors, separate out the communities like Glennallen that were not included. The communities of Big Delta that have -- currently have a customary and traditional use of 12 -- in 12 of Fortymile animals, but they're not there. I have a hard time making an argument that a community as far away as Tazlina has -- you know, can make the jump all the way up the road into Unit 12 to take caribou. I'm not saying it's not a valid claim, but I would think that if we're talking about reasonable access, then Delta Junction and certainly Glennallen should be in there. So I think that there are a number of issues that have to be resolved, not just C&T, but a number of issues about why we have seasons when there aren't animals, why we have C&T determinations in units where there are no animals, and I don't think that the subsistence users would be tremendously impacted by deferring it. It is possible that we could have a more fleshed-out analysis, including biology, before this body by the fall meeting. The board just -- you know, it does take special actions and perhaps we can move this through under one of those. I haven't run that by my supervisors. That's my suggestion and that would be my suggestion to this body.

MR. GINNIS: Now -- go ahead.

MR. TITUS: Mr. Chairman, would it be in order to take no action until C&T determination is determined?

MR. SHERROD: Well, I think the question is not just C&T. The question is that we've got some real problem

MR. TITUS: Well, that's what we have to know before we vote.

MR. SHERROD: Well, excuse me. I'm confused.

MR. TITUS: That's what -- we'd have to know the C&T determination before we could vote on this proposal.

MR. ROACH: Mr. Chairman, I think that

MR. TITUS: We should get

MR. ROACH: Charlie may not

MR. TITUS: We keep forgetting that we're here to protect subsistence.

MR. ROACH: I think that, Charlie, these are -- you may not understand that these are C&T proposals here. These are proposals to change the C&T determination, not just change the regulations, but to change the C&T determinations for these areas.

MR. SHERROD: I guess -- let me try it this way. All of the communities that have requested C&T for caribou in Unit 12 were granted C&T use of caribou. When the state did it, they did it by herds. So if I got C&T for herd "A" in Unit 5 and all of a sudden herd "A" ran away to Unit 6, I no longer have access because I don't have C&T in Unit 6 for herd "A"; I only have it for Unit 5. The hunters in Unit 5 say, hey, here's herd "A". I

don't have C&T access because I was given -- the state decided I had a customary and traditional use of caribou herd "B" and it's moved off to Unit 3. There are some real problems in the way that in the past -- well, I think there is, that caribou determinations have been done because they have been done by herds and they have been done by units. And it's -- I mean, this is one thing that this body could consider. Do we do it by unit or do we do it by herd? That makes a lot of difference in how you decide who has a valid claim. If it's by herd, then you would have to argue that probably the Ahtna communities who are chasing the herd north have the valid claim. If it's done by unit, you'd have to argue that the Unit 12 communities, the Upper Tanana communities, Tanacross communities who have -- this is their home, have a valid claim for the animals that are now available there.

MR. GINNIS: Now, who brought this proposal forward? Was that the department or is that coming from some group of people or -- oh, Copper River Native Association. Okay.

MR. SHERROD: Right. And 57 was put forth by the Upper Tanana, isn't it?

MR. MATHEWS: Yes.

MR. SHERROD: Okay.

MR. GINNIS: So let me ask you a question on this. If I recall correctly, the Upper Tanana or Upper -- yeah, Tanana area have done a C&T study, haven't they? I mean, didn't they approve of that and didn't that involve caribou?

MR. SHERROD: It was -- the Park Service did a study of five communities and the areas they use. We're dealing with I think one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen. We're dealing with about 15 communities here; not the five. The five that we -- in that study that you guys saw are part of those 15, but it's not all of them. And at that time, this body made no determination as to caribou C&T.

MR. GINNIS: The caribou. Okay. So what you're saying, what you're suggesting to us is that we ought to defer action on this until you can go back and work out this C&T findings to include the other communities? Is that

MR. SHERROD: To look at them -- well, what you could do -- I would suggest you do that. I would also suggest that you give me some guidance right now as to these questions about what do you do when an animal population moves. I mean the question is: Should C&T for caribou be by herd or should it be by area? Do you follow? Have I -- Steve's shaking his head -- I mean, the chair.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Yeah, I can understand the

MR. SHERROD: You see, this is the dilemma. When I look at the

harvest data,

MR. GINNIS: Yeah.

MR. SHERROD: I can't say that -- I mean, because this -- somewhat, it's bad data, but it's the only data I've got that I can say Glennallen shouldn't be in because no one proposed it

MR. GINNIS: Well, I don't know if you're asking the question to the appropriate people on this idea of whether we're going to use herd or, you know, the question you raised here. I think that those folks that are involved in this thing down there are the more appropriate group of people to work that out with.

MR. SHERROD: Some of those people are here.

MR. GINNIS: I understand that, but we are requesting to defer this action and if that's the way it comes down, then I would assume that that would be part of what you would be doing, right? Going back down and finding out some of those questions you're asking. I don't know what kind of guidance you're asking for here, I guess.

MR. SHERROD: What I've asked for is more -- this is not whether people hunted Nelchina Caribou. I agree, I would go to the local populations and I would ask them that and I could ask them how long they hunted caribou or how long they hunted caribou in Unit 12. Whether or not our determinations are made on the basis of a herd or are made on the basis of a unit is the kind of decision that elders make. It's one of these judgment calls. It's something that wise men decide. That is, I think, something that this body certainly could help me with. If they say they don't know, then I guess that's what I go away with and I know when I come back with some further information, that that's what I'm going to get. It's not -- do you follow me?

MR. GINNIS: Yeah.

MR. SHERROD: This is the wisdom

MR. GINNIS: Yeah. Okay. Let me -- is this whole area right here Unit 12? This map? Oh.

MR. SHERROD: This colored map I can see a little bit better.

MR. ROACH: You can see the lines right here.

MR. SHERROD: This unit here is Unit 12. It includes part of Wrangell-St. Elias and the Tetlin Refuge.

MR. GINNIS: Okay. So, the villages that want to be part of this thing are where?

MR. TITUS: Northway.

MR. SHERROD: Well, currently, the only villages

MR. GINNIS: The Copper River area.

MR. SHERROD: Oh, Copper River? They go off this map.

MR. GINNIS: Oh, they're not on the map.

MR. SHERROD: They go all the way down below. You'd have to get actually a -- what would that be?

MR. GINNIS: Well, I've got a map here.

AUDIENCE MEMBER: Page 71 of the Federal Regs.

MR. GINNIS: Hmm. Interesting.

MR. ROACH: Unit 12 is this unit right here.

MR. GINNIS: Oh, all the way down here.

MR. ROACH: All the way down there. This is the Copper River area that they're talking about.

MR. GINNIS: All right.

MR. ROACH: From Chitina on up to the Mentasta area which is right here.

MR. GINNIS: Um-hum. Okay.

MR. SHERROD: And of those, we've got Gulkana, Tazlina, Chistochina, Chitina, Copper Center, Gakona, and Mentasta Lake, were all included. We've got communities from Unit 11, 13(B), (C), and (D).

MR. GINNIS: Okay. Now, I'm totally -- thank you for your confusion.

(General laughter)

MR. SHERROD: I like to share it.

MR. GINNIS: Now, this gentleman here, I'm sorry I

MR. GARDNER: I'm Craig. Are you guys getting public comment on

MR. GINNIS: Speak at us if you can help us. Don't confuse us. Just try to help us here.

MR. GARDNER: Actually, I'm going to try to help you. I appreciate, you know, what George outlined for you, but I can think of three, I think, good reasons why at least 57 shouldn't be deferred. One of them -- you know, he was saying that there's a problem with the Nelchina Herd, you know, for

communities now that the herd moved. Well, this isn't the first time the Nelchina Herd has moved. I mean, actually, this is an historical pattern. The Nelchina Herd has been in Unit 12 before probably back in the thirties and forties. You know, these communities were all established by then, you know, from Dot Lake to Tanacross to Tok to Northway. All those communities were there when the Nelchina Herd was in 12. So it's not -- it isn't a new occurrence. You know, this is something that's happened in the past and these communities most likely used those caribou. I think there's data out there to show that. To the -- this one is kind of a -- one I'd have to check into, but I know when the state made the C&T for Unit 12 to include Fortymile Caribou there was some, I don't know if it was confusion or laziness, is that the Fortymile Herd did cross the Taylor Highway and it was in the very southern point of the unit. Maybe even some went into 12. From October to November, they opened the season. The Nelchina Herd was coming over into 12 and they all kind of got into a big pile and if you hunted the Alaska Highway, you basically shot Nelchina and if you hunt the Taylor Highway, you shot Fortymile. So the state kind of had a season -- you know, we had a special season for local residents. And so -- and some of the C&T came from that, that harvest, you know, because actually you're looking mainly at Nelchina animals again.

The other thing, if you defer and it goes to the fall meeting, this Nelchina Herd is coming over to 12. Now, there is a case that the state may not open its hunt. I mean, in '92, I didn't open up the hunt. If those animals had stayed in the refuge or were in a number large enough, the refuge could have opened up the Nelchina hunt. You know, the state hunt doesn't have to happen for the federal hunt to happen. And all those communities in the Upper Tanana won't be able to hunt if you guys don't act on this. I mean they'll just be sitting there; only Tetlin and Northway will be the only two communities while Tanacross, Dot Lake, Tok

MR. GINNIS: Well, we wouldn't want that to happen.

MR. GARDNER: Yeah, well, that will happen, you know, I mean if you defer and all those caribou are coming over to 12. And I think they have shown a history, not just the last five, six years, but actually back in the thirties and forties when the Nelchina Herd was here before. And I think that the -- I mean, I don't really know what to do with the Ahtna communities. I mean, I'm not against using the -- you know, I bet you could even show Mentasta and Chistochina probably used them when they were in 12 because they're right on the 12/13 boundary. But I would be very -- you know, I think the people in that area will be real disappointed if the Nelchina Herd is there, the state hunt doesn't happen, there's a federal hunt, and they can't participate. It's just -- I mean, it's something for you to think about. I don't think it's -- it's not a new occurrence. So, I hope that helped you a little.

MR. GINNIS: Thank you.

MR. ROACH: Mr. Chairman, I'd like to make a motion on Proposal 56 that we support the amendment to include Glennallen as presented by the Upper Tanana/Fortymile Fish and Game Advisory Committee.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. STARR: I'll second it.

MR. ROACH: John seconded it.

MR. GINNIS: Oh, John seconded the motion?

MR. ROACH: Yes.

MR. GINNIS: I'm sorry. I didn't hear you. So, there's a motion on the floor to approve Proposal 56. Is there any discussion?

MR. ROACH: The only discussion I have is the reason I think that Upper Tanana/Fortymile Fish and Game Advisory Committee supported it in this way is because of the way that Unit 12 comes down to Wrangell-St. Elias National Park in the vicinity of these Ahtna communities. And Glennallen was also brought up because these communities surround Glennallen and include all -- this whole band along the Copper River to Mentasta.

MR. GINNIS: Okay. Is there any further discussion on Proposal 56? If not, all in favor of the motion signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Opposed? Okay. The motion passes.

MR. ROACH: Mr. Chair?

MR. GINNIS: Yes?

MR. ROACH: I'd like to make a motion that we support Proposal 57.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. MILLER: Second.

MR. GINNIS: Seconded by Charles. Discussion?

MR. ROACH: Mr. Chair, the reason that I made the proposal to support again was the discussion that Craig brought up was also, I believe, brought up at the Upper Tanana/Fortymile Fish and Game Advisory Committee meeting with the discussion that the way it reads now, if the state harvest -- the state hunt is closed, those other communities within Unit 12 and 20(D) are excluded from the federal hunt on Tetlin Wildlife Refuge lands which are over east along the border, and those are the only federal lands that will be open in that area.

MR. GINNIS: Okay, George.

MR. SHERROD: Okay. In stepping back, in 56, since this is the data that I'm going to have to present, we have two of those communities that have never reported hunting caribou in Unit 12. Now, I'm not saying they

shouldn't be in there, but as far as -- the fact that they report never hunting any animals in Unit 12 that we harvest ticket data for. We also have a number of communities beyond Glennallen that have reported hunting caribou in Unit 12. Some of them have had an existing C&T in Unit 12 for other caribou, Fortymile Caribou. They would include Chicken, Fort Greeley, Slana, and Delta Junction. If, in fact, we're going to be fair about this, I suspect, and I'm not the one who decides what's fair, but if we're going to apply the same standards, then we should, in theory, be including those guys as well.

MR. MILLER: Mr. Chair?

MR. GINNIS: Go ahead.

MR. MILLER: Yeah, I'd like to -- I was just wondering, how can a military reservation get C&T use of an area? That just doesn't seem logical to me.

MR. SHERROD: Well, that's part of the problem with the eight factors, is they do not allow us to make those kinds of cuts. That was part of the type of question that I was posing earlier in dealing with whether you look at something from the standpoint of the policy decisions on whether you assign C&T by herd or whether you assign it by unit. Those are the kinds of questions that, basically, the eight criteria do not allow us to cleanly make those kinds of cuts. I'm not arguing for Fort Greeley. I'm just saying that, in fact, if you look at harvest ticket data, in fact, Fort Greeley took caribou, moose, black bear, brown bear, lynx, and wolf. Actually, we have harvest ticket data for one, two, three, four, five, six, seven species. They took six of the seven. Very few of the communities did that.

MR. MILLER: Another thing I'd just like to bring up in passing, we've talked about using these harvest tickets, so to speak. I mean, I know a lot of people that don't bother turning those things in. I don't see that as being an accurate way of determining who's hunting where.

MR. SHERROD: I would not

MR. MILLER: I mean if you're going to get

MR. SHERROD: I would not argue that, but is the data that we have available to us. If you find that -- or if the belief is that the data we have available to us is not sufficient for the job, then, again, that is a type of a policy call and one avenue to resolve that is through your annual report; one of these situations that the annual report is supposed to address is need and use. If you feel that you are not getting adequate information on need and use, that is one avenue to approach it. I have the data that's available to me. That's what I said when I proposed the idea of

MR. MILLER: Well, no, I'm just clarifying that it's not really that accurate of data, is just all I'm trying to have clarification on that.

MR. GINNIS: Okay, Randy.

MR. MAYO: Yeah, you're -- I think I found out the confusion I've

been listening to here. You're mentioning these units in these, you know, communities, Delta, Greeley and -- you know, how long have these units been instituted, you know, as compared to what these people are putting in, you know? The differences between, you know, recently created game units as opposed to traditional, you know, use areas that go way back, you know.

MR. GINNIS: Okay. Is there any further discussion on Proposal 57? We have a motion, don't we?

MR. MATHEWS: There is a motion to support.

MR. GINNIS: Okay. The motion is to support it. If there's no further discussion, we'll take a vote. No further discussion? Okay. All in favor of Proposal 57, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. We'll move on. Proposal -- let's see, I'm working off this sheet. I'm not sure if this is what I'm supposed to use. Is 59 the next one or is it 58?

MR. MATHEWS: Fifty-eight was one that was withdrawn.

MR. GINNIS: Withdrawn.

MR. MATHEWS: So it's not -- it was put in by mistake. It was not supposed to be in there.

MR. GINNIS: Okay. So we'll go on to Proposal 59.

MR. MATHEWS: That issue will be addressed in another one. Okay. Proposal 59 is on page 20, 21 in your book. It deals with Unit 12 and 20. It deals with caribou and moose and it requests that residents of Healy Lake have a positive customary and traditional use determination for caribou in Unit 20(A), Unit 20(C) and Unit 20(D). There's more detail that will come out in the proposal. And for moose for Unit 12. For Proposal 59, let's see what we have for public comment. Alaska Department of Fish and Game had a comment. "Federal public lands in the requested area are relatively inaccessible to Healy Lake hunters, so it's unclear if the community has established a C&T pattern of use of those areas." Upper Tanana/Fortymile Fish and Game Advisory Committee supports the proposal.

MR. GINNIS: Okay. Would you give us your analysis of this Proposal 59?

MR. SHERROD: Okay. I'd like to break 59 into dealing with the two subspecies differently. It has asked for a positive customary and traditional use determination for the remainder of Unit 12. The remainder of Unit 12 is roughly this little patch of the refuge that sets to the west of the Nebesna River. Not this part, but the little area that runs up in here for moose. Let's see if I can find -- Healy Lake is not on the map. It would be roughly in this area up, up here. The Healy Lake is part of a band of the Tanacross, part of the Upper Tanana Athabascans. Their use area

including the -- the total Tanacross use area would have encompassed this. This area would have been part of the customary and traditional harvesting area of the people from Mansfield/Tanacross band. Tanacross hunters do still hunt in this area. There has never been any ethnographic data collected on Healy Lake. There is no harvest data available on Healy Lake, I think in part because they lack a post office; we can't access state harvest tickets. So we have no idea how many moose they've taken or where they've taken them. My recommendation is, in terms of moose, would be to allow them to have a positive C&T determination for the remainder. The logic behind that recommendation is that as members of a single band, the Tanacross, certain individuals probably could access the use area of their relatives that live in the communities of Tanacross and Mansfield. It's a long way to go. They did not stipulate in the proposal if they went that far, but it would seem like a customary and traditional practice for at least some members to do all that. So, in terms of moose, my recommendation would be to support their requests.

Caribou, as you look, currently there is a "no determination" for the area that they are requesting a positive determination for caribou. In fact, there's only one season in the entire area. The state has a season and that season is in Unit 20(D) on the north -- on the south bank of the Tanana River. And it's on this map here and that's an area up in here. Now it is an area in which -- I mean it's across from the village, it's the only area across the village, but there aren't any federal lands in the area. So the state does have a hunt. Currently, there are no federal hunts in any of these areas. So we have no hunts. Giving them C&T is not going to allow them to take animals and, again, I think that if you look at the area from 20(C) over to 20(D), we're dealing with an area that includes part of Denali National Park, even to the west of the Park. It's a huge expanse. The only reason that I think it's even treated collectively in the regulations is because there aren't any hunts. There are a number of caribou herds, but none of them support hunts. If this point, since passing it -- well, since they currently can't hunt in the area under the "no determination" if we had a season, which we don't -- so giving them C&T in the area would not provide them access to any animals and I think that if a herd became available from any of these areas, you would have to consider reviewing the entire seasons, bag limits, customary and traditional use determinations anyway. So I would -- I have suggested that we oppose that portion.

MR. ROACH: Mr. Chair?

MR. GINNIS: Yes, go ahead.

MR. ROACH: I would like to make a motion that we support Proposal 59 as it relates to moose only.

MR. GINNIS: Okay. There's a motion. Is there a second?

MR. TITUS: I second the motion.

MR. GINNIS: Seconded by Charlie. Is there any discussion on the motion?

MR. ROACH: Yes, Mr. Chair. As was very well brought out, because

of the lack of federal lands in those areas and no harvest at this time, addressing caribou in those units, I think, is not a good idea. We did, however, provide for Healy Lake to have an opportunity to harvest caribou by supporting Proposal 57 which would allow Healy Lake which is in Unit 2(D) to harvest in Unit 12.

MR. SHERROD: That's 20(D) East of the Johnson River. That would include Dot Lake, but not Healy Lake.

MR. ROACH: Not Healy Lake. Okay. I stand corrected on that portion of it, however. But I do support the remainder of Unit 12 moose harvest.

MR. GINNIS: Okay. Is there any further discussion on the motion? If not, then all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. Does that conclude our action on Proposal 59? Any other action? Go ahead, Vince.

MR. MATHEWS: Then, for the record, it's clear then that you do not support the caribou portion of that proposal? With a nod of heads, thank you. Mr. Chairman, we've had Western science data that yesterday -- I mean, tomorrow is a very important day in Fort Yukon. We have preliminary field data that it's your birthday. So, we have a cheesecake here. It's just preliminary data, though. We're not sure that it's your birthday.

(General laughter.)

MR. MATHEWS: But we do have a cheesecake here, if this may be a good time to take a break and partake of this preliminary data.

MR. GINNIS: Well, I

MR. ROACH: Mr. Chair, I'd like to make a motion that we take a break at this time and wish you a happy birthday.

MR. GINNIS: Okay. Well,

(Off record)

(On record)

MR. GINNIS: Okay. I'll call the meeting back to order. Apparently, there's some concern about Proposal 56. Go ahead, Jeff.

MR. ROACH: I'd like to make a motion that we table Proposal 56 till we can have further research done on the effects on Northway and Tetlin communities and -- excuse me, and more information on the customary and traditional use of the communities listed in Proposal 56.

MR. GINNIS: Okay. Before we -- I know you're trying to make a

motion, but, Vince, wouldn't it be easier to just withdraw our previous action? I mean, doesn't -- would this motion that he's making just void the one we did previous?

MR. MATHEWS: Well, I think that, Mr. Chairman, the cleaner way, and that's what I was looking up as my hands are all sticky, would be -- you're asking to do a reconsideration, is essentially what you're asking. According to this handy-dandy on parliamentary procedures, it requires a second. It is debatable, it's not amendable, and requires a majority. That would be easier, to reconsider 56, bring it back before you, and then take action from there. It would be cleaner to do that. Your action now is to table it, but I think you need first to get agreement from the council that you want to reconsider that action.

MR. ROACH: I'd make the motion to reconsider our action on Proposal 56.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. MILLER: Second.

MR. GINNIS: By Charles. Is there any discussion on the motion. Okay. If not, then all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? The motion carries. Okay. Further action?

MR. ROACH: Mr. Chairman, I make a motion that we defer action -- decision on Proposal 56.

MR. GINNIS: Okay. It's been moved? Is there a second? Is there a second to the motion to defer?

MR. STARR: I second it.

MR. GINNIS: John. Under discussion, I just would like to reiterate just what you have to say, that these communities -- we need to go back to these communities and get their input. I hope that's clear as part of this motion, anyways.

MR. SHERROD: If I can speak, Mr. Chairman. I can only guess as to what might transpire with this. The Southcentral committee -- or Regional Council was meeting on this. I have a strong feeling that they probably would be inclined to support it on the basis that, yes, it is true these people did hunt the Nelchina animals and, in fact, some of them have hunted animals in the Unit 12. It brings us back to the question I posed earlier is that for the board to be clear in which direction you're going, you're going to have to say we defer this because it is the opinion of us, as subsistence users, that it's more important where you hunt than what herd you traditionally hunted. Otherwise, by withdrawing this, and without giving more support to Proposal 57, you've basically removed any logic you have. These people actually have a C&T for Nelchina Caribou; the people in 57 do

not. They may have a C&T determination in Unit 12, but it's for Fortymile animals, not Nelchina animals. I'm not saying your action is wrong; I'm just saying you're going to have to get it clear and to the record what it is you want and what your logic is behind it. I can then take that logic and when I produce the written format, it will be in there. But you've got to tell me what that logic is.

MR. ROACH: Mr. Chairman, my thinking on this issue is that harvest -- subsistence harvest is generally done near the area where you live. It doesn't matter where the caribou come from or which herd they come from. It pertains primarily to your local area. One of the things that I'd also like to look at is for those -- specifically for those communities listed in Proposal 56 is maybe a better definition of what portion of Unit 12, the harvest -- customary and traditional harvest is.

MR. GINNIS: I also agree that, you know, area, the area you hunt in, you know, like he said, it doesn't matter where the caribou came from. I mean if we were to hunt the herd, we'd be all over the country following the Fortymile Herd or whatever. You know, so I agree that we're talking about area versus herd like you brought up your

MR. SHERROD: Can I add something and try to get some agreement so when we pull this all together -- I mean, I suppose that it is logical to assume that if you look at the Copper River Basin, those are traditionally Ahtna people, now, of course, you've got Glennallen there and that's a bit of a different case. Ahtna people did not tend to cross over into Unit 12; that was Upper Tanana people. Different cultural group, different use area. There is some degree of a change that occurred between Northway and Tetlin and the Ahtna, so it's a fuzzy area there. But I guess one of the reasons, one of the justifications this board could put forth is at least a feeling that there is something about those traditional boundaries that should be incorporated into this process. Now, you're left probably -- the community that's problematic, of course, is Glennallen because it cropped up there after the war and they've hunted everywhere. So I suppose you would have to add some logic into why you might drop that. You would also, I would think, in 57 have to put down some logic and I know that proximity is it, but why it would make more sense to subject the residents of Northway and Tetlin with their neighbors in the Tanana River Drainage system as opposed to their Ahtna relatives. Now, one argument could be there, of course, is that they were all Upper Tanana and, again, that group of people and the area they hunt in has some validity and should be recognized in these regulations. The problematic community there, of course, is Tok. Now, Tok does have some Tanacross residents in there, so you might want to say something about that. And I'm just saying I think that it's important that these ideas get on the record so that when we go before the board, we have at least -- I'm able to articulate your logic on this because -- I mean, part of it's my fault; I have not been able to provide you with perhaps the options and so on that you need.

MR. GINNIS: You mean you haven't gotten through all this testimony or a point we're missing?

MR. SHERROD: I don't have the answers.

MR. GINNIS: Well, you just said it.

(General laughter.)

MR. GINNIS: So, where were we?

MR. ROACH: Proposal 56.

MR. GINNIS: Oh. The motion was to table? Is there any other discussion? If so -- oh, never mind. Still want to debate?

MR. SHERROD: No, I would just like -- you know, I would like to hear it in your words, not mine because the board would like to hear it in your words and not mine. My words don't come out to a lot when it comes to making the final decision. I'm just making suggestions as a social scientist based on stuff I've read. You're the local users, you're the experts. You say, yes, George, you're right, that's what we think. It's better you tell me in your words what you think and then we can get this into a format and take it to the board and accomplish the objectives that you want to put forward here.

MR. GINNIS: Well, George, we're telling you you're wrong on this one.

(General laughter.)

MR. GINNIS: Okay. Go ahead.

MR. MAYO: Yeah. You know, not coming from this area and not familiar with this unit and like I said before, I think the confusion is that traditional use areas, you know, in these units are -- did you mention that there is like an overlap in the area there?

MR. SHERROD: Between the Ahtna and the Tanana?

MR. MAYO: Yeah.

MR. SHERROD: Yes. In the sort of the lower corner of Unit 12 about the Divide. You have Ahtna communities that actually do occupy some of that space. Well, Nebesna -- along the Nebesna Road where the traditional Ahtna area is. Now, they are somewhat isolated from the other thing. The other important thing is, currently, these communities have a C&T for Nebesna (sic) caribou. They also have an any two caribou limit. Their limit, instead of being one bull by registration hunt, which is the hunt that occurs in Unit 12, they have any two caribou under federal subsistence regulations.

MR. GINNIS: Okay. Is there any other discussion on Proposal 56? The motion is to table. Any further discussion? Okay. If not, then all in favor of the motion signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. After

talking to some of the members of the council here, we thought that maybe we'll take up a couple more proposals and then we'll break and continue in the morning. So, go ahead, Jeff.

MR. ROACH: Mr. Chairman, just to clarify for George and for the Federal Subsistence Board, the reason that I supported Proposal 57 is because of the geographic area and proximity of the geographic area, not relating to which caribou herds were in the area at the time.

MR. GINNIS: Well, we're not debating 57.

MR. ROACH: No. No, we're not. I just wanted to clarify it.

MR. GINNIS: Okay. So, with that, let's move on to Proposal No. 60.

MR. MATHEWS: Okay. Mr. Chairman, Proposal No. 60 is on page 22 of your book. It covers Unit 20(F) and Unit 25(D) caribou. It would open a season for caribou in Unit 20(F) south of the Yukon River December 1 through the 31st, no bag limit is recommended; and change the season in Unit 25(D), that portion drained by the West Fork of the Dall River west of the 150 degree west longitude by adding a winter season of December 1 through the 31st. Proposal 60 public comments: There were three on that. Alaska Department of Fish and Game is neutral. There is a state season of August 10th through September 20th in both areas and February 1 through March 31st drawing hunt west of the Dalton Highway is already in place. Because few caribou frequent 20(F) and these are not in the area -- are not an area where access is difficult, increasing the season length will have little effect. Dinyee supports the proposal. It was crafted by people of Stevens Village to properly reflect their customary and traditional use of wildlife within their traditional use area. This use should be grandfathered as it is a critical component of their spiritual and economic life. The Kwethluk Joint Group support it. I have -- oh, I don't know if it's -- well, I'll just summarize it. Joe Sonneman of Juneau, I don't know if he supports it or he's against it, but he's basically asking -- needs more information on when Stevens Village hunt it. So, that's the summary of the comments.

MR. GINNIS: Go ahead.

MR. GUENTHER: Mr. Chair, the map that I just passed out shows you the areas we're talking about. In 25(D) West we're talking about this little point of land that crosses the Dalton Highway Corridor. In Unit 20(F) we're talking about a little section of land right along the border of Unit 20(F). Basically, we're dealing with two different caribou herds here. In Unit 20(F) we're dealing with the White Mountain Caribou Herd and as the map that I showed you, the gray area, is the approximate range of the White Mountain Caribou Herd. It extends into 20(F). The little insert in the box up here shows the federal land and there's just a little box, the federal land, that run right on the border which is right on the ridge line along 20(F).

In 1994, the Federal Subsistence Board took action closing caribou season in Unit 20(F) and the reason they did that, at that time we did not think there was any federal land in Unit 20(F). Now with some better maps and re-looking at this, we found that there were little parcels of land. In fact, it was kind of interesting, what happened on the older maps we had is

that the parcels of land are so small that the boundary line that was drawn actually covered them up so we couldn't tell there was federal land there. The White Mountain Caribou Herd that occurs in this area winters over in that unit of 20(F). It's a relatively small herd. The herd is somewhere around 1,000 caribou. Over a period of time, there's only been -- in fact, from 1983 to 1994, there's only been five hunters that reported hunting in that area and there have been no caribou taken out of that area. The herd -- it's a difficult area to hunt. There's a lot of black spruce. It's just a difficult area to get back into and hunt. We feel that biologically opening up a hunt in that area, even though this is a very small herd, probably would not have any significant impact on the herd and the number of animals taken out there would be very small. So we have no opposition to opening up the hunt in 20(F).

In 25(D), we're talking about another small caribou herd. It's the Ray Mountain Herd. Its primary range area as shaded here on the map, it's in Unit 20 north of the Yukon River in the Ray Mountains, primarily in the Ray Mountains area which is the core of it. It does extend north and west up to where it crosses the Dalton Highway Corridor into 25 and there is some activity there. It's primarily a winter activity area, so it occurs over there. Both of these areas call for a December season and, again, in that area we do not feel that the harvest that would occur up there would be significant even though this is another very small herd, somewhere around 1,000 animals or so. So, we find no reason to oppose this hunt in either one of these areas.

One other factor that is somewhat interesting. Since this is the Dalton Highway Corridor, as the regulation is stated now, the use of snowmobiles in the Corridor is authorized only for subsistence take of wildlife by residents living within the Dalton Highway Corridor. This means that residents of Stevens Village could not use snowmachines or other motorized vehicles up in that area to hunt caribou in the area.

One modification that you do have to -- or an amendment that you should make to this proposal that I would recommend if you adopt this proposal is that in 20(F) there was no bag limit established for that caribou hunt in 20(F). I would recommend that the bag limit be established as similar to the state's bag limit, with an annual bag limit of one caribou during that winter hunt that's recommended. The state does have a hunt up in that area at this time. Again, there's lots more information available on this, but to keep it brief, that's everything I have at this point unless you have questions.

MR. GINNIS: Okay. Are there any questions on Proposal 60? Go ahead, Jeff.

MR. ROACH: Yes, Mr. Chair, I do have a question. How does this affect the Ray Mountain -- the people who utilize the Ray Mountain Caribou Herd in Unit 20, specifically the villages of Manley, Minto,

MR. STARR: They never see them. They never seen this herd.

MR. GINNIS: Are you sure there's a herd there?

MR. GUENTHER: There's a herd -- Mr. Chair, there is a herd there. It's quite a small herd and we really don't have very good information on it. I believe it was just over a year ago, the state put their first collars on those animals and started to track movement of the animals. It's a little herd. There is a little bit of harvest that we're aware of by some of the residents of the immediate area. We do know that in over the past half dozen years that there have been animals crossing the Dalton Highway Corridor that had to come from that area, that go up into the area of 25(D) that we're talking about. They're somewhat inconsistent from what we know right now in their movements over there and it's a little bit unpredictable exactly when they will be there, except we do know they're there during the winter. Thank you.

MR. STARR: There was about 150 of them across the Yukon River. I don't know why they come down, but one guy saw just the -- as they were getting out of the Yukon River on this side and this winter over down Manley from Minto. We borrowed Charlie's wife's vehicle and went down there. Between Manley and Minto, there was tracks on the road there, so I don't know where that 200 caribou or 150 caribou -- but that's

MR. ROACH: Can I ask another question, if you're finished?

MR. STARR: And that herd used to come out of the Tanana once in awhile, but we haven't seen it for -- none this year. That's that caribou, right? The same caribou that's in the Ray Mountains.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: My next question is specifically addressed toward Tanana and Rampart which are in Unit 20(F) that would open the harvest, the winter harvest to those residents, but does that open it to Stevens Village in 20(F)?

MR. STARR: They can get to them -- they can get them by the road.

MR. ROACH: But what's the determination on that?

MR. GUENTHER: The Federal Subsistence -- excuse me, Mr. Chair. The Federal Subsistence Board has made no customary and traditional use for caribou in Units 20(F) or in 25(D); therefore, any federally qualified rural resident could hunt caribou in either one of those places.

MR. MAYO: The way this was -- the way this is written like this is because these game units are interfering with our traditional use area. This traditional use area wasn't just made up yesterday, you know, and these lines are cutting that area up, you know. That's why it includes two units.

MR. GINNIS: Do you have a question, Charlie?

MR. TITUS: No, Mr. Chairman. I was just going to answer Jeff's question there, how does it affect Minto. We have never had any caribou customary and traditional use since 1949. That's the last time we've seen caribou in the Minto Flats area so -- and the year before last is the first

time we've seen caribou. So, we -- that answers your question, Jeff.

MR. ROACH: Yeah, specifically, I'm trying to determine which communities other than Stevens Village will be affected by this proposal because Unit 20(F), even though it's a small area there, it includes like, say, the communities of Tanana, Rampart, and nearby communities along the Manley -- the Minto Flats and then 25(D), that also includes several communities to the north of Stevens Village. If I can find the map. That includes communities of Beaver, Birch Creek, Venetie, Fort Yukon and several other communities. I'm just trying to determine what kind of effect that will have.

MR. GUENTHER: Mr. Chair, I guess my thought would be at the current time under state regulations Unit 20(F) north and east of the Dalton Highway and south of the Yukon River has a season one bull August 10 through September 20th and then -- which is open under any -- a harvest ticket period, and a one caribou -- or one caribou by permit during the February through March 31st season. And when I pull up the harvest data for 20(F), over the last, let's see, from 1983 to '94, there were only five hunters that even reported hunting caribou in Unit 20(F). It's just a really difficult and inaccessible area. So,

MR. TITUS: Can we access on the Dalton Highway? I mean the Elliott Highway, right?

MR. GUENTHER: Pardon?

MR. TITUS: It's on the Elliott Highway, right?

MR. GUENTHER: No, 20(F)

MR. TITUS: Yeah, the White Mountain Herd, right?

MR. GUENTHER: Yes, the White Mountain Herd and, let's see,

MR. SHERROD: West. Go west.

MR. GUENTHER: Okay.

MR. TITUS: You say there's no hunting there? Excuse me, Mr. Chairman.

MR. GUENTHER: The area we're talking about -- okay, here's Fairbanks, here's the highway up from Fairbanks, here's Livengood, here's the Yukon River, and we're talking about this area right in here off of 20.

MR. ROACH: Mr. Chairman, if I may?

MR. GINNIS: Go ahead.

MR. ROACH: If there's no determination for that area, then any user who can access the area via the Dalton Highway could then harvest 20(F)?

MR. GUENTHER: That would be correct.

MR. TITUS: Mr. Chairman,

MR. GINNIS: Yes, go ahead.

MR. TITUS: It says in here there was hardly any access. I disagree with that because I live on that highway and right now -- the day before yesterday, I came through there. There was about 30 cars parked there with some dog teams. You can't tell me it's hard to access this area.

MR. GUENTHER: The area, from what I've been told, that area in 20(F) where the White Mountain Herd winters, it's a difficult area to get into.

MR. TITUS: And there -- according to this proposal, the hunt is on now.

MR. GUENTHER: Um-hum (affirmative).

MR. TITUS: So you can't tell me they're not -- it's hard to access because the vehicles prove that it's accessible.

MR. GUENTHER: Mr. Chair, really, the only comment I can make is that over a period from 1983 to '94 that there have only been five hunters that reported hunting that White Mountain Herd in 20(F).

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: During that time, was there ever a winter harvest?

MR. GUENTHER: No, there were no harvests for the five hunters. There were no harvests reported during

MR. ROACH: I mean was there a winter season like

MR. GUENTHER: Yes.

MR. ROACH: what is being proposed now?

MR. GUENTHER: Yes. Not during December. The state season is later. The state season is February 1 through March 31.

MR. ROACH: I'm just having a real concern here and, Randy, maybe you can help me out. You know, your council has obviously taken a look at this very carefully. But I'm worried about the access issue and specifically in Unit 20(F) along the Dalton Highway because there is no customary and traditional use determination for that area. Any rural user or any rural subsistence qualified user in the State of Alaska could use that area along the Dalton Highway in 20(F).

MR. MAYO: They're not by the road. That road cut them in half, you know.

MR. ROACH: Well, okay. On the map that Conrad provided for us, the pink highlighted area for the Ray Mountain -- is it for the Ray Mountain Herd?

MR. GUENTHER: Yes.

MR. ROACH: For the Ray Mountain Herd in northern 20(F) is right on the Dalton Highway.

MR. MAYO: Well, this paper

MR. GUENTHER: No, 25(D). That's 25(D).

MR. MAYO: This paper is one thing, but when you go up there you don't see nothing. That road and that activity has split everything, you know. You're not going to see them standing in the middle of the road just because it's pink there, you know.

MR. ROACH: Oh, I realize that. How would your -- the people of Stevens Village access them in the wintertime?

MR. MAYO: We go back there by snowmachine.

MR. ROACH: To which area of 20(F)?

MR. MAYO: Well, where it's pink, all over there. That's our hunting area.

MR. ROACH: Okay.

MR. MAYO: I was going to go back there and look for a caribou, but I have to come and deal with this kind of deal, you know.

MR. ROACH: So, what I'm -- I guess what I'm getting at, if you can access them from there, then other people -- other rural users can as well, and maybe even easier than your access.

MR. TITUS: Well, who's all back there now? Subsistence hunters?

MR. GUENTHER: Mr. Chair?

MR. GINNIS: Go ahead.

MR. GUENTHER: Maybe I can make a comment that might help clarify this. Now, when we talk about the Ray Mountain Herd, we're talking about 25(D). In 20(F) where the animals occur is a significant distance from the highway.

MR. ROACH: Okay. Maybe you're going to have to explain that to me, then, because I'm looking at the map with 20(F) on here and I can see -- I

mean right below that pink area you have highlighted for the Ray Mountain Herd, that's Unit 20(F). Am I correct?

MR. GUENTHER: Right. But this proposal is for 20(F) south of the Yukon River.

MR. ROACH: It's only 20(F) south of the

MR. GUENTHER: Only 20(F) south.

MR. ROACH: Okay. You go down here

MR. GUENTHER: Right. And the other area is 25(D). It's strictly that small pink area where 25(D) crosses the Dalton Highway Corridor and it does not include 20(F) north of the Yukon River.

MR. ROACH: All right. I can see that now.

MR. GUENTHER: And, also, there's additional restrictions on the users. In the Dalton Highway Corridor -- and let me read this statement out of the book: "The Federal Subsistence Regulations state the Dalton Highway Corridor Management Area which consists of those portions of Unit 20, 24, 25, and 26, extending five miles from each side of the Dalton Highway Corridor from the Yukon River to Milepost 300 of the Dalton Highway is closed to the use of motorized vehicles except aircraft and boats and to licensed highway vehicles, snowmachines and firearms, except as below. The use of snowmachines is authorized only for the subsistence taking of wildlife by residents living in the Dalton Highway Corridor Management Area. Residents of Stevens Village are not authorized to use motor vehicles in the Dalton Highway Corridor. The use of licensed highway vehicles is limited only to designated roads within the Corridor and, also, the use of firearms within the Corridor is authorized only to residents of Alatna, Allakaket, Anaktuvik Pass, Bettles, Evansville, Stevens Village, and residents living within the Corridor." And so other people that came up from other -- subsistence users from other portions of the state not listed there, first of all, have to hunt with bow and arrow within five miles of the Highway Corridor. They cannot use a firearm. And, also, only those residents within the Corridor have -- can use a snowmachine to hunt during that period, the caribou. So it's very limiting as to who can really get out and have very much impact on the herd. Plus the herd is there inconsistently during the winter. You know, it's just not a herd that's standing on the road.

MR. ROACH: Okay. I just was trying to avoid a problem that we've talked about many times concerning the Dalton Highway and access to some of these harvest areas by opening these areas up, and I want to make sure that we're not jumping into that again.

MR. GINNIS: Okay. So, what's the action of the council on Proposal 60?

MR. MAYO: I make a motion that we accept it.

MR. GINNIS: Okay. It's been moved to accept Proposal 60. Is there a second?

MR. TITUS: I'll second it.

MR. GINNIS: Seconded by Charlie. There was a question raised here that -- as far as discussion is concerned on the 25(F). There was a recommendation here that was made that maybe we ought to put a bag limit there. Isn't that what you said

MR. GUENTHER: Yes.

MR. GINNIS: for one caribou? I guess I should have brought this up before you made your motion.

MR. ROACH: It would have helped.

MR. GINNIS: Yeah. But it just occurred to me after you made the motion.

MR. ROACH: Randy, you can amend your motion to include that.

MR. GINNIS: Better yet, why don't you just withdraw your motion and we'll just second it and then do it over again. Is that all right with you?

MR. TITUS: That's all right with me. I'll second the motion.

MR. GINNIS: Is that okay? Okay. The motion is withdrawn. Okay. Now, I guess some motion to the effect that we approve Proposal 60 with establishing a bag limit of one caribou for 20(F), I guess something like that. Is that what you're looking for? What's your name?

MR. GUENTHER: Conrad.

MR. GINNIS: Conrad. Is that what you're looking for,

MR. GUENTHER: Yes.

MR. GINNIS: some motion like that? (Pause) We're taking a rest. Okay. Action on Proposal 60.

MR. MAYO: Oh, make a motion?

(General laughter.)

MR. GINNIS: He's waiting for you.

MR. MAYO: Make a motion that we support this proposal with the amendment to limit one caribou in Unit 20(F).

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. TITUS: I'll second it.

MR. GINNIS: Seconded by Charlie. Discussion on the motion? If

DATED at Fairbanks, Alaska, this 12th day of March, 1996.

Notary Public in and for Alaska
My Commission Expires: 5/12/98

S E A L