

EASTERN INTERIOR SUBSISTENCE

REGIONAL ADVISORY COUNCIL

PUBLIC MEETING
SOPHIE'S STATION HOTEL, ROOM 234
FAIRBANKS, ALASKA

DAY 2, THURSDAY, OCTOBER 5, 1995
8:45 a.m.

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BOARD MEMBERS PRESENT:
MR. LEE TITUS, CHAIRMAN
MR. JEFFERY ROACH, SECRETARY
MR. RANDY MAYO
MR. STEVEN GINNIS
MS. SELINA PETRUSKA
MR. CHARLIE TITIS, JR. (Arrived after Lunch)

REPORTED BY: MS. CAROL A. McCUE,
MIDNIGHT SUN COURT REPORTERS RMR

P R O C E E D I N G S

(Public Meeting proceedings continued at 8:45
a.m., Thursday, October 5, 1995.)

MR. LEE TITUS: We will call the meeting back to order. At this time, if there's any, anybody in the public that would like to make any kind of comments or make a public testimony, just let us know. And I know it's not on the agenda, but we'll make time for public comments or any public testimonies throughout the day.

First thing on the agenda is the Customary and Traditional Determination Process. Vince.

MR. MATHEWS: Okay. Before I go into that, I want to remind people in attendance, there is a sign-in sheet in the back, if you could sign in so we know who is here on that. What we're discussing now is the item 10 C on the agenda, which is Customary and Traditional Determination Process, and I'll be covering the -- I'll introduce the statewide annual process, but I'll be summarizing the Kenai customary and traditional decision.

So at this time I'm going to ask Bruce Greenwood to go over that we're now under a new process dealing with, and hopefully everybody can get this down, when we say C & T, it's customary and traditional use determinations. We are not trying to dilute that but to move along, we'll just say C & T determinations.

So with that, I'll ask Bruce to go over now where we're into a new process.

MR. GREENWOOD: Bruce Greenwood for the National Park Service. Since your last meeting, the customary and traditional use determination process or C & T process was changed in April of '95. The Subsistence Board decided to relook at the process and make it a little bit different. So what we're going to do is that individual proposals will be taken to deal with the fish and wildlife resources within your region on an annual basis. So instead of like how you did it in Upper Tanana, you're asked to make a determination on an entire region at one time. You're going to be able to take the primary issues and primary concerns regarding customary and traditional use and make individual proposals to the board every fall. That's beginning this fall.

So what Vince is going to do next is he will have you review the existing C & T determinations, and from that, from those determinations that you have questions about or you would like to change, you can make a proposal this fall to make that change.

What will happen then is when you take a proposal forward to the board, you will submit it to the board like we usually do, for a season and harvest limit proposal. It will be advanced to the board. The staff will do a technical analysis and review of it, and at the winter meeting the staff will present the analysis to you, you'll make a specific recommendation at that time, that will be advanced to the board in the spring, and during the spring meeting the board will review that and act on it one way or the other. So did you have any questions more

specific that I could cover that might help you understand this better?

MR. ROACH: I have a question, if I may. Bruce, the -- when you say on an annual basis, once a customary and traditional use determination is made, is it reviewed annually or is it as it stands until a counterproposal is made.

MR. GREENWOOD: That's a good question. Once that is made, it will remain in effect until you or someone else suggests a change that might take place regarding that. So it will stay there indefinitely unless somebody else wants to change that. For example, if five years down, five years from now you see that proposal saying it's not really accurate, we need to add another community to that, you could add another community to that C & T determination.

Likewise, you may have -- you might do two or three this year, but next year you want to do a couple more and next year you want to add a couple more, you can do that, so this will happen on an annual basis.

And the difference too each Regional Council in the state will be also, have the opportunity to make C & T proposals on an annual basis.

MR. LEE TITUS: Steve.

MR. GINNIS: Mr. Chair, I don't know where this whole idea originated of having individual proposals. My own personal feeling about this is that at least out in Yukon Flats, the use areas of customary and traditional use areas overlap each other. There's a village here and a village here, they kind of overlap each other. Are you talking about individual proposals coming from individual villages? Is that the concept here, or we're getting away from the whole concept of regional C & T's, or what?

MR. GREENWOOD: Mr. Chair, I could delineate that more but when I said individual proposals, I meant individual versus having to do the whole region at one time, that an individual is meaning that we could take -- you could have one proposal for one species, and one unit on a yearly basis versus having to do all species and all units at one time. And to further answer your question is that in that situation, both villages could have C & T within the same unit for the same species.

MR. GINNIS: Where did this originate from, this idea?

MR. GREENWOOD: Of individual proposals?

MR. GINNIS: Correct.

MR. GREENWOOD: I think I need to clarify that more and maybe I'll ask Vince to do that, but we're not talking about individual for one person, for one specific person, we're talking about individual means we will do -- we will review the C & T for one species in one unit on an annual basis, versus having to do all the species for all the units within this Regional Council's purview on it at one time. That's where the individual comes from.

Each village, the two villages may have C & T on the same area, the same unit and the same species. They may have C & T on different

species and different units. So if that doesn't answer your question, I'll defer maybe to Vince.

MR. MATHEWS: Let me explain the way it was before, I think then you will see the difference because I know you had concerns on the other process. The other process was that Upper Tanana as a region was going to be done, it was assigned to be done in '95, '96. The next region was going to be Yukon Flats, I think it was going to be done in '97, and then another area in '98. That process became too time consuming and cumbersome. People across the state were saying when are you going to get to ours, and it seems to be bogged down in the Kenai and other areas.

So it was felt by the directive of when the chairs met with the staff committee that we decided that we should maybe go to more of an annual process to speed up this, this review of C & T's. The C & T's were adopted directly from the state, and you'll notice there are no -- somebody can correct me on this but I'm pretty sure on this, for black bear there's no determinations across the whole state or at least across the whole region. When I worked for the state, the Board did not get to it. The State Board of Game did not get to black bear at all, so that's why those were adopted in that way.

So the -- when the process was established, it went out to the public to say, what would you like done with these C & T's? Do you have any request for change? And then it was decided to go through this large marching around process. Now we're going to just annually.

So when he says individual, that does not mean each individual community, they could do that, but it's just meaning that everything is open region wide per particular species. So it opens it up more for people to get involved by submitting individual proposals versus what you were doing in Upper Tanana, Fortymile, you had option A, B and C which were multiple complex of different determinations. So that's how we got to this annual process.

The reason it's on the agenda now is because we need to get some kind of direction from each of the councils what they feel are the important C & T issues for their area, and how they would like them addressed, some kind of priority order because if all species were open, all C & T's for Eastern Interior were open, there's no way we can provide analysis for all those C & T's for the complete region by next April, or your next meeting, I should say in February, which the Board would take up in April. So we have to work through this little bit of getting some kind of direction, and then from there, this will smooth out to where it will be just an annual process where those that need to be changed will be the only ones in front of you.

MR. GREENWOOD: On a further note, what -- there's kind of a shift of emphasis from how it was before, as we gave you a document and said okay, here, this is what we think C & T is. Do you agree with us. We were asking, we were coming across to you and saying this is what it's going to be, make a suggestion. We're changing that around now, we're saying you tell us what you think the C & T should be for the area that you have purview over.

So that, and that information can be obtained by going out to the villages, going out to the regional corporations and saying, and just the public in general can also come to you and say we feel that this is what we're doing out here, and we would like to have a customary and traditional use determination on this species in this unit. So we're coming around like they mentioned last night from the grass roots, from the grass roots versus from the top down, like it had been in the past. So if you had a specific proposal you wanted to make for a C & T use for a village, you could go ahead and make that proposal to the Subsistence Board for their consideration.

MR. MAYO: You mentioned corporations. I think you people have to understand and get educated on this big misconception of, you know, land claims and corporations, that those aren't the entities to deal with, you know. There's tribal governments out there that you have to deal with. The corporation is on the side. It has its own place. And you people have to understand this now, that too much the corporations are taken as the entities up there, but they are not. You know. So you have to deal with the tribal governments and leave the corporations out of it, you know.

MR. GREENWOOD: I stand corrected on that, then. You know, that's to kind of add what you mentioned, the tribal governments can make a C & T proposal directly to the Subsistence Board for their village. And the Regional Council will then have a chance to review that at your winter meeting.

MR. MAYO: I just wanted to make that point because too much, you know, you hear about corporations and stuff, those aren't the governing entities, you know. It's like United States -- a foreign country doesn't deal with the United States through General Motors Corporation, you know. That's what's been going on up here for the last 25 or so years, you know. That has to change, you know. That's just a point I wanted to make.

MR. LEE TITUS: Steve?

MR. GINNIS: Can you give me an example of how, like Fort Yukon was interested in putting a proposal together. What kind of a process do we need to go through? It's starting to sound like to me that this is going to become a competitive type of an approach to trying to deal with these customary and traditional determinations. I mean I can just vision Fort Yukon seeking a proposal and on the other hand maybe Beaver, Stevens Village or some other place like that. So if you can just give me some idea of how do we -- how does this whole thing work?

MR. GREENWOOD: For example, if Fort Yukon wanted to have C & T on caribou in that area, they would write a proposal and there's actually a proposal form that they would complete. They would fill a proposal form out which would specify the reasons why they would want to have C & T, or why they felt they should have C & T on that species within that particular unit.

They would advance -- they would send that into the Fish and Wildlife Service -- into the Subsistence Board, and for example, Stevens Village could do the same thing for the same species and the same unit.

Those proposals would come through the Regional Council after being, after being analyzed, and the Regional Council would then have to look at both of those proposals and review both proposals.

The Regional Council could make a recommendation that both communities would have C & T on the same species in the same unit. Then the Regional Council would advance that to the Subsistence Board for consideration and final decision. So the Regional Councils, as you do with the other annual season and harvest limit proposals, are going to have a lot of influence on the Board decision. And the Board is going to -- maybe I'll speak out of context here that the Board will expect the Regional Councils to make recommendations regarding these proposals and relying on your input at the April meeting.

Sandy handed me the proposal. There's actually a couple forms here that show how to make a proposal and how to fill it out. And what, what the subsistence staff has offered to do is that if you need assistance in completing these forms, we would be glad to work with you in the completion of the forms and making the proposal as accurate as possible, and as detailed as possible.

MR. GINNIS: So essentially, then, these are not being mandated, they are just kind of up to the region or whoever village or whoever to request a proposal?

MR. GREENWOOD: That's correct. Yes.

MR. MATHEWS: Where before the other process was kind of down, top down saying well, what do you really want, here it's going to come back up from it. Before we were going out and saying what are your C & T uses and where do you do this and et cetera, now it's going to be issued up, meaning if a village has a concern of who can do it or where, then they can float a proposal back up instead of us as staff going out saying what are the C & T uses for this area.

MR. GINNIS: So have those communities been informed of this change?

MR. GREENWOOD: This is the first time we've actually -- the fall Regional Council meeting is the first time we've actually presented a proposal to the Regional Council. So we are just initiating it this fall.

MR. GINNIS: How are you doing that?

MR. GREENWOOD: By communicating to you the new process, the revised changed process. The other way we're doing it is that in the, the '96, '97 proposal to change federal subsistence regulations, we have sent out to our mailing list the existing C & T regulations along with existing season and harvesting regulations asking people if they want to comment on those, or to change those, then they can go ahead and do that. So we have distributed that to probably most villages. I'm not sure who is on the mailing list, maybe Vince could say who is on the mailing list. It's a widespread distribution.

MR. MATHEWS: It is widespread but it is a Federal Register

document, so we still have a learning curve to get this out that this is open more, so this is step one, and what we're asking for is direction on the other C & T issues in your area that you know of that there's concerns about, and then from there, that will give us direction of how to handle those in a prioritized list. The Council plays this role.

MS. QUINN: When was this mailed out?

MR. MATHEWS: I don't have that in front of me.

MR. GREENWOOD: I believe they mailed it out the first part of September.

MS. QUINN: I just wanted to comment that I understand it takes a while to implement a new process, especially when you're making a major change like this. But I think it was a huge mistake and typical mistake, if you will forgive me for saying so, that the villages weren't already informed about this. Because it came out in the Federal Register as of about August 7th, August 9th, I believe. Even for those of us who get the Federal Register and check it regularly, I think it was several weeks past that when we became aware that this procedural change had been made. It was late last week when I became aware that people had forms available that they could have used to make C & T proposals as of this Council meeting. And I think that might have been one of the easiest ways of getting everybody to understand the new process if there were some examples available to walk through, particularly for the Upper Tanana area where they still believe that they were dealing with this cumbersome other process.

I think it was just a huge mistake. And it's, in my opinion, the basic procedure that you're switching to is probably good, but to sort of spring it on people at the last minute like this defeats a lot of the good intentions behind it. And probably everything will smooth out over the next year or two. I just wanted to mention that there's a real general problem with not letting people know faster when these things happen.

MR. GINNIS: Mr. Chairman, I would like to request that a -- you know, a lot of times people don't really read these Federal Registers, other than those folks that, you know, are managers or whomever. I would like to request that some letter is sent out to these villages to inform them of this change. I think that's the only way that you're going to get proposals. If people don't understand this process, you know, it's a doomed process.

So I would like to request that some letter of explanation of some sort be sent out to these communities. In this particular region, the Eastern Interior area. I guess I'll put that in a motion. I'll move that some form of a letter be sent to the villages in the eastern regional -- Eastern Interior Regional area, explaining this new process.

MR. LEE TITUS: It's been moved. Is there a second?

MS. PETRUSKA: Second.

MR. LEE TITUS: It's been moved and seconded. Discussion? Hearing none, all in favor, say aye.

THE BOARD MEMBERS: Aye.
(IN FAVOR - ALL BOARD MEMBERS.)
MR. LEE TITUS: Opposed?
(NO OPPOSITION.)

MR. LEE TITUS: I believe it was last year in the Federal Register it was published that there was some kind of a schedule to determine C & T statewide, I believe, Kenai Peninsula was one, and Upper Tanana was two, and then I believe Fort Yukon was three. Are we getting away from that schedule?

MR. MATHEWS: Yes, Mr. Chairman. That was the schedule that's mentioned earlier that we would march around the state with this process. That is now being replaced, so each region in theory is up before the Board, but I need to caution you just as part of my duties that the priorities on these public requests and recommendations, I'm reading from the Federal Register, will be recommendations of the Regional Councils, federal land managing agencies, and availability of personnel in financial resources to conduct the work.

So it means that if this region came up with a fairly long list of priorities, C & T issues that they felt were high priority, it's got to be weighed out against the recommendations of the councils, the land managing agencies, and availability of personnel. I don't want to mislead you that whatever you come out with, all will be before you in February. Again, after a couple of years, as we work through this, then it will smooth out. But we have a fairly large task in front of us.

MS. QUINN: People could still put proposals in this year, right?

MR. MATHEWS: Yes. The proposal comment, the proposal package, submitting of proposals closes on October 27th. That includes seasons, harvest limits, and C & T determinations. And if there's not -- I don't like to deal with negatives, if there's not a problem in an area, I don't foresee any proposals being submitted by anybody. This annual process will, should surface those that have confusion or a problem with this, but areas that it's pretty clear what the customary and traditional use areas are and everybody's comfortable with them, I don't see any proposals coming out of that area.

MR. GINNIS: But these things not only cover species, but traditional use areas, right?

MR. MATHEWS: Yes, it's who and where. The question of C & T is who can, who is eligible, and where can they, where can they participate in that activity. So it's the foundation of the whole program, and that's why I have such a long agenda time frame for this meeting because it's the foundation of the whole program.

MR. GINNIS: So these proposals can affect some of the activities that's going on on the refuge, such as sports hunting?

MR. MATHEWS: If the, if the population that's being addressed cannot meet the harvest needs of the different groups, yes, it could. If the population can, within conservation concerns, meet it, then it

would not affect other interests. And subsistence priority applies to qualified rural residents of Alaska.

MR. LEE TITUS: So there's no -- if there's no C & T determination on the specific species in a certain area, then there's no kind of a subsistence law applies to that area, right?

MR. MATHEWS: I think what you're leading to and something we need to address is definitions. If you have what's called a no determination, that means all rural Alaskan -- qualified rural Alaskans can participate in that hunt, so a no determination means all qualified rural Alaskans. And for those that are here, that means within the federal program and the state, everybody as a resident applies. When it says no subsistence, that means it was determined through the process of the C & T that there was no customary and traditional use of that species in that area. So when we get into looking at the C & T's for your area, I would recommend that if you see one in your particular area that says no subsistence, and you think there is customary and traditional use in that area, let's flag it because that is one where a segment of subsistence community is being denied. But where it's no determination, everyone that's qualified can. So no subsistence determinations should be higher on the list than no determinations.

I know these are somewhat confusing terms, but if you just take no subsistence meaning there's nothing going on there as far as subsistence, and take no determination as meaning everybody can that qualifies.

MR. GINNIS: Question about that?

MR. LEE TITUS: Yes, Dorothy?

MS. SHOCKLEY: Can I ask a question? What is the definition of customary and traditional determination and who actually is that coming from?

MR. MATHEWS: I'll deal with the part that deals where it comes from. The definition I'm really drawing a blank on, so I'm hoping some others in the room can. Where it comes from is like I mentioned earlier, the state system under the State Board of Game and Board of Fisheries had the C & T determinations before, when they were not in compliance, the federal program adopted all those existing C & T's. Now, that kind of skirts your question.

Where did the C & T come up from, it came up from when proposals would come, and hopefully somebody from the state can correct me if I'm wrong, would come up where there was a conflict on the season or a harvest allocation, where they, you know, really couldn't, you know, work its way out that they had to determine what the C & T determinations were by, by state law. And by ANILCA. So it does come up from the community when an issue became before the Board. The process now is we have to go through these C & T's to see if they still apply, are they still accurate, and are additional ones needed or are the existing ones needing flux on it.

The definition of customary and traditional, I see different

books now open so maybe they will bail me out because I'm overwhelmed.

MR. LEE TITUS: State your name, please, for the record.

MS. DETWILER: Sue Detwiler of Fish and Wildlife Service. As far as where the term customary and traditional uses comes from, it comes from Title VIII, the statute, that requires the subsistence priority. It's the law that Congress set forth, and Congress defined subsistence uses as being customary and traditional uses by rural Alaska residents, so that sets up a two tiered process for determining who has a subsistence priority. The first tier would be rural residents. The second tier, if you're a rural resident would be if your community is determined to have customary and traditional use.

MR. MATHEWS: And I can go further than that, that there is a list of eight factors that give you the extent to which a community would qualify, and I can provide you a copy of that, those eight factors, but basically long-term consistent pattern of use, a pattern of use recurring with specific seasons in the year, pattern of use consisting of methods and means that are typical of subsistence economy, consistent harvest and use to wildlife, and then means of handling which is customary, traditional, a pattern of use which includes handing down knowledge, and a pattern of use which is involved with sharing and distribution, then a pattern of use which is reliance upon a wide diversity. Those are all legal terms, but that is the kind of the framework behind what factors will be used to -- by the Board to look at these C & T requests.

MS. SHOCKLEY: If I understand correctly, the villages have, or Tribal Councils or whoever have until October 27th to get these proposals in?

MR. MATHEWS: Right. For this year, but also realize every year that these will be up. So we have in this process, which I think I mentioned last night, once established, the Board adopted them, we also have the NEPA process, the environmental impact statement process where people could ask for changes to C & T requests. We have a backlog of C & T requests from 1991 that we'll also have to deal with where people during that time submitted requests.

So for this region, I don't have the exact total, but it's like 51 or 54 backlogged requests, from across the board, individuals through Tribal Councils, through agencies asking for C & T changes since '91.

So that's what I meant, we have to kind of work our way through this, in a year or two it's going to smooth out. Right now we have the backlogs, we have the new process coming on line, and still the confusion between which program has jurisdiction where.

MR. ROACH: Mr. Chairman?

MR. LEE TITUS: Yes.

MR. ROACH: One of the things that I would like to do is we've been handed this down as to try to set up a priority system from the Federal Subsistence Board. I would like to take that also one step

further and have the SRC's and the Fish and Game advisory committees prioritize those proposals that affect their areas because we rely on their comments as well.

MR. MATHEWS: Mr. Chairman, on that, what -- on the part with the advisory committees, what I did with that was provide their regional coordinator a breakdown of all the backlogged C & T's that came from the advisory committee. There was a whole bunch from Middle Nenana River, as an example, and Middle Yukon, and many other ones, so they have that. To plug into the other system, I haven't done that, but I will be in consultation with their coordinator, and the state would have to allow it to be on the agenda, and I have no control over that. But we can make it available to them that this process is on, and I don't have a full list of who gets the proposed rule, but I -- someone can correct me if I'm wrong, but I believe it's sent to all advisory committee members.

So they did get it, but again, it is a proposed rule which is kind of a complex document, and we still have to -- someone needs to explain that complex document. And further, you have been selected because of your local expertise and many of you are on advisory committees, so I would hope you would carry that back to your committees.

MR. GINNIS: Is it possible through this process to have an entity submit a proposal on behalf of all the villages in an affected area, such as in the Yukon Flats, is it possible for the, like the Council of Athabascan Tribal Governments to submit a proposal on behalf of all the villages?

MR. MATHEWS: Sure. Sure. Sure, anyone, they could submit -- yes.

MR. MAYO: Mr. Chairman?

MR. LEE TITUS: Mr. Mayo.

MR. MAYO: This is, you know, all pretty confusing to me. But you know, what I saw with that Upper Tanana process was it was a backwards approach, you know, and all the money and resources spent on somebody from the outside coming in and putting a stack of papers together like that, that was just thrown in the trash, you know, is pretty ridiculous, you know, and tribal governments can contract for certain non-BIA programs. It has to come from the area, you know, like Steve mentioned, CATG, we have resource people out there, and you know, elders going on our traditional form of government, you know, that precedes this U.S. Government by 10,000, 20,000 years, you know. Because I know where our C & T area is for my village, you know. Based on our land claims and the elders back in the 1930s. So I would like to, you know, get some numbers and so we wouldn't -- the Yukon Flats wouldn't have to go through, you know, what I seen in the Upper Tanana determinations, you know, save us a lot of headache and time away from home.

MR. MATHEWS: Lee?

MR. LEE TITUS: Yes.

MR. MATHEWS: Please remember that the process now will only address your area if a proposal comes up to ask for a change or addition. It is not like with the Upper Tanana one that was kind of like we need to get all the background material on this, where do you go and et cetera and et cetera, then generate it that way.

So I just want to make it clear to you that unless a proposal is floated, what is existing there now, if it's fine, will stay fine. So it depends on if in your area, that you feel that there needs to be change, now is the time to have a council proposal or have an entity proposal or an individual proposal.

MR. LEE TITUS: Any more questions?

MR. GINNIS: Who is going to head up this effort? Is there anybody that's going to provide technical assistance or anything of that nature?

MR. MATHEWS: If you're referring to the C & T proposals that would be submitted, it will be your -- your team or region anthropologist is away because of medical illness, so he and others would be doing the analysis for it. If there's a proposal that you bring up or someone else brings up, and that analysis will be before you in your January, February meeting, and at that time you have the option of recommending adoption, referring or deferring. Remember, you play a key role in that process before it goes to the Board. And your recommendation, and somebody can correct me if I'm wrong, is it has to survive the three tiered, the three criteria test: Does it have substantial evidence, does it violate wildlife conservation principles, and is it detrimental to subsistence. Or to reject it, it has to have not substantial evidence, violate conservation principles, and is detrimental to subsistence. If it doesn't, the Board has to go with them.

So you guys play a very critical role on this C & T determination. I hope someone nods their head that that test will apply to C & T proposals. Okay. I got enough nods on that that it does. Okay.

So you guys, if one comes up and you feel in that area that it's inappropriate, it's out. You say it's rejected. The Board would then have to have compelling evidence that you're wrong, and you are the experts from that area, your selection and leadership, I don't know where else they could go to find other data. They could, but most likely, you are the key one, so you are still in the, you're still in the driver's seat on this process with C & T.

MS. QUINN: Would that be George Sherrod, for the whole Eastern Interior?

MR. MATHEWS: Eastern and Western Interior. That's why I quickly read from the Federal Register that it is subject to the availability of personnel. And others will be assisting, but he will be the lead on it. I think Conrad and I will end up doing some of the work also and will

be contacting people and et cetera, but he will be the lead because of his expertise.

MR. ULVI: Steve Ulvi of the National Park Service here. I think what Mr. Ginnis was getting at too was whether there might be technical assistance available for communities or individuals to help write proposals, and I think at least in part the answer to that question, I think that agency staffs and people that are around are available in part to try to help with those kinds of proposals. And background information and those sorts of things. And because I think the secret of the whole deal is that the better job you can do in putting a proposal together, makes for a simpler, more focused analysis by people like George Sherrod and others who are going to have a huge work load, and I think will help further your priorities.

MR. LEE TITUS: Any more questions? Anybody from the public has any questions? Yeah, Dorothy?

MS. SHOCKLEY: I have a comment. This whole process, I mean it sounds like, you know, a village or a region comes up with traditional and customary uses and says this is just the way we live, and then we have to go through this whole process of validating, this is our way of living. And somebody has to judge okay, you know, this is -- that whole process just doesn't make sense to me. You know, validating our way of living. And having to go through this process of, of proving that this is the way that we live. That just doesn't make sense to me.

MR. NED: It's been like that for 500 years.

MS. SHOCKLEY: I know, and it's time to change.

MR. NICHOLIA: Fred Nicholia. On this question number 5 in the book here, on this proposal form, it says how will this change affect subsistence users. And I wonder is that subsistence users in that area, like is that nonrural and rural subsistence users, or --

MR. MATHEWS: Mr. Chairman. , it would be just the ones that qualify it would be the rural residents. So the question is actually asking how will this affect rural residents subsistence users.

MR. LEE TITUS: For that specific area?

MR. MATHEWS: For that specific area where the proposal is. The example that is in your book is for muskox in Unit 22, that answer of how it would change or affect, how would this change affect subsistence users would be Unit 22 muskox.

MR. LEE TITUS: Did you have another question?

MS. DETWILER: I'm not sure if this addresses what Mr. Nicholia was asking, but when the Board makes, makes its decision on a proposal, they have two basic mandates to consider. And the primary one is the health of the wildlife population at issue, and their fundamental consideration is to make sure that that wildlife population isn't, isn't impacted negatively, and the second criteria that they have to consider is the effects on subsistence users.

So in other words, there are two basic mandates that guide them

are maintaining healthy populations, wildlife populations, and providing opportunities for subsistence users, so that's what -- those two questions relating to the effects on wildlife and the effects on subsistence users are in that questionnaire to give the Board a better idea of what they are dealing with.

MS. QUINN: I have a question I think ties in what people are saying with this substantial evidence, and I'm just wondering is the Board going to have any precedence that they are operating with to determine what counts as substantial evidence and what counts as a long-term pattern of use, and some of these other vague terms, or is this considered to be an entirely new process wherein everything is going to be hashed out as it goes along?

MR. MATHEWS: If you're asking are there going to be definitions for what's considered long-term and consistent, no. I don't think there's going to be set definitions on it. It's going to be looking at what is considered customary and traditional, and what's been kicked around has been one generation. Now you're going to ask how long one generation is. I'm going to defer to someone else on that because I'm privy to some conversations on that, but not all. But it has to be a weighing of all of those different factors, not just one, that will determine it.

And this, again, can be looked at, to go back to the original question, can be looked at as a validation, but realize what this is going to do if it turns out to the positive, it protects that particular use by a group for a particular area, they then have priority. If the population goes down, then it is clear who has priority. I understand the concern about validation. But when it gets down to the manager of that resource, he or she has to decide who gets what. If there is no priority set up, then the ones that are heavily dependent on it will not surface to the top. So I'll defer to others on the definitions and that.

MR. LEE TITUS: Yes, Dorothy?

MS. SHOCKLEY: If you have a council of elders, let's say 20 elders in a region that come up with a -- or determine what the customary and traditional use of this area is, I mean what other determination would you need?

MR. MATHEWS: I'm not going to speak for the Board. I would tend to say if they were 20 recognized elders, I'm not sure nothing else would be needed, but I'm not a Board member but I would tend to think that would be sufficient. Obviously, there would be some documentation in different documents to that effect also would be incorporated. And then just the people that are living in the area in addition to the elders.

MS. SHOCKLEY: And as far as the Board, are there elder representatives?

MR. MATHEWS: The Board is made up of -- if I may, I'm sorry. I get carried away. The Board is made up of six members, five of them are federal agency directors, or so thereof, the Bureau of Indian Affairs,

Fish and Wildlife Service, Bureau of Land Management, U.S. Fish and Wildlife Service, Forest Service, plus the chair. None of those, well, I don't know, the chair is Mitch Demientieff, so that's the makeup of the Board.

MS. SHOCKLEY: Will you be seeking elder participation in determining --

MR. MATHEWS: Yes. That's where I've been kind of quiet here a little bit. That's why the council system was set up. The council system, Regional Council system is supposed to be that funnel to bring that in. So there's a dual responsibility on the agency staff to make sure we reach out to the elders, but there's also responsibility to the councils across the state, ten of them, to make sure that they are working towards getting elders involved in this process, either through personal dialogue or through, like we discussed yesterday, round table meetings, et cetera.

So it, it's a dual responsibility, but please realize in opening comments from Mitch, this is the third year, right, that this program has been going on, let's be realistic, very few people know that this process exists. So it takes a while for it to get out. We have a same similar mirror system under the state so there's a lot of confusion out there. So we need people like yourself attending meetings like this, asking very important questions, to get more information out. And to encourage others to get involved, and for individuals to carry this back to their communities and to their elders to say what do you feel about this, and then carry their information forward.

MR. LEE TITUS: This new process, is that going to -- that an avenue that we can take in changing the old, the old laws that were -- I'm talking about the SRC's, the determinations they make pertaining to subsistence in a specific area, such as the Wrangell-St. Elias National Park. I know Northway was not considered a -- the community of Northway wasn't eligible to participate in subsistence practice on the, in the park, and that determination was set up by the SRC's. And is this new process going to be able to, if we pull out a proposal objecting to the old system, would this, would this be an avenue to go through?

MR. MATHEWS: I'm going to defer to Park Service, but the question you asked is that Northway was not made or declared a resident zone community, and that is determined by the Park Service, so I'll turn it over to them on that. Then your second question was can the council take some kind of action to correct that through this annual one, and again, I'll defer to the Park Service on that because they deal with resident zone communities.

MR. GREENWOOD: I think, Mr. Chair, I'll attempt to answer your question. I may refer to Sandy on this, but you know, Northway was not determined a resident zone community; however, my understanding is that residents of Northway have the option and the opportunity to ask for, to file for 13.44 permit, which is individual C & T determination. And we don't have anybody from Wrangell-St. Elias National Park here, but I believe that they have encouraged people in those communities that have used the park to apply for those, a permit.

MR. LEE TITUS: We get right back into the same concerns that Dorothy spoke of earlier, where you have to go to the -- you have to go to the Park Service and go up there and kind of like prove to them that you've been using that resources. You know. I'm not talking for myself, but I'm, I speak on parts of the people that use that resources, prior to me being even born. And still, still I have to go to some agency that don't know nothing about the area and that don't know nothing about me, and then I've got to go down there and fill out this sheet and prove to them that I'm a subsistence hunter, and it's kind of like a -- it's kind of like an insult, really. Hollis?

MR. TWITCHELL: Hollis Twitchell, Denali National Park. I can't speak specifically for Wrangell, but I'll explain a little bit about the Park Service's eligibility for subsistence.

Congress did not want the Park Service to go into the individual permitting that you're addressing any more than the agency had to. And that is one of the reasons the Park Service moved forward with regulations to identify communities, called resident zoned. And these communities would then encompass everyone who resides within them. And those communities would then be eligible for subsistence uses on the park lands.

Why Northway was not included as a resident zone, I don't have that information. In situations where there are people living outside of communities, or in the situation where Northway was overlooked and missed for some reason, there was the alternative for those individuals to come forth, and on an individual basis get authorization. So there's actually two methods and means to qualify for subsistence use on park lands. Residing in an acknowledged resident zone, or being an individual that shows they had a customary and traditional dependence on park resources. So there's two, two methods of eligibility.

Now, resident zone can be added or deleted, based on the community's makeup. If there is a significant concentration of people who live within a community that had a dependence on park resources, then that community can be added as a resident zone. Or if a community changes over time, so that they no longer have a significant concentration of subsistence use people, it's possible that SRC's, or the superintendent may request that the resident zone be deleted, and then those individuals who did have C & T would be given permits. So that's the structure that the Park Service operates under, and that comes from guidance from ANILCA, why it was structured that way.

MR. ULVI: Mr. Chairman, a quick clarification about I think what Bruce and Hollis have said. But to get back to your original question, I believe that customary and traditional use determination process, a community, for example, like Northway through this process, that information, that documentation of those uses can certainly be used for that community, or for this council, or for that SRC to petition the Secretary of the Interior to include Northway within the resident zone for Wrangell-St. Elias. So I think your question was very well taken.

I do think that these processes, there is a large overlap here, we are talking about the same thing. We are talking about eligibility to utilize resources on federal public lands. And there are differences

in eligibility and things, but talking about documentation and, you know, evidence as to those uses.

So I think it could be useful for a community like Northway or any other community that feels that their traditional and customary uses have been impinged upon by the creation of certain conservation system units.

MR. NICHOLIA: There was another question on this proposal form here, on the evidence. To back up your claim here. When you submit this proposal, do you want the evidence of backup submitted?

MR. LEE TITUS: I don't know --

MR. MATHEWS: What was that now?

MR. NICHOLIA: When you submit this proposal, do you want the evidence to back it up submitted?

MR. MATHEWS: If you have it, it will help. The proposals in general are -- you don't have one, there's one in the back that gives you a sample, do not have more than two or three sentences per question. But your case is better if you have it.

MR. NICHOLIA: Yes.

MR. MATHEWS: But we also realize that we're dealing still, the traditional culture is based on oral, and this is written, so --

MR. NICHOLIA: So like if you have an area that's where the moose population is going down, and you have the reports that --

MR. MATHEWS: It would be to your advantage to incorporate that. And I also caution you because I know what kind of issue you're talking about. Data can be interpreted from many angles, but make sure it's clear what your interpretation of that data is. But when a proposal comes in, Conrad and I would -- mainly Conrad would take out all the data that exists, we are talking number data now, so it's clear to everybody, of harvest, population and et cetera, and looks at that, analyzes it, it comes out as a draft before this council is sent ahead of time, and then the council, there's not too many on that council to not question what he has summarized, well this doesn't seem to be clear here, from that, that information is reincorporated in there, along with the council recommendation to the interagency staff committee, and none of them are afraid to say this doesn't seem to be clear here, so there's another level there.

Then when it goes before the Board, if the resources are allowable for you to attend, and you can testify at the Board to further clarify what your intent is, so you have public testimony at that time.

Then let's say the Board goes through and takes action, it didn't go the way you want it, your organization as an individual can go for request for reconsideration, based on your analysis of the data. And then if that one closes off, after that, but then you start the annual process again. That's the full gist of it. It would be nice to have the most complete data as possible, but we have to be realistic that

people have lived this way forever, for them to write it down would take volumes, if they decided to do that.

MR. LEE TITUS: Sue?

MS. DETWILER: I would just like to encourage people to include as much of that traditional knowledge as they can on their proposals, and it's not so much that you have to prove that you're subsistence users, that's not the case at all, it's a way for the Board to have some idea of what those customary and traditional uses are. And in the past, past wildlife management, they didn't ask for that sort of information.

What the Boards have based their decisions on in the past were not just the Federal Subsistence Board but previous Boards, they base it more on the traditional harvest, harvest ticket reporting and you know, that sort of thing. Sport oriented kinds of reporting. And so you know, there wasn't as good of an avenue for people to include the customary and traditional uses in there.

So I would just encourage people to include as much of that information, and it's not just to defend yourselves, but just to make that information available to the Board because it hasn't been before.

MR. LEE TITUS: Okay. Yes, Dorothy?

MS. SHOCKLEY: You know, you're asking communities, regions, to come up with traditional and customary uses, which is great. But then you are going to, you know, ask these communities, these people what is their customary and traditional use. Then you go through this process, this western culture process of analyzing and trying to figure out what really is their customary and traditional use. I mean you are told. This is -- it just doesn't make sense. I mean it's like trying to mix water and oil. It just doesn't mix. I mean it just -- you go, you start off with the grass roots process of saying what is your customary and traditional use. And then you go through this western culture thing of analyzing. Okay. These people say this is their traditional cultural use and let's determine whether it is or not. You know, that just does not make sense.

There has to be a different process here. Let's work together and come up with a process that's going to work for our people. I don't know who came up with this process, and who and how you're going to determine what customary and traditional use is, but you know, we need more of our people involved in this process. Somebody from the outside can't come in and say you know, this is your customary and traditional use. This is how we see it. We're telling you this is how it is.

MR. LEE TITUS: Vince?

MR. MATHEWS: The only thing I can say, I've heard you loud and clear, is that with -- and again, I'm going back to Western, but that's what I have to do are the ones that are listed for the region and for the areas as existing C & T's reflect that, customary and traditional use, if they do, no proposals need to go forward. If they don't, proposals need to be submitted to do that.

MS. SHOCKLEY: But I just don't see --

MR. MATHEWS: Otherwise the protection will not be there. That's the point. That's the carrot of the process is if there's not a standing positive C & T for that area, then there is not the protection of Title VIII of ANILCA towards rural, towards those specific rural residents.

MR. GINNIS: Mr. Chairman?

MR. LEE TITUS: Steve.

MR. GINNIS: Up in the Yukon Flats years ago we done that through the state. You know, and that -- I guess those documents still exist today, but I guess the point I would like to make is that at least it helps us, it helps managers, I guess, to identify areas that are used, traditional by the people in that area.

Unfortunately, though, this thing that I have a concern about this thing is that supposedly these things are supposed to be managed with a subsistence priority in mind. And I think too many times there's other activities that go on that I personally feel like has an impact on the subsistence life-style of the people there. You know. Those things are not reflected in the C & T findings, I don't think. It only determines your use areas. And the species.

And you know, if there was some, other than just identifying the area that you use for your hunting and whatever else type of activities you do, it would be nice if those things would have some impact on some of the things that occur like on the Yukon Flats Refuge. But it don't seem to have an impact on it. Those activities continue to happen. You know.

I guess that's what I was trying to state earlier, is that if these things can have impacts on those type of activities, it would be fine, you know. But just for the purpose of identifying our use areas, I don't know what the benefit is.

MR. MATHEWS: The benefit, again, Mr. Chairman, is it provides protection, the land manager, wildlife manager then knows that these communities have a customary and traditional use in this area. You've already told them that. Now what you're saying is that's still not protecting the needs. You have already had a couple agenda items added to bring up those concerns through the Council, and the Council can, through its powers of proposals and recommendations, work to change that.

So that the Council is still in a very strategic position on your concern about the population or the use of that population not still meeting the opportunity for subsistence users, so you still have that opportunity. But that option to do that is with proposals. The C & T thing, if it was a no determination, one is indicating, which means all rural residents qualify, indicates that that area feels that everyone in the state that's a rural resident could go there and hunt. And I'm not sure many communities want that. And then if it's no subsistence, which would be even higher on your radar scope, means that

there is no customary and traditional use in that area, so there is no preference for that species, for that area.

MR. LEE TITUS: I don't know where we are, I think we're still on the C & T determination process. And I'm just getting back to the agenda. I know the other one is the statewide annual process, but I guess that was discussed during this discussion, right? I mean you, Vince, or do you want to make a --

MR. MATHEWS: I just want to make it clear to you that at this point, you are in the position of deciding what are the priorities for C & T issues for your area, and you are in the position of when these proposals from wherever they come from, including yourself, are back before you in January and February to pass recommendations, which the Board has to listen to, based on those three tests, so you are in a very important position.

The other thing is I've been approached to, if you would like, to summarize what happened with the Kenai C & T, the C & T -- Peninsula C & T determination process. But I didn't want to bring it up earlier in the discussion because that is more informational than it is to your discussion. And if you remember, the joking homework assignment was to kind of look in your area to see if you felt that the C & T determinations for your area were fine. If they weren't, kind of note them, then we float them.

If I understand correctly, there's a concern about the Northway situation, that could be, if I got the nod right from the Park Service, could be a proposal you would like to look at. Or submit. To say that you would like that situation addressed.

MR. LEE TITUS: Can we get into the existing C & T determinations?

MR. MATHEWS: Certainly. If you would like. I don't -- there's two ways of approaching that, and one is, which I've already done is just ask each individual if they have any C & T determinations in their area that they are concerned about, or under Tab 6, walk through all the determinations that affect your region, which is 6 pages, I think. 7. Seven and a half.

The concern I have with walking through them is what you've already mentioned, Mr. Ginnis has mentioned, sometimes when you bring up a thing, then it becomes a problem when it's not a problem. So I would like to know if there's C & T's in your particular areas that you think just don't reflect reality and you would like changed in the next year. And then we can march through if we so desire.

MR. GINNIS: Mr. Chair?

MR. LEE TITUS: Yes.

MR. GINNIS: Can you kind of just give me an explanation like on page 5 of this, whatever it's called, existing C & T determinations, I'm looking at Unit 20(D). The moose, it just says determination up on top, it says rural residents of Unit 20(D) and residents of Tanacross.

What's that supposed to mean?

MR. MATHEWS: I can answer that, but for the public, what they are looking at is -- I hope I got them all right. I pulled everything out of the reg book and condensed it down to this. There should be copies down there. If there isn't, then you can look at -- you need to look at this. The --

MR. GINNIS: The copies seem to be gone.

MR. MATHEWS: They became very popular last night. You need to look at this here and turn to 20(D) and track along. I'll verify that that is correct. I'm a little rattled. But what that is saying is 20(D) moose, (D) as in Delta, is the rural residents of 20(D), all that live within 20(D), and the residents of Tanacross have customary and traditional use of that area. So you have to be a resident of that unit, or a resident of Tanacross to qualify for the season of -- no open season. That handles it quicker. You will you will page 110. So that's it.

MR. GINNIS: So these are just the existing ones as of today, huh?

MR. MATHEWS: These are the existing ones, and the reason I put them in this format is because the proposed rule you got, it was determined when they did that, if it had no determination, it wasn't listed. And I thought it would be easier than paging around in this book. So it's up to you which way you want to go. We can page through this book or follow the condensed version, whichever you're more comfortable with. And I put that column in there of action needed because I thought maybe you guys would look at it and say yeah, I think this one should be done, then we could use that as a way of getting dialogue.

MR. ROACH: Mr. Chairman?

MR. LEE TITUS: Yes.

MR. ROACH: As I stated before, rather than going through this at each individual items, unless a Regional Council member here has a concern that we need to look at as a priority, that we should fall back on the, the advisory committees, and the SRC's again for their priorities as well, because they have come to us in the past with the specific C & T questions and asked for our support on those. And that's part of the 50, 51 that we have backlogged requests. I would like to use those bodies to help prioritize this list.

MS. QUINN: Just to get more specific with this criticism, if you had informed the villages when this came out in the Federal Register two months ago, they would have had the opportunity to let the Council know which ones of these issues ought to be prioritized.

MR. GINNIS: Excuse me.

MR. LEE TITUS: Steve.

MR. GINNIS: Are we being requested to prioritize this list?

MR. MATHEWS: You're being asked to prioritize C & T concerns in your region. It would not have to be the whole list. If there's not a concern about wolf in Unit 12, then you don't need to prioritize it.

MR. GINNIS: Yeah. I think I agree with Jeff, that I certainly don't want to be held responsible for prioritizing something for my region, you know. I may be wrong in my prioritization. I wouldn't want to have to, you know, put up with the pressure that might result from it. I think Jeff is correct in that these fish -- State Fish and Game advisory committees ought to be involved in assisting us in prioritizing this list. And it sounds to me like you're requesting that we as individual council members go ahead and prioritize this thing. You know, from our respective regions. You know. So I guess I agree with Jeff, that there's other entities that ought to be involved in this prioritization.

MR. MATHEWS: Mr. Chairman, yes, I am requesting that the individual council members do that, and I understand the concern about that. But we can pursue other ways, but the state advisory committees are funded by the state. I am not going to defend them or reject them.

But this is a federal issue, not a state issue. They could, as a government entity, say no. They will not be on the agenda of the advisory committees. The advisory committees also put together agendas.

There's some -- I don't see a chair here right now, but I'm being brutally honest with you that they could say no, that's a federal issue.

So I'm just warning you that it's possible.

MR. GINNIS: Who would say no? Who would say no?

MR. MATHEWS: Well, the agency that funds them, they are supposed to be dealing with state issues. And these are federal C & T determinations. Most likely the advisory committee will take them up, but I'm prewarning you that some may not.

MR. ROACH: Mr. Chair?

MR. LEE TITUS: Yes.

MR. ROACH: Just to kind of go on with that, if it is a priority, they will look at it. If it's not, then we can consider it as not a priority for them. So either way, we can look at it.

MR. MATHEWS: Well, and also realize that even though the process has not had wide public awareness of it, there will be proposals submitted. And we do have backlogged requests, so if the Council does not provide direction at this time, then the process goes on, so we will have to still look at some of those proposals, they would be before you in spring, whatever we can reasonably achieve.

MR. GINNIS: Can we have a five minutes break?

MR. LEE TITUS: Yes.

MR. GINNIS: Mr. Chairman, can I request a five minute break on this?

MR. LEE TITUS: We'll take a 10 minute break.

MR. GINNIS: 10 minutes.

(Off record, recess.)

MR. LEE TITUS: We are going to go back on record after the break, and we're still discussing the C & T existing determinations. I believe there are -- yes, Steve.

MR. GINNIS: Mr. Chairman, after the discussion on this whole prioritization issue, I would like to move that the action be deferred on the C & T prioritization, and that the state advisory Fish and Game committees and other entities provide input on these prioritization.

MR. ROACH: I'll second that.

MR. LEE TITUS: It's been moved and seconded to wait for these prioritization until we get public input. Any more discussion?

Hearing none, all in favor, say aye.

THE BOARD MEMBERS: Aye.
(IN FAVOR - ALL BOARD MEMBERS.)

MR. LEE TITUS: Opposed?
(NO OPPOSITION.)

MR. LEE TITUS: Motion carries.

MR. GINNIS: Mr. Chairman, I have one more other motion. I would like to move that, I don't know, I guess this will generate some discussion, but I would like to move that the deadline of October 27th of 1995 for C & T proposals be extended for an additional 60 days.

MS. PETRUSKA: Second.

MR. LEE TITUS: It's been moved and seconded. Discussion?
Vince?

MR. MATHEWS: I don't want to deter you from your action, but I'm not sure it's going to produce what you want. But we'll carry it forward. It would change the whole schedule and there's ten other regions involved, just to advise you of that, that are to my knowledge following the 27th guidelines.

MR. GINNIS: Mr. Chairman, the purpose of my motion is simply that I guess I have a concern about, you know, notification provided to these affected communities. You know. And I'm not sure how they were informed, but you know, it seems to me that from some of the discussion here, that not all people were informed of these, this deadline on these proposals. And so I'm just simply requesting an extension to provide time for communities to submit a proposal on C & T's.

MR. ROACH: Mr. Chairman?

MR. LEE TITUS: Yes, Jeff.

MR. ROACH: I want to be sure that we make this October 27th deadline with the additional 60 days only for the C & T proposals because the October 27th deadline is also the deadline for the proposals for the harvest and bag limits, and I would like to be sure that that October 27th deadline stays in effect.

MR. GINNIS: Yes. My motion is regarding C & T proposals.

MR. LEE TITUS: Any more discussion? Hearing none, all in favor of the motions, say aye.

THE BOARD MEMBERS: Aye.
(IN FAVOR - ALL BOARD MEMBERS.)

MR. LEE TITUS: Opposed?
(NO OPPOSITION.)

MR. LEE TITUS: Motion carries.

MR. MATHEWS: Okay, Mr. Chairman, there has been a request to give a summary on what happened on the Kenai Peninsula. If you would like I can do that, or we can go on further in the agenda.

MR. LEE TITUS: How long is it going to take?

MR. MATHEWS: Well, it took years to reach the decision. I don't know. I'm real concerned that I would need to read the briefing paper, unless someone else here is more qualified. The complexity of the Kenai issue can be either summarized in one sentence, or requires a few paragraphs because of all that transpired. So it's up to you, if you just want to know pretty much the bottom line with the Kenai, or if you want to know a little bit more how it was reached.

MR. LEE TITUS: Go ahead. Do you want to --

MR. MATHEWS: Well, okay. Well, essentially the Kenai C & T process, what the final outcome of it was that the Board adopted the final rule accepting the rural council's deferred recommendations. They had made recommendations for certain communities to have -- you know, that they were rural communities. They deferred on some of those, and that Board adopted those deferred recommendations. But they deferred C & T determinations for Unit 15(A), and they maintained the spike-fork 50 antler restriction for moose hunts in 15(B) and 15(C). And that would have a season of August 10th through September 20th. And that was -- the Ninilchik Tribal Council submitted a request for reconsideration on that action, and also that Traditional Council went to court on that for a temporary restraining order, and that was denied by the court.

And so then the Council, the Traditional Council and the Ninilchik Traditional Council and the Board reached an agreement whereby the Ninilchik Traditional Council would withdraw its motion for preliminary injunction, in exchange for an additional 20 moose hunt for tribal members, and the Skilak Loop game management area in Unit 15(A).

So that, without going into a lot of detail, is where the C & T determinations went for them, is where it's at.

Their most recent meeting last week, they deferred any actions

on the C & T's that they had deferred earlier, and that they requested that the Kenai Peninsula in its entirety be declared rural. In a nutshell, that's where it's at, unless someone else is tracking it a lot closer than I who would want to summarize the actual communities that got the C & T determinations, if you would like. I see some people may be raising their hands. So if you want, but if not, it's a different level of discussion now.

MR. LEE TITUS: So most of the, most of the recommendations pertaining to Kenai C & T was adopted by the council?

MR. MATHEWS: Was adopted by the Board you mean?

MR. LEE TITUS: Not the Board, the Council. Regional Council.

MR. MATHEWS: Well, the Regional Council deferred determinations for Hope, Cooper Landing and Whittier, and they deferred C & T determinations for all species other than moose for the communities in Ninilchik, Port Graham, Nanwalek and Seldovia. And for the four communities a positive C & T for moose, for 15(A), and those would be the communities of Ninilchik, Port Graham, Nanwalek and Seldovia. They have a positive C & T from those.

MR. LEE TITUS: This was done by the Regional Council, right?

MR. MATHEWS: Yes. And the Board, someone correct me if I'm wrong, the Board adopted the positive C & T for moose for those four communities, with the spike-fork 50 antler restriction, but the extended earlier opening date of August 20th. And then in addition to that because of actions of the traditional council in Ninilchik, that they reached an agreement for that additional 20 moose season. It's pretty interesting and complex, that's why I was kind of like when you stepped into it, it keeps going.

MR. LEE TITUS: Any more questions? Any questions? Well, since you're on that, might as well give us the Upper Tanana.

MR. MATHEWS: The what?

MR. LEE TITUS: Upper Tanana.

MR. MATHEWS: There's not much to discuss about Upper Tanana, other than well, give me direction on Upper Tanana. Based on your recent motion here, you've deferred any action on C & T until local advisory committees and entities give you some indication of prioritization. Upper Tanana process does not exist any more unless you desire to have that process continued to its completion. Again, the process there was the marching around aspect.

MR. LEE TITUS: So we're really, with the new process in place, we're getting away from the old?

MR. MATHEWS: If that's what the Council desires, that's my understanding. Your action at the last meeting went forward, and at the Board meeting, there was letters from all the communities in that area asking the Board to defer action on the Upper Tanana C & T process, or

project, until those communities had additional time. The Board then deferred action on it.

So I think I can summarize that unless you desire to reactivate that process, it produced and referenced documents, but other than that, it did not go to, you know, where there was a final decision of alternative A, B, C, D or whatever. And I'll lean on the representatives from that area, if you would like to address Upper Tanana, or wait for proposals.

MR. LEE TITUS: I think we'll wait until we get together and prioritize the C & T for our specific area. Sue?

MS. DETWILER: Mr. Chair, I would like to make a comment about your previous action to request that the proposal period for C & T comments or proposals be extended by 60 days, and my sense is that it's pretty unlikely that the Board is going to authorize that additional 60 days because they are already under a tight time constraint to go through all of the steps that they have to go through for public review, and the analysis steps that they have to go through in order to be able to make decisions on them at their April Board meeting.

So if you don't make if you don't prioritize C & T proposals at this meeting, it's likely going to put the burden on the staff to come up with some kind of prioritization system for the proposals that are already in here, so it takes away some of the power that you guys have here as the Council and puts it back in the lap of the staff to do those priorities.

MR. GINNIS: Mr. Chairman?

MR. LEE TITUS: We can always reject, we can always reject the staff's -- Steve?

MR. GINNIS: I think we're shifting -- my fear is we're shifting the responsibility onto the state advisory committees. That was not my intent. My intent was to seek input. Because there are more representatives of the villages in the respective areas. And I really feel uncomfortable trying to make determinations on behalf of other villages. That's the main reason for the request. It may very well be that we may not get the extended time we're asking for, but I think it's worth a try. And that was the only purpose of my motion was not to, you know, give somebody else that responsibility, but I think it's a proper way to go.

Mr. Chairman, I just need some -- I wasn't at the last meeting in Northway, I'm looking at the minutes here on the customary and traditional determination for that area down there, and I'm not sure what action was taken.

MR. MATHEWS: Steve, if you look at Tab number 6, I pulled out just that section from the minutes of what the Council did. It's right before you get to the letter from Frank Entsminger of the Upper Tanana/Fortymile.

MR. GINNIS: Oh.

MR. LEE TITUS: Any more discussion under C & T determinations?

MR. GINNIS: So what was your, what was your, your recommendation on this?

MR. MATHEWS: Did you want to know what the different alternatives that were before the Council, or which one that they --

MR. GINNIS: No, I'm asking what kind of action are you requesting on this?

MR. MATHEWS: The action we were requesting was that the Council look at all the existing C & T's and see if they have any issues, and from there, give us an idea of prioritizing, and then if they desired to go back into the Upper Tanana C & T process, what happened there and look at that again, so be it.

But your earlier action has indicated that you would like to have additional entities assist with looking at the existing C & T's to assist you with giving a prioritizing. And I'm pretty sure that individual communities for the Upper Tanana area are going to be submitting individual proposals, which will bring up the issues that were contained in your earlier action before you possibly in April, if the staff sees that as a top priority to provide analysis.

Since most of the analysis is done, reference material through the Park Service work, I would tend to think it would be pretty high on that list, and would be back before you in January and February. So what the action of that, you've taken in this annual process has taken these alternatives, which were encompassing of a large area and now are breaking them up into smaller components of that whole area for you to address as the proposals come in. Again, a grass roots level up, versus top down.

MR. GINNIS: So if I read these minutes correctly, there were some alternatives that were laid out, I guess, huh? And there was a motion here to support alternative C?

MR. ROACH: Yes, Stephen, and if I may, Mr. Chairman.

MR. LEE TITUS: Uh-huh.

MR. ROACH: I think that those alternatives will be addressed through the proposals, as Vince has mentioned earlier, the new proposal system. I think if we went back in and tried to force the issue on this Upper Tanana determination that we made, we would kind of be defeating that new system that we're looking at going into. And by allowing the proposals to come in, we could maybe better define some of the issues that were discussed at that meeting.

MR. GINNIS: So this was supported by the testimony that was provided at the meeting?

MR. ROACH: Yes.

MR. MATHEWS: But the -- it's coupled with the fact that it would go out to the communities affected and ask for their input. When this -- alternative C, but this process was before the Board, the Board was essentially flooded with letters from each community in that area saying we want to defer, want to defer action on this, we want more time for input. So they, essentially, have responded to what the Council did and said we want more time.

MR. GINNIS: So there's no action needed?

MR. MATHEWS: Correct. For this. But for the Upper Tanana process, correct, there was no action needed unless you desired to reenter it, and both from that area are indicating we don't need to go back into it.

MR. GINNIS: So this is more information than anything else.

MR. MATHEWS: It was covering all bases in case you went back into it, that I was prepared, and you were prepared to go back in.

MR. LEE TITUS: Any more questions? Comments? Okay. Status report on the cooperative management plans.

MR. MATHEWS: Mr. Chairman, I will -- that's so everyone is clear in the room that may not have an agenda, he's talking about the Fortymile Caribou Wildlife Recovery Plan, and I'm not sure who was presenting that. I know Craig Gardner will be -- no? Kevin Fox will be? Everyone's leaving the room.

Now, let me make it clear to you and to the staff, public, I don't know if Fish and Game brought them, but each member, you have a newspaper version of the draft recovery plan, and -- I was just consulting with Conrad on this because he was one of the team members. Why this is before you is to give, to give you a chance for your input on it, and your concerns and possible recommendation and that. So then I'll drop out of it and leave it over to them.

MR. GUENTHER: Mr. Chair, just one comment. Kevin Fox and Ruth Gronquist, Kevin representing National Park Service and Ruth representing BLM, will be presenting this with help from Craig Gardner. This is going to be going to the Game Board, as I mentioned last night this fall, for their decision on it, and it will be going to the Federal Subsistence Board at some time after that. Possibly at the April meeting for their decision from the Federal Subsistence Board on it. And so a recommendation from this Council may be appropriate at this time. It's at your discretion.

MR. ROACH: Mr. Chairman?

MR. LEE TITUS: Yes.

MR. ROACH: I would like to make a motion that we recommend to the Federal Subsistence Board that we, that they concur with the -- concur may not be the right term, but they adopt the Fortymile Caribou Herd Management Plan.

MR. LEE TITUS: It's been moved.

MR. GINNIS: I'll second the motion, for discussion.

MR. LEE TITUS: It's been moved and seconded. Discussion.

MR. GINNIS: I'm just kind of curious to know, has this, this recovery, recovery plan been shared with the communities that it's going to affect?

MS. GRONQUIST: Uh-huh.

MR. FOX: If I --

MR. GINNIS: And how was that done?

MR. FOX: Yes, we had a number of public meetings, one in Eagle, one in Tok, one in Fairbanks, and Dawson -- Delta. And also Anchorage. So we tried to involve all public groups that were, that would be affected by this plan, especially the local rural users, subsistence users of the resource.

MR. GINNIS: So what's their reaction to it?

MR. FOX: There's been --

MR. GINNIS: The users, I'm not talking about all these other agencies, I'm talking about specifically the user.

MR. FOX: Okay. I attended the Eagle meeting so I can give you a little more information on that. There was a quite a bit of support for this plan in the Eagle -- from Eagle and that vicinity there. They see this plan as an opportunity to increase their subsistence use of the resource after the five year term of this plan. So it's -- there has been quite a bit of support for it. I can't talk for some of the other areas because I didn't attend those meetings, but some of the other members here have.

MR. GARDNER: I was present at the Tok meeting, and Keith Jonathan and Kay Thomas from Tanacross, they talked to Tanacross, and Chuck Miller talked to Dot Lake. And Tanacross and Dot Lake have approved, you know, the steps in the plan. And Tok wasn't quite as happy, at least the people that attended the public meeting. The main concern they had was the harvest recommendation.

MR. FOX: Dawson First Nation was really supportive of the plan too because the herd used to range over in that area of Yukon, and currently it does not, and they also see this as an opportunity to increase subsistence use of this resource. And I would like to also point out that Dawson First Nation recommended that they not harvest any caribou out of this herd until the herd recovers, so that they are supporting the plan.

MR. ROACH: Mr. Chair?

MR. LEE TITUS: Yes.

MR. ROACH: It may be appropriate at this time for Kevin Fox and Ruth Gronquist to go through and give a brief outline of the plan, and we did talk some about the process, but there may be some additional comments about the process.

MR. MATHEWS: Mr. Chairman, for those that are presenting, I'll need copies of what you're providing the Council members for the record, and hopefully there's additional copies of the plan so public members and staff can follow. And I request everyone speak pretty loud for people in the back, I don't think, are picking up the conversation up here. Thank you.

MR. FOX: Okay. I would like to give you a, basically an overview of the goals and objectives before we go into the allocation issues.

The reasons for developing the management plan have primarily been for the long-term benefit of the Fortymile ecosystem. We wanted to incorporate other concerns, other wildlife populations and such that have declined over the last 50 years or so, but I would like to point out this is a five year plan, and we would like to recommend that it be implemented in its entirety.

Another objective was to help the Fortymile caribou herd recover to its traditional range, and to benefit the people who had used that resource in the past. I've kind of covered where it used to range before, but there are some maps on the history to the Fortymile herd here that are on the bottom there, the general distribution of the Fortymile caribou herd and how it's declined over the years. Currently, it only uses an area about 20 percent of its historic range, which is between Circle, Eagle, Chicken and halfway to Fairbanks.

We would like to also provide the opportunity for the caribou population to increase and expand into its historic range, so we can increase -- that would give the local subsistence users increased opportunities.

We would like to also promote similar goals between agencies involved in the management of the Fortymile caribou herd, try to minimize the problems with joint federal, state management. Try to develop a management plan that meets the legal mandates of all agencies for the well-being of the resource.

We're trying to resolve conflicts among interest groups. There has been a lot of interest in this plan and the Fortymile ecosystem from a number of different interest groups. And although we would like to minimize the politics involved, it seems like in this environment it's very difficult to do.

We would like to especially encourage sound wildlife management decisions that consider diverse values. We have to include the biology of the system in all the management that occurs in this area. We can't just follow the political, political interests that would wish to manage us in a certain way, so it's imperative that we include biology in the management of the system.

We would like to address allocation, since that's going to be a very important issue here. And I would like to turn that over to Ruth.

MS. GRONQUIST: Although I didn't attend the Tok meeting, I'm not exactly sure what the opposition was to the -- the plan does have a reduction in the quota, but it's the state portion of the quota. The Council may remember that last March we introduced to you an allocation plan, and I believe the Council took action on that.

MR. ROACH: Yes, we did, we approved that harvest and allocation plan last March.

MS. GRONQUIST: Within that allocation plan, the federal subsistence allocation was 150 caribou, and under this plan, it will remain the same, so the federal subsistence quota for rural qualified residents will remain the same. The seasons will remain the same. The seasons are going to -- the recommendation of the plan is that the seasons will be shorter for the state portion of the hunt. And that will result in there being a period of time where federal subsistence hunters have an opportunity to hunt when other hunters do not.

That hunting opportunity would be restricted to federal lands, however. And in the long run, as Kevin stated in our goals and objectives for this plan, there would be, if the recommendations are followed and they succeed, there would be more caribou for subsistence harvesters, and this is, as he also stressed, a five year plan.

MR. GINNIS: Other than allocations, can you give me some idea of how your plan addresses the decline? I mean how you're going to rebound the herd.

MR. FOX: Okay. We're making seven different recommendations on this. The state has done a lot of research looking at the causes of the decline, and why the herd has stabilized over the last five years. It's maintained about 22,000 caribou. One of the main reasons for the decrease or decline in the population was the predation rates on the caribou calves. Currently recruitment of calves in the population is quite low.

We're -- the team considered several different options for trying to increase calf recruitment. But it was felt that lethal control was not a viable option, due to the political climate of the state. We, therefore, recommended that we examine nonlethal control of predators, and that would entail fertility control on a number of packs in the calving range. Instead of going in and doing lethal control over a broad area, which would create a sink for wolves to move into the area, it was felt by the team that it was more cost effective to try to control the pack size in the calving areas to reduce predation on the calves. That would be done by vasectomizing male alpha wolves within that area.

MR. GINNIS: Okay.

MS. GRONQUIST: And it would affect, as you see on this table or this chart on the handout that Kevin gave you, it lists here how many packs that would affect. This would be -- the fertility control would

be experimental. We have a rigorous design in process.

MR. GINNIS: What impact does bears have on this decline?

MR. FOX: Bears were the second leading predator. What was the percentage?

MR. GARDNER: Bears took like 23 percent of the calves, versus wolves were taking 27. Quite an important predator. A little bit of difference is the timing of when bears took the calves. They took them basically the first two weeks in the calf's life. Then after that, you know, the way the caribou calves kind of group, and they mature so quickly they could just outrun the bears. So the bear predation actually fell off fairly quickly after those first two, three weeks of the calf's life.

MS. GRONQUIST: But wolf predation remains fairly constant for throughout the summer.

MR. FOX: One reason why bear predation wasn't addressed in the first part of the plan is that bears have a very low reproductive rate. It was felt that if, if wolf predation could be reduced, then the herd would be released enough to pretty much get a jump start to increase to the numbers that were projected in the plan.

MS. GRONQUIST: However, in our recommendations, we do provide for some temporary movement of bears in the 5th year of the plan, if the bears are -- if it is obvious that the bears are being, I want to say compensatory, but if the bears are harvesting what the wolves aren't because the wolf numbers have been reduced.

MR. GINNIS: In your presentation to the villages, was there any discussion on some other alternatives, other than sterilizing these male wolves? I mean females -- I mean --

MR. FOX: Well, we did discuss sterilizing females also, but the procedure is a little more detailed and involved. It takes a little bit longer than it would with the male, so it was felt that due to those difficulties that we would primarily look at males. But we're also examining other fertility control methods, such as implants to reduce female fertility and things like that.

This is very experimental at the time, and there are techniques coming out every day, so hopefully something that's a little more socially acceptable will be available for us to use. I would also like to point out too that due to the political boundaries and land ownership patterns in that area, some areas are excluded from manipulation of predators.

MS. GRONQUIST: One of the other reasons that doing anything with bear populations was deferred to the 5th year is because our members on our team from Dawson First Nation did not favor manipulation of bear populations.

MR. GINNIS: Was there any discussion on a local trapping program? I know this is a political, sensitive, you know, I mean I read

the newspapers, what happened down in that country there with the state controlled wolf control program, you know, unfortunate -- it was unfortunate how that came about. But seems to me that, you know, a local -- if there was a local trapping program initiated, I don't know what the politics would be involved in that, but it just seems to me that that might be a way to try to address this issue also.

MR. FOX: Uh-huh. And local trappers were consulted on this, and it was felt that some of these local trappers would be willing to go into some of the summer and calving range areas and shift their traplines from areas outside of that into those areas, so that was discussed. And there was interest in that.

MR. GINNIS: What kind of incentive are you providing them, any?

MR. FOX: The team didn't feel it was appropriate to provide any financial assistance to them right now, so there really isn't any incentive other than the --

MS. GRONQUIST: The future of the herd.

MR. FOX: -- I guess the inherent value of the herd to them.

MR. GARDNER: Steve, to help you out a little bit, the reason why we hadn't pushed trapping a little bit harder or maybe we can get trappers to work is that a calving area in the summer range kind of falls in this part of the world and kind of borders Yukon and goes like this, really inaccessible. If you plot all the harvest that's been occurring for the past ten years, wolf harvest, it's really spotty in here, hardly any trappers use that area. Just the distance.

MR. GINNIS: It's mountainous?

MR. GARDNER: Fairly mountainous and really highly treed coming in from this way. It is actually trapped through here and then on the border side, so what we're hoping for is that these people will shift a little bit this way, but still it's going to be really difficult for them to really get in there and access that and be very efficient.

MR. ROACH: If I may, Mr. Chairman.

MR. LEE TITUS: Yes.

MR. ROACH: One of the main things that we looked at when we were discussing all of these different options, and there were a lot of the different options were brought up, that's why it was so important to have such a large group with diverse backgrounds to talk about all these things, local users in particular, but the fact that federal lands makes up such a small part of that range, it's very patchy and dispersed throughout there, we can't really separate the Federal Subsistence Program from the state program effectively.

And that's why the management plan is so important. Because if we tried to do this just on federal lands in that area, it would have no effect. There's just too few federal lands in the area, and the benefit comes from working together with the federal agencies and the state

agencies, open management of all of the land ownership, private, federal lands, state. And as was brought up, the interest by the Dawson First Nation and their future use of the herd for subsistence was also considered, and I believe that they made an extreme effort to insure that this plan would gain support.

MR. FOX: Yes, if I may add, too, that Dawson First Nation recommended that we have zero harvest until the herd recovered, and due to the need for local subsistence users, the Federal Subsistence Board determined that 150 of those animals must be allocated to local subsistence users, so that's one reason why we have the harvest allocation at 150.

MR. GINNIS: How do you implement that? You just have certain areas where there's a limit? I mean like --

MR. FOX: Right. There's several areas in the federal land within this area, basically Fortymile corridor and Yukon-Charley National Preserve. Yukon-Charley is relatively inaccessible where the caribou spend most of their time. Most of the access is along the Fortymile and that's where most of the subsistence users have harvested the caribou in the past. We have tried to structure the state season to minimize the impacts of outside users on the herd. The season opens after the first week of September, and closes September 30th.

So we're hoping that since we've reduced the state season, at least knocked off about the first three and a half weeks, that more of the local users will have preference in those areas. And if it looks like the herd is relatively accessible along the Taylor Highway and there's a lot of pressure from outside, then Craig can close the road corridor there to minimize harvest. And if local users haven't achieved their 150, the state -- the federal lands will remain open so they will have preference.

MR. GINNIS: So does part of the plan address anything like a permit hunt area from only residents of the community?

MR. FOX: We've discussed Tier 2 on state lands, but here Tier 2 no longer incorporates the location of the residents. So a lot of people from Egan and Tok and such would not qualify under a Tier 2, when other people that have hunted the herd for a long time from some other areas outside would qualify. So in effect, that would exclude some of the local residents. That's on state land.

On federal land, the Yukon-Charley is, for the subsistence user is the local rural residents which is Eagle, Circle and Central, basically, and people that have used the area in the past that have a history of using it. Now, the Fortymile area isn't quite as restrictive. It's --

MS. GRONQUIST: It's any residents of Unit 12 north of Wrangell-St. Elias 20(E) and 20(D).

MR. GINNIS: So there is some restrictions in there?

MS. GRONQUIST: Right. It's not a no determination.

MR. FOX: The problem with that is that it is relatively inaccessible and you would have to catch the herd along the Fortymile River corridor, or go into the Yukon-Charley and hunt there.

MS. GRONQUIST: As long as the state season is open, federal subsistence hunters can hunt anywhere.

MR. LEE TITUS: Any more questions?

MR. GINNIS: So Vince, are you asking for some kind of action on this thing, or what?

MR. ROACH: I am. That's why I made the motion. As because I was --

MR. GINNIS: And your motion was what now? To approve the plan?

MR. ROACH: To approve the plan for adoption by the Federal Subsistence Board. And this Council asked me to sit on the Fortymile management team as the representative for this Council, and I'm bringing that recommendation now back to the Council.

MR. LEE TITUS: Any more discussion on the motion? Hearing none, all in favor of the motion, say aye.

THE BOARD MEMBERS: Aye.
(IN FAVOR - ALL BOARD MEMBERS.)

MR. LEE TITUS: Opposed?
(NO OPPOSITION.)

MR. LEE TITUS: So we're back to residency requirements or what?

MR. MATHEWS: Mr. Chairman, I want to make it clear on your action, that I was consulting with Conrad, and others can jump in, we're not sure when this plan will be before the Federal Subsistence Board. May not be before them in April. But I'm not involved with that. And when is it before the State Board of Game?

MS. RUGGLES: There's a fairly long process. The team is going to bring it to us at our next meeting, the one that starts the 21st of this month. And the Board will do what you guys just did, we will listen to their presentation, ask questions, and then we will either accept the plan and then ask the Department to write a regulation that incorporates that plan. Then that goes out to the public in one of our proposal books, the public gets a chance to respond to it again, as it's been in regulatory language, and will come back up to the Board.

Right now the Fortymile caribou are scheduled to come up again March of next year. The team can make a proposal or recommend to the -- ask for a change in the agenda and we might take it up in January, depending on how the Board acts on that. So the earliest it could come up again for public review is January. At that point regulatory action could occur; if not then, then March.

MR. ROACH: That was Anne Ruggles with the State Board of Game.

MS. RUGGLES: Excuse me.

MR. ROACH: That's okay. If I may, Mr. Chairman. One of the things that I wanted to emphasize was that we would be, you know, with our recommendation to the Federal Subsistence Board was that it would go to the State Game Board as well, and I did bring that out at first.

MR. MATHEWS: Is there concurrence with all that it would also go to the State Board of Game? The motion was to the Federal Subsistence Board to adopt the Fortymile recovery plan, and is it clear to all that voted on that, that that would also go to the State Board of Game?

MR. GINNIS: No.

MR. ROACH: Mr. Chair, I would like to make a motion, that the recovery plan be supported, support the adoption of the recovery plan before the State Board of Game in the form of a recommendation to them as well.

MR. LEE TITUS: It's been moved.

MR. GINNIS: I'll second the motion.

MR. LEE TITUS: It's been moved and seconded. Discussion?
Hearing none, all in favor, say aye.

THE BOARD MEMBERS: Aye.
(IN FAVOR - ALL BOARD MEMBERS.)
MR. LEE TITUS: Opposed?
(NO OPPOSITION.)

MR. MATHEWS: Okay.

MR. ROACH: Thank you for bringing that out.

MR. GUENTHER: Mr. Chair, what we would hope is that Federal Subsistence Board would act on this at their April meeting at the latest. That's what our plan is at this time. But of course, it's up to their discretion as to if they want it on their agenda, but that is going to be our recommendation to the Federal Subsistence Board.

MR. LEE TITUS: We'll get it on there somehow.

MR. MATHEWS: Okay. I think you're intimating that you want to go to Item E, revisit and comment on residency requirements. I'll refresh the memory of those who were at the Northway meeting and brief those that were not.

The issue has to deal with what the definition of resident is. The definition that's in federal regulation is somewhat general and does not -- does not specify a length of residency. So what we're looking at here is we brought it up to you before that there's concern about the residency requirement. Another way of saying it would be some have intimated that they could move into a community and immediately qualify because it only says that they have to have a pertinent valid hunting,

fishing and trapping license, which could include a nonresident license.

MR. GINNIS: Excuse me, can you tell me where you're at on this?

MR. MATHEWS: Yes, it's under number 7. I'm sorry, I failed to do that. It's number 7, and I'm looking at the briefing document there.

And there may be others that want to flesh it out. But it -- with this briefing document from last year several options were laid out, but those are just options to deal with that.

Seven of the ten Regional Councils have taken action on this. At your last meeting, the action was deferred to allow more time to go back out to your areas to see what the feeling was on this residency requirement, and the existing definition of resident in the federal regulations was called, any person who has his or her primary permanent residence within Alaska and whenever absent from this primary permanent home has the intention of returning to it, factors demonstrating the location of the person's primary permanent home may include but may not be limited to one, address on the -- I'll brief it, address on Alaskan license to drive, hunt, fish or engage in activity governed by government entity; two, affidavit of persons who know the individuals; three, voter registration; four, location of resident's home rented or leased; five, location of stored household goods; six, residents of spouse, minor children or dependents; seven, tax documents. So it's there before you.

The Federal Subsistence Board was asking for advice from the Councils of how to actually -- recommendations on the residency situation, and there may be other staff here that would want to share on this residency. I can lay out the options, too, before you, if you would like. This was initiated -- you have -- well, maybe I didn't. I'm not sure I did. I did not. This came from the joint Board of Game and Fisheries on this issue to the Federal Subsistence Board asking for direction and input of how to address this issue. Since under state, it's required that you be a resident for, what is it, 9 months at a location, 12 months within the state, to qualify for a state license.

MR. GINNIS: How did you come about these options?

MR. MATHEWS: They were provided to me. They are potential options. Obviously A is not to do anything, leave it as is. Option B is there and then option C, but there are other, you know, options that could be dealt -- that could be developed. These were just discussion items.

MR. GINNIS: Actually, I like option C.

MR. MATHEWS: Make sure everyone is tracking what you're saying, but option C is revised regulations to regulate the need for any license for harvesting subsistence resources on federal lands. That is an option that I would have to point out that that would have an effect on money for management and for other revenues that are provided for the state to manage fish and wildlife.

MR. GINNIS: Well, anyway, are you asking for some sort of a motion or what?

MR. MATHEWS: We're asking for, if the Council would like to comment on the residency requirements, or would they like to keep it the way it is. Sue may have something else.

MR. LEE TITUS: Sue?

MS. DETWILER: I'm not quite fresh on this issue but I might be able to lay it out in three -- lay out the three different issues so you guys can take them one at a time if you want. And I would ask for help from Tom if I get too confusing here because he's with the BLM and the BLM is the agency that proposed one of these issues to be addressed by the Board.

So the history of this is that we got two letters from -- one from the State Department of Fish and Game, and one from BLM raising issues about the way our regulations are written for who is a resident and who gets a license. The three issues are that under federal -- the first issue is under federal regulations, a nonresident of the state can come up and move to a rural area, get a nonresident license, and immediately qualify for a federal subsistence priority. Because the way our regulations are written out, it doesn't require the person to have a state resident license, so the state is asking us to revise our regulations so that the person, in order to qualify for federal subsistence priority would have had to have resided in the state for one year, and thereby qualified for a state resident hunting license.

MR. GINNIS: Let me see.

MR. LEE TITUS: Was that one of the options, or --

MS. DETWILER: No. It's a problem, and those three options try to deal with it, but they are just options. There might be other ways to resolve it. So the bottom line is, is the Federal Board is going to have to decide whether they want to implement a requirement that a person has to have a valid resident state license, instead of allowing them to also -- to have a nonresident license, which opens up the rural, the subsistence priority to people who just move up here and haven't been here for a year, but can still qualify for the subsistence priority just because they have a nonresident hunting license. Does that make any sense?

MR. GINNIS: That makes sense but it's kind of scary, too. I mean --

MR. LEE TITUS: Yes, Tom?

MR. BOYD: I might be able to provide an example. That kind of prompted the Bureau to address this problem to the Board.

A couple of years ago we had an individual move to Glennallen from the state of New York. He established a residence basically by moving his trailer up here and putting it in the area out there. He obtained a nonresident hunting license. Because he had established his residence here and didn't have a residence elsewhere, we basic -- and he had a state hunting license, which is all that the federal regulations

require, he was able to then obtain the privilege to hunt caribou and moose under the federal regulations and game management Unit 13. That was just one example.

And there are other examples with sort of different twists and spin on it, but it caused us to question our regulations, were they appropriate. Do they fit what was intended under Title VIII of ANILCA.

Currently the regulation that defines resident is basically one who has established as his, and I can't remember the exact words, but his permanent home a rural area in a rural area. And that's basically all that's required.

The other requirement and which is sort of tangential to this is they have a hunting license. It can be either a nonresident license or a resident license. It just says a valid state hunting license. And it doesn't specify resident or nonresident. So that's sort of one way to look at the issue. But the real issue is do -- that we saw was that we had people moving into the state, establish residence, and then automatically qualifying. And the question is do we think that's what Title VIII intended.

I think what the Bureau wanted to do in terms of elevating this issue was to have the, each regional advisory council review this issue to see if there were -- you know, if there were options that the regional advisory councils could come up with, with dealing with this problem. Maybe the regional advisory councils didn't see it as a real big issue or a problem. Or maybe there was another way of dealing with it. One that's been suggested is merely requiring in our federal regulations that a state hunting -- a state resident hunting license be required, rather than just hunting license in general. I hope that's kind of helped clarify things.

MR. ROACH: Mr. Chair, that's Tom Boyd with the Bureau of Land Management.

MR. BOYD: Excuse me.

MR. LEE TITUS: Steve?

MR. GINNIS: Yes. Yeah, I can relate to what the issue is all about. Would it be -- can we define resident as those people that are determined under the C & T areas? Can those be used as to define residents?

MR. ROACH: Mr. Chair, if I may. I understand your question, Steve. One of the concerns that I have with that is that it's really static, and we've seen in the past that if you try to set down a residency based on a given period of time, that we're going to have problems that advance in the future. I think that the customary and traditional being based on the community as a whole is a good way of going about it.

And as an example, if you as a person moved from Fort Yukon to Beaver, then you would not qualify under subsistence regulations for harvesting if we tried to make that a static customary and traditional use determination at this time.

I tend to favor -- if I may, just briefly. I tend to favor having the resident hunting and trapping license required as the defining of Alaska rural resident because that process is in place and people are used to it. And in that case, if you have that hunting and trapping license, then you're not as concerned about whose land you're standing on when you harvest, except for seasons and bag limits because that can be a real problem in a lot of areas defining where you are, if you're on federal or state land, and we've discussed that in the past as being a problem for a lot of rural residents.

MR. GINNIS: Okay. Well, I guess I'm from the Yukon Flats; that, to me, wouldn't be a problem. It wouldn't be a problem mainly because our use areas overlap. Okay? Like for instance, people from Beaver hunt up in our country, and we hunt down there in their country.

We hunt up the Porcupine, up in and around Chalkyitsik in those areas just as well, and the people come down the other way. You know. In some areas it may not work, but at least in the Yukon Flats, you know, we have, we have this traditional value of sharing. So you know, it may not work in your area, but I'm talking more in terms of where I come from, I guess.

MR. ROACH: Right.

MR. GINNIS: And you know, this might help the impact of other people coming into the region. I don't know. And that's -- that wouldn't really be the intent of it, but you know, if we're talking about residents, you know, why not tie it to the C & T findings, you know, and use that as a residence requirement.

MR. ROACH: Well, it does in the fact that you're a member of that community, so it already does tie it into that requirement as far as customary and traditional use determinations. But I think especially in our area, that could become a problem if you tried to make -- if you tried to tie that to your ability to harvest subsistence resources.

MR. GINNIS: So what was your recommendation now?

MR. ROACH: That we basically follow option B, with having the state hunting and fishing license, resident hunting and fishing license be the qualifier for Alaska rural resident.

MR. MAYO: Looking at this deal, it's, you know, this thing is too full of holes, you know? Like the guy here mentioned somebody -- what if somebody pulls a trailer up and pops it down and gets a mailbox, you know, and it says with the intention of returning, that might be during the hunting season and claim his residency while he resides 10 months of the year someplace else. You know. And I don't go with this, you know. It has to be more, you know, fill up some of those holes, you know, where, you know, they have got to be, you know, you know, have a stationary home, a permanent fixture for at least a year before being considered a resident, you know. Continuously, not jumping around and just using all of these holes to, you know, come up here and hunt when the season was opened, you know.

So I don't know, I have to read up on it a little bit, you know,

and maybe this Council could come back, come up with something else besides these suggested options, but something has to be done to, you know, make the two things kind of align, you know.

MR. LEE TITUS: Has the state ever got a case where a particular individual applied for a resident license, and was later found that out that he never was a resident of the state?

MR. MATHEWS: I assume there has been. I've heard rumors of some. I don't have any actual documentation, but if you're saying someone claimed to be a resident and was not for 12 months, I think there have been some cases of that. But if that person now moved to Stevens Village, claimed residency there under the federal program, he or she would qualify without being here for -- without being there for 12 months. That's the question.

MR. LEE TITUS: We have a lot of --

MR. MATHEWS: 12 months in the state.

MR. LEE TITUS: We have some not in the Upper Tanana area, but down around Minto where I'm -- where I was born and raised, down in Minto game management area, there is -- it's a state refuge and it's managed by the State of Alaska, and there's a lot of people from Fairbanks coming down there in the fall time building houses and cabins and stuff like that. And most of the -- most of the places they build are on islands, where the native people around there usually have camps down there, but there's no consideration for the local people.

And there's also a lot of people from, I don't know if they are from around here or I don't know where they are from, but they start building cabins along the Chatanika River, you know, on both sides. And you see that all over. You see that up on Salcha River. People just paddling up and start building a cabin. You fly around anywhere in the state of Alaska, and you'll find cabins on every single river in the state. And are they residents or who knows, you know? Pretty soon, pretty soon I'll have people I don't even know camping out in my back door and I'll have nothing to do about it. I'm talking about maybe my trap line or something.

MR. GINNIS: Are we trying to determine residency on federal, on federal lands, or are these both federal and state, or what?

MR. ROACH: We're trying to determine residency to the federal program for subsistence, which applies to federal lands.

MR. LEE TITUS: Would you like to make a motion at this time?

MR. ROACH: I would like to make a motion now that a state resident hunting license is required for subsistence hunting on federal public lands, and a state resident trapping license is required for subsistence trapping line on federal public lands.

MR. GINNIS: Let me try to understand your motion here. In other words, it's going to be status quo, nothing is going to change through your motion?

MR. ROACH: No. Through my motion we will change it from being a person able to come in on a nonresident license and harvest on federal lands, to them being required to be a resident of the state. And I believe we need a second, Mr. Chair, before we can discuss the issue.

MR. GINNIS: I thought we had a motion on it.

MR. ROACH: We do, but nobody has seconded it yet.

MR. GINNIS: Okay. I'll second the motion. Continue discussion.

MR. LEE TITUS: Discussion, sure.

MS. MARUNDE: I was just wondering how do you get a state license? What's the requirement for the year?

MR. ROACH: We'll have to get a state regulation book, but basically you have to be a resident, you have to state on the license that you are a residence of the State of Alaska for one year.

MS. MARUNDE: And how do you do that?

MR. ROACH: You write on your license the number of years and months that you have been a resident of the State of Alaska.

MS. MARUNDE: So anyone can lie on it?

MR. ROACH: They can lie, but they can lie on any other license or registration, permit, they can lie at any time. So this or no other option that we come up with will deal with lying. Because that's against the law and if caught, they will be punished by the law.

MS. MARUNDE: Okay. Just wondering how it --

MR. ROACH: Certainly.

MR. NICHOLIA: I have a question here. Would that keep like out of state sport hunters off of federal lands?

MR. MATHEWS: No, it would not. What he's saying is if I just moved from Illinois and landed in Stevens Village and said that's my residency, I only qualify under state regs for a nonresident license because I've only been there two weeks. So I would qualify as it's set up under the federal program, for the federal subsistence program because I'm a resident of a rural community.

So the question before you is well, the motion before you is that now if I did that, I would have to wait a year, nine months resident, year in the state before I qualified for a state license, a resident license, before I could qualify for the federal system, federal qualifications.

MR. GINNIS: Are we kind of getting away, though, from the ANILCA definition of subsistence use, as a customary and traditional use by rural Alaskan residents through this motion?

MR. MATHEWS: I can't speak to that, but others have mentioned that -- that feel that having a 12 month thing could. But I don't -- I don't know what basis that would be. Because if a person moved from location community X to Y and they have lived here all their life, they are still a resident. So I've never been able to figure out that argument, but others have mentioned that the 12 month requirement is too restrictive. I don't see how it is.

MR. ROACH: I don't feel that it is too restrictive as far as ANILCA is concerned. The other, the only other language that ANILCA has is that it may be too liberal. And if, as far as being maybe we would want to make that residency period longer. But I don't think that that's a good idea, at least not now with the options that we have available. Maybe through some discussions we can discuss that at a later period, but I just don't think that we have that ability at this time. This would answer, this motion would answer the question of is a person a resident of the state of Alaska for one year before they can harvest under federal subsistence regulations.

MR. GINNIS: That would mean anybody that comes into a region?

MR. ROACH: No, because customary and traditional use determinations will apply.

MR. GINNIS: But your motion doesn't say that, does it

MR. ROACH: It doesn't have to.

MR. GINNIS: That's what I'm trying to get at.

MR. ROACH: It doesn't have to because customary and traditional use determinations are already in effect. This would just make a person be a resident of the state for a year.

MR. GINNIS: Okay.

MR. LEE TITUS: So he can be a resident of the state and but still not be qualified for C & T determination; is that what you're saying?

MR. ROACH: If the C & T determination is made, then the person has to live in, within that C & T determination to harvest federal subsistence resources within that unit. Based on those C & T determinations. Yes. However, if there's no determination, then it exists the same as it does at this time.

MR. GINNIS: That makes sense. Yeah. We're talking at each other and we're not -- not connecting here, but now I got it.

MR. LEE TITUS: State your name for the record.

MR. SCHWARBER: Jim Schwarber. Just a quick statement on the motion. A person who, for example, would move to a rural area from out of state for that first year period, he would still qualify for a nonresident state license, he could still under Federal regulations, or

excuse me, the state regulations that apply. We want to make sure you're not setting up a class unintentionally that would preclude that person from hunting under state law, where that's legal hunting.

MR. ROACH: Thank you for bringing that up, that we have no -- there would be no ability for us to do that. Okay.

MR. LEE TITUS: Any more questions, discussion? Are we ready for the vote?

MR. GINNIS: Can you restate the motion again?

MS. DETWILER: I've been writing down these motions, keeping track of them. The motion is to change the regulation to require a state resident hunting and trapping license to hunt or trap under federal regulations.

MR. ROACH: Yes.

MR. LEE TITUS: No more discussion? All in favor of the motion, say aye.

THE BOARD MEMBERS: Aye.
(IN FAVOR - ALL BOARD MEMBERS.)

MR. LEE TITUS: Opposed?
(NO OPPOSITION.)

MR. MATHEWS: That moves us up to the next item, if I could go forward, if you would like, Mr. Chair.

MR. LEE TITUS: What time is it?

MR. ROACH: 11:50, almost lunchtime.

MR. LEE TITUS: Can you do it in 10 minutes?

MR. MATHEWS: Sure, Mr. Chairman. But do stop me, it really is informational.

The next item, the following item I will not laugh it off, so the item we're discussing, so the public understands, is a brief update on the status of navigable waters and fisheries management and the NARC Petition, which is the Northwest Arctic Regional Council and others group petition. To make it clear to everybody in the room, I'm summarizing the petition.

The petition is to the Secretary of the Interior of Agriculture to initiate rule making to one, establish the authority to regulate hunting and fishing on nonpublic lands, that's nonfederal lands, to protect subsistence priority afforded by ANILCA Title VIII, so it expands the authority of the federal subsistence authority to nonpublic lands.

Two, it would determine that lands selected but not conveyed to native corporations and the State of Alaska be treated as public lands subject to ANILCA subsistence priority.

Let's see. Your -- you voted to support the NARC Petition, you have in Tab 7 a listing of all the councils. Only two have not commented. Bristol Bay and Northwest. And so I just wanted to brief you that the NARC Petition, that's where it's at right now. Okay? Unless there's questions on the NARC Petition.

MR. LEE TITUS: There was no kind of action taken on this?

MR. MATHEWS: We're waiting for those two Councils to take action, but you can see right now eight of the ten councils support the NARC Petition.

Okay. The fisheries water -- navigable water and fishing management, let me grab my book, right now the federal subsistence program only applies to nonnavigable waters, does not apply to navigable waters. So we've already talked about the NARC Petition that was asking the extension of that program, if needed.

The Katie John case is the one that's pending before the Ninth Circuit Court, which is addressing the issue of jurisdiction on navigable waters. Maybe I better ask if someone else wants to do this that's closer to it than I am, but essentially it's in the Ninth Circuit Court, looking -- there's draft regs put together to deal with fisheries, and they have been put out there and are waiting for follow-up, I believe, from briefs on the Ninth Circuit Court. Maybe Sue can do a better job. I feel I've left something out on this, but --

MS. DETWILER: Basically, the District Court in Alaska ruled that the federal, federal agencies do have jurisdiction over navigable waters for subsistence purposes. That, as I understand it, was appealed to the Ninth Circuit Court. The Ninth Circuit Court hasn't issued an order yet for -- well, let's see, hasn't issued an order yet for the agencies or the District Court which is the implementing court to do anything about it, so the bottom line is we're just waiting for direction from the district, District Court.

MR. LEE TITUS: It was appealed by the State of Alaska, right?

MS. DETWILER: I don't know who appealed it. I would imagine since they were the losers.

MR. MATHEWS: And the Ninth Circuit Court intimated that it would be based on reserve water rights.

MS. DETWILER: And the --

MR. NED: Water rights doctrine.

MS. DETWILER: The other significant aspect of it is that the briefing that Vince referred to that the Ninth Circuit Court of Appeals has asked for is a five page briefing from the litigants in the Katie John case concerning the Totamock (phonetic) decision, which was a decision that was made by the Alaska Supreme Court, which says that the federal government doesn't have any jurisdiction over navigable waters. So the Ninth Circuit Court is going to be reviewing the State Supreme

Court's decision that conflicts with the District Court's decision about navigability.

MR. MATHEWS: So essentially it's working its way to the Supreme Court on different avenues, but to keep you informed that some of you may be wearing fishery hats, so you may need to just keep aware of this in the papers, but it's obviously, if it goes -- the Ninth Circuit Court rules in the direction it seems to be, I think it would be fair to say that the state would appeal that to the Supreme Court. The question is while it's there with the Ninth Circuit Court, it will stay until then and allow management to continue as is, so I would just like to keep you informed of this so that you realize if you get a panic call from me on fisheries, you're now in fisheries. But there's no time set for that.

MR. LEE TITUS: Stanley?

MR. NED: What is the Water Rights Doctrine?

MR. MATHEWS: The Water Rights Doctrine or the Reserve Water Rights, if I understand correctly, and I'm not a lawyer, so maybe I can give you an honest answer, I'm not sure.

Essentially, if you have a reserve, this glass here, and it requires so much water to meet the purposes of that reserve, let's say it is to raise swans and you need a certain level to do that, and if that water level cannot be met within that reserve, then the federal government jurisdiction can go out of that reserve and say that this dam or whatever action that is impeding that water to meet the set reason for that conservation unit can go out there and say that dam has to open up its waters.

Under this, it would be an extension that the subsistence use of that area requires an extension of the authority of the federal program to protect that use dealing with fisheries. But there would be a certain limit of that Reserve Water Rights, and there's draft regulations that are out that I think address in general where those reserve waters would be.

MR. LEE TITUS: Stanley?

MR. NED: How would that apply up here in Alaska, if we don't have no claims up here?

MR. MATHEWS: How would it apply here?

MR. NED: Yes.

MR. BOYD: Vince, could I address that more practically? Tom Boyd again. I'll come up front.

Essentially, what it -- let's see if I can reduce it into terms that might apply to our situation. The Reserve Water Rights Doctrine would be a way of defining where our regulations for harvesting fish would apply. In other words, if there were a federal reservation, like a wildlife refuge, and in that refuge there were purposes for that refuge that require the use of water, fisheries, wildlife, anything,

then within that refuge, those waters, particularly the navigable ones, or all the waters would then be within the jurisdiction of the federal government for fisheries. Essentially, that's it in a nutshell.

MR. MATHEWS: And it could extend beyond that area also, but that, I'm glad he brought that up. Right now you do not have jurisdiction over navigable waters that go through the Yukon Flats Refuge, even though the Yukon Flats Refuge is federal land.

MR. LEE TITUS: Steve?

MR. GINNIS: Would it be appropriate, though, to introduce a proposal regarding Yukon River fish to be brought before the State Board, through this Council?

MR. MATHEWS: I would just advise you your jurisdiction doesn't apply to that, but I wouldn't deter you from taking action. The Board of Fisheries would take your comment as a comment from other groups. But it's not within your jurisdiction. We've done this on other actions, we did it with --

MR. LEE TITUS: I think was that at our first meeting?

MR. MATHEWS: You did it on trawlers from the open sea and we're still waiting back from the Department of Commerce on that. But I want to make it clear to you that it's not within your jurisdiction to take actions on the Yukon fisheries, if that's what you're asking.

MR. GINNIS: No, I'm asking whether I can introduce a proposal that would be supported by this Council, and what I'm talking about is, around this, there was a resolution that was introduced at the last time at TCC convention that proposes a separate management plan for Yukon River fish from, from Eagle, I mean from Rampart on up to Eagle.

MR. MATHEWS: Again, yeah, you could pass a motion for support to that proposal and it could go to the Board of Fisheries. I'm advising you that you don't have a special jurisdiction in that area, but I mean you did factory trawlers, so I just feel obligated to tell you that you're not in fisheries yet.

MR. GINNIS: The other question I had was do you happen to know what the status is on this Yukon U.S. Canadian association team?

MR. MATHEWS: I did invite the commercial fisheries biologist from the state and I believe he's going to show up this afternoon. You requested earlier a Yukon fisheries update so I'll call during lunchtime to make sure they have a representative here.

No, I don't have any information on that, but we can try after lunch to get a -- he's on the agenda, I stopped by there yesterday, I saw it on his calendar, but I needed to talk to him personally to make sure he was coming. That would be Keith Schultz, and I assume he's up to date on that.

MR. GINNIS: Okay.

MR. LEE TITUS: Any more discussion on fisheries for the NARC Petition? You did that already.

MR. MATHEWS: The next one I think we ought to wait, unless you --

MR. GINNIS: It's lunchtime, Mr. Chairman

MR. LEE TITUS: Let's recess until -- take a one hour lunch break.

MR. MATHEWS: We're going to rearrange the room so people will have more space, so they will be over there and you will be over there.

(Off record lunch recess from twelve o'clock to 1:20 p.m.)

(Mr. Charlie Titus, Jr., is now present.)

MR. LEE TITUS: All right. We're going to start off, continue on with the agenda, review and status report on the Dall River.

MR. GINNIS: I did have a question on this issue we were just talking about prior to the lunch break, I was inquiring about this U.S. Canada negotiating team. Did you find out anything from that?

MR. MATHEWS: Yes. Due to just communication breakdown, there is a staff person here that may be able to address that, but I didn't make it clear to that person that they were going to have to make a complete presentation. So they are available for questions and that, and that's on the agenda under agency reports. It's listed there, Alaska Department of Fish and Game, brief update report on Yukon River fisheries.

MR. LEE TITUS: Okay. We're back to?

MR. MATHEWS: We're back in session, I assume. The court reporter is here.

The issue before us is a review and status report on the Dall River uses and issues. As you know, there was a proposal from Stevens Village last year requesting, and I'm briefing this just very briefly, to close the area on the Dall River to nonsubsistence use of fish and wildlife. The Board took that up at the April meeting, they deferred action on that to get legal opinion, to see if the Board had jurisdiction over that area.

The only thing I can report on that is a letter was submitted on July 17th to the regional solicitor asking for a legal opinion on that issue. I talked to the regional solicitor on September 22nd, and there's no legal opinion yet and that enveloped in with the Katie John case, which we talked a little bit earlier about on that. So that is the status of the Dall River proposal, referred and waiting legal opinion.

Most likely, there will be something, I've been informed possibly there will be back before the Board by April. No legal opinion

at this moment. So what we did is I contacted Division of Sport Fisheries with Alaska Department of Fish and Game because they did a survey camp or a monitoring camp on the Dall River this past summer, and John here has data from that activity.

MR. LEE TITUS: Who is supposed to be doing this legal opinion?

MR. MATHEWS: The legal opinion, if I remember, the transcript was that the legal opinion would first be done by Bob Schultz, who is the regional -- who is the solicitor to the Federal Subsistence Board but I may be confusing -- I think he was also going to send that all the way through to Washington, to get the Washington solicitor's opinion on it. But nothing has come forward on that. There was a question that the Board had jurisdiction over the issue involved. Especially with a question of fisheries, or fish.

MR. LEE TITUS: If I remember correctly, when he made his comments on his proposal, he had positive, I mean he's kind of like spoke in favor of the proposal, and as far as he was concerned anyway, I guess. He had to get other people involved, I guess.

MR. MATHEWS: Right. What transpired there by memory, not by transcript in front of me, is that he gave his opinion, the solicitor present there gave his opinion, and Board members asked him if that was the regional solicitor's office opinion, and then he said no, but I can get that for you. So that's the dialogue you may have remembered, where he felt that they sure had jurisdiction over the area. And that's when Board members questioned him and questioned him in detail to find out if that was his opinion or the opinion of the regional solicitor.

MR. LEE TITUS: That's been about six months ago. I'm just wondering what's going on.

MR. MATHEWS: Well, legal opinions in general take a long time. In addition, with the Katie John case and the coupling with the NARC Petition, those are addressing somewhat similar issues, so --

MR. LEE TITUS: So you think the opinion would be in with the Katie John thing?

MR. MATHEWS: That's what I was informed on the 22nd, says the Dall River question has been enveloped by the Katie John regulations.

MR. LEE TITUS: Any more questions?

MR. MATHEWS: So I guess it may be worthwhile to hear some of the preliminary data because if the legal opinion goes through or whatever, then this issue will be on your agenda for your next meeting because the Board will be taking action in April on it. But I can't guarantee that.

MR. LEE TITUS: Steve?

MR. GINNIS: Can you give me some idea of what the legal issues are?

MR. MATHEWS: The legal issues is that the makeup of the land in the area is -- the proposal asks for closure of the Dall River area. The makeup of that land is there's not that much federal land there, and then when it -- the proposal was written as fish and wildlife, the program still does not have jurisdiction over NAFTA waters and the Dall River is navigable, so the Dall River is navigable waters. So that's where the issue came up. And we've already covered that, the solicitor felt that jurisdiction does apply. They asked if that was his opinion, he said yes, and that he would seek a regional solicitor's opinion, which we're still waiting for.

MR. LEE TITUS: Just before we go on, I would like to -- we have here the chairman of the Federal Subsistence Board, Mitch Demientieff.

Glad you can make it. And anybody have any questions or any comments, you can talk to him, I guess. Do you have any comments to make, Mitch, or anything?

MR. DEMIENTIEFF: No, Mr. Chairman. Thank you, members of the Council. No, I don't. I'm just basically stopping by to spend a few minutes with you, observe your work. I appreciate all the work that all the Councils have done, and particularly the one that represents my home area, so more I'm here today as more of a user in observing our reps in the process as oppose to doing my official capacities as a chairman. But I thank you.

MR. LEE TITUS: Thank you. Okay, you can continue.

MR. MATHEWS: I just need to make it clear again, I guess, on the record all this discussion about the Dall River issues dealing with proposal 55, so when we track this down the road, this was brought up by proposal 55. Your council supported it, interagency staff committee opposed it, and the Board deferred seeking legal opinion.

MR. LEE TITUS: Okay. For the record, we also have Charlie Titus, Jr., present as a council member. And we can go from there. Dave?

MR. JAMES: Mr. Chairman, I would just like to say as an introduction to John here, I can't stand here, sit here quietly without some degree of fanfare over this project. This was the result of an extraordinary effort on the part of the several partners. The Stevens Village natural resource program was an active participant in this project, which John is going to tell you about in just a few minutes, Fish and Game played a major role, Fish and Wildlife Service, BLM, Dinyee Corporation, there were a lot of blood sweat and tears to bring this working group together and to field this kind of a project or set up actually in a field gathering natural resource data as it were, primarily fish data.

And this working group is not finished with this. We haven't met yet since this project was finished. And that working group will be coming back together, eventually a final report probably by the end of the year. So it's an ongoing process. And all the partners in it, I think, did extraordinarily well, we learned a lot from it. So thank you.

MR. LEE TITUS: Uh-huh.

MR. BURKE: I'm John Burke and I also would like to thank you for the opportunity to report to you on this Dall River cooperative research project. As David said, it was a cooperative project with a number of different entities.

Employees of the Stevens Village natural resource program and State Department of Fish and Game manned a check station at the mouth of the Dall River, from Memorial Day in May through the 1st week of September. Boats were counted as they came into the river, and the people in the boats were interviewed before they left the area. We asked visitors the purpose of their trip, and those that were fishing, we asked how many fish they harvested and how many fish they caught and released.

We also asked a large number of questions such as whether they had visited the area before, if they were hunting, what species they were trying to harvest. And asked some questions about their knowledge of land ownership. Information that we've collected has not yet been fully analyzed, as David indicated. All I can summarize today is some information about the amount of use by local and nonlocal people, and the number of pike that were harvested and the number of pike that were caught and released.

Again, I want to make it clear that this is really a preliminary report because the results have not been fully analyzed, nor have all the people that were involved in planning this work had a chance to review the data, or talk about what we think the data means. So this is real preliminary.

You're going to like sitting there. Anyway, we counted a total of 453 days of use, and that's this black line here. Those are the actual number of, of boats times the number of people times the number of days they were there. This has not been expanded to account for the times when we weren't sampling, this is simply the number of days of use that we actually counted during the sampling, between May and the 1st of September.

This level is considered light, and is real similar, or less than what we have estimated by the statewide harvest survey, the Department of Fish and Game conducts every year. The black line here is the -- is effort which is days of use, and it shows it from 1977 through 1995. Back in the mid '80s, the level of use was much higher there, but it's stabilized at a somewhat lower rate. We just recently got the '94 results, and it looks like that's real similar to what we saw this year, but again, the 1995 point here doesn't represent the statewide harvest survey, but simply the number of -- the number that were actually counted during our survey.

MR. GINNIS: How did you get this survey now? By having somebody right at the mouth of --

MR. BURKE: We had two people from Stevens Village and one Fish and Game employee, and basically lived at the mouth of the Dall River, counted boats as they went into the river, then as they were leaving or

before they left would contact them and do a personal interview, and ask them what they were there for how many fish they caught, that sort of thing, you know. And a whole bunch of other questions about their perception of the area and whether or not they had been there before.

This other point here shows, this is the red line here is the harvest of the pike, up through '94, the line indicates what has been estimated by the statewide harvest survey. This point here is actual count of the pike that people reported to us that they, that they harvested during the year. Again, this has not been expanded to account for the whole season, so it's undoubtedly going to be higher than that.

But again, we see the level of harvest is real similar to what has been reported in the past, and certainly below what was shown back in '88 and '89 to be a sustainable harvest from strictly from a stock conservation point of view.

Now, this chart shows the number of days of use per week by visitors to the Dall River during the survey period, from the end of May through the first week of September. The results of this cooperative study that I would really like to highlight is the use of the river by both local and nonlocal people. The Dall River was used by residents of Stevens Village, and that's the red part of these bar graphs, up through the end of, end of June. During late May and throughout June. And this, this use by folks by Stevens Village occurred while a substantial portion of use by nonlocal visitors was occurring. You can see that by the blue part of each of these bars, that there was a significant number of outside visitors in the area at that time.

The purpose of the trips reported by local people included fishing, hunting and visiting allotments. Use of the Dall River by Stevens Village people dropped abruptly at the end of June and beginning of July, and my guess is that's a result of salmon reaching that part of the river. But again, we haven't had a chance to talk about this with the various people that were involved in this study.

During the time period we did cover by this survey, we did see use by nonlocal and local people, but the use by the nonlocal people does not appear to have interfered with subsistence activities by the people from Stevens Village, through the end of June.

This basically is all that I have to report at this point. A more complete report of this cooperative research project should be available prior to your spring meeting of this council. And we would certainly welcome an opportunity to present the full results at that time.

I would be happy to try to answer any questions that you might have about what we did or why we did it, but we have not had a chance to really analyze all of the results of our survey. That's all I have for now.

MR. LEE TITUS: Any questions? Steve?

MR. GINNIS: Yeah, I think this chart, I mean the way I look at it, it clearly indicates that there's -- seems like a majority use of this particular river is done by nonlocal people.

MR. BURKE: Without question.

MR. GINNIS: I think that's what the issue is all about, to begin with. I mean the way I read the minutes of this, of the last action of the Council here, the Regional Council wants to send a message about protecting subsistence use and providing a preference to local subsistence users. And I think that's the main thing, the way I understand this issue. Is that it is impacting, I mean just from the chart there, the impact of nonlocal use is sufficient. Do you have one chart that reflects anything about hunting?

MR. BURKE: Not yet. We did, we did see a small amount of hunting by nonlocals that started to occur at the beginning of September, but it was really pretty limited. We did also see a number of people there early in the spring, during that late May, first part of June period that were there specifically to try to hunt for black bear. Very, very low success rate by those people, and that will come out in the full report. Again, I had to just kind of go through the data forms and pull out what I could here, and but that should be available before the spring meeting, the actual level of hunting effort that occurred.

MR. LEE TITUS: Stanley?

MR. NED: These people that are nonlocals that are using Dall River, are they just going on a scenery tour are they going fishing or what?

MR. BURKE: Most of the people that we interviewed were there to fish for northern pike. They were mostly sport fishermen. Like I said, there were a few people early on to hunt for black bear, then after the 1st of September we had a couple of Tier 2 moose hunters that came into the area, but by and large, it was sport fishing.

MR. MATHEWS: John, with this data, do you have data earlier from the statewide harvest survey that would break it out local and nonlocal to show if there was a trend and drop-off of local use or an increase, or --

MR. BURKE: I believe I could get that information. The problem is the statewide harvest survey is based -- is directed primarily at those people that are sport fishing. And although people that do not buy a sport fishing license have a chance at being selected for this mail-out survey. This Dall River fishery in the frame, in the context of the state of Alaska is a relatively small fishery, and as a result, we get a small number of responses that say they fished at the Dall River.

For example, in 1994, the estimate that we get for catch, for harvest and effort on the Dall River isn't going to make it into the statewide harvest survey because only 11 respondents said they fished at the Dall River, and they have a minimum of 12 before they will put it in the regular report. So it's a relatively small fishery. So although we probably can get an estimate of the proportion of those people that were from Stevens Village, you know, Middle Yukon River area, versus those that were from Fairbanks and someplace else, again, you know, the

accuracy of that information is, you know, it's --

MR. MATHEWS: Will this report, if I may, Mr. Chairman, will this report also deal with the population status of white fish, pike, and whatever?

MR. BURKE: The program -- the research project that we put together was not designed to do population assessment. And that was a decision that was made by the various entities that went into putting this program together. We primarily, we primarily wanted to look at use of the river, and the purposes of that use.

MR. MATHEWS: But you do have earlier survey numbers?

MR. BURKE: In '88 and '89 we attempted to assess the pike populations only in the Dall River and surrounding streams and we do have that information.

MR. MATHEWS: Okay.

MR. BURKE: And at that time, our best estimate is that the, the level of harvest was certainly sustainable given the size of the population, and from what we've seen, what we saw up there this year, we don't have any evidence that that is not still true. We believe that the level of harvest that is occurring on the northern pike population is certainly sustainable.

MR. MATHEWS: Okay. Thank you.

MR. LEE TITUS: Stanley?

MR. NED: With the drop-off of use by the local people in the Dall River area, would that have an effect on their customary and traditional determination in the future?

MR. MATHEWS: No. If I may.

MR. LEE TITUS: Uh-huh.

MR. MATHEWS: The first factor of criteria has a disclaimer in there, unless prevented by other regulatory action, so if the community in the area said that they had customary and traditional use of the area from May through August or something like that, and regulation prevented them only up to July, that C & T would be based on up to August and would have to reflect that. So they are not locked out if some outside, someone else has the key words for this, but it is a determination, a factor in there that prevents it because it's beyond their control, that they were not allowed to do their customary and traditional. That they don't suffer continuously on that.

MR. NED: The numbers of the pikes drops down drastically, then that would have an impact on the customary and traditional use?

MR. MATHEWS: Yes.

MR. NED: Who uses that area before?

MR. MATHEWS: As right now, as you know, and everyone in the room knows, this program does not have jurisdiction over NAFTA waters. And I don't know if there is a C & T determination for -- state C & T determination for -- I don't know on that one.

MR. NED: Is that federal land or state land?

MR. MATHEWS: I don't have the map in front of me, if I remember correctly, there's very, very little federal lands.

MR. GUENTHER: Mr. Chairman, the first 60 miles, approximately 60 miles of river miles is nonfederal land. So you have got to go about 60 miles up the river before you get to the first federal land area.

MR. NED: Is there any kind of studies being done right now on this?

MR. BURKE: This project that we did with Stevens Village and Fish and Wildlife Service is the only study that I'm aware of that the state is doing. We are involved as a partner.

MR. LEE TITUS: Any more questions? So you plan to have this report finished by, let's say, February, March?

MR. BURKE: Yeah. It's my intention at very minimum to have a preliminary, a preliminary report. Certainly we would hope to have all the data analyzed and have had it. Because it's a cooperative, cooperative project as opposed to just one, if I was writing it myself I could say yeah, for sure I'll have it done by then, but that's not the kind of project this is. We have to all work on this together. And as a result, it may take us a little bit longer to actually get it between covers, but we should have all the data analyzed and certainly are going to attempt to have a complete report for you to consider at your next meeting.

MR. LEE TITUS: Stanley?

MR. NED: I have one more on there. The first 60 miles would be all state waters like, right? Then up above that would be federal? Now, who is to determine which, whose fish is whose, the fed's fish or state fish, and if it has an impact on the fed's waters up there, would that then have something to do with the first 60 miles on the river?

MR. MATHEWS: That's what's in the Ninth Circuit Court, trying to figure out what we do too. And the fish won't sit down at the table, so.

MR. NED: I am going to be --

MR. MATHEWS: We tried with the moose to get them to come and they said no way. No, it will have to be worked out, but what you're initiating is that if a fish --

MR. NED: It would have an impact on that upper area.

MR. MATHEWS: Yes. Right.

MR. NED: So that has to be addressed sometime, somehow.

MR. MATHEWS: That's why we've been keeping informed on fishery issues with this Council, and that's why Mr. Ginnis asked for the update on the Yukon River because you guys may be passing recommendations on fishery issues. Meaning the Council.

MR. LEE TITUS: So it's a case by case basis, right? When it comes to the question that Stanley is asking, is if there was a drastic decline in pike on the Dall River, then I think the fed, the federal government has the authority to take action on the whole Dall River.

MR. ROACH: Not at this time, I don't believe.

MR. LEE TITUS: I'm talking about if there was a closure, or a decline.

MR. MATHEWS: Yes, if the federal government had jurisdiction on navigable waters, and there was a customary and traditional use, I believe there would have to be a C & T determination to that effect, and yes, action could be taken. I don't know the fishery, pike fishery enough to understand. Salmon would be easier for me to understand, the migration pattern and et cetera.

MR. ROACH: But we do not have that jurisdiction over nonnavigable waters at this time?

MR. MATHEWS: Navigable waters. We don't have nonnavigable waters.

MR. LEE TITUS: We could, though, huh?

MR. MATHEWS: We could. Depending on the Katie John case. There is so many opinions floating around, it's up in the air, but say the Katie John case goes in favor of expansion of federal authority, obviously the state is going to appeal that, so it goes to Supreme Court and we're down the road, it's going to be a while before this is resolved.

MR. ROACH: Mr. Chair, I believe Dorothy had a question.

MS. SHOCKLEY: I was just wondering how far up the river can one go in a boat, how far you determine?

MR. MAYO: You can go quite a ways, but that's confidential information. I don't think it's really pertinent at this kind of forum, you know.

MS. SHOCKLEY: So did you get that kind of information about how far people were going, or what they were doing there?

MR. MATHEWS: I didn't hear that.

MR. ROACH: Dorothy asked if you got the information as to how

far the users are going now?

MR. BURKE: Yes. We asked individuals that were visiting the river how far, to mark on the map where they actually fished. And yes, that information is on the forms, and to be truthful, I can't answer that question because I didn't specifically pull that off the forms here for this meeting.

MR. MAYO: The reason I made that statement is because when these things were being determined in navigable waters, at that time, I don't know which agency was involved, I wasn't in the village at the time but they came in, you know, and got the information from the elders and other unsuspecting people and they didn't tell them what this was for, you know. And that's how they determined a lot of these lakes and streams. You know, the people, the people didn't really tell them, make it clear that what these were for, you know. And that's all how they determined the navigable waters, you know.

That was on the agency's part, you know. There was just no one in the village at the time who checked them on that, and that's what happened. You know, by asking elders and other people that didn't really know, you know, just asking general questions, saying gee, how far can you go up there, and you know. What's up this way and that, and these people were just saying oh, yeah, you know. And then they went back and used that information not to our benefit, you know.

MR. LEE TITUS: Any more questions? Comments? So I guess we'll address this issue again after the next meeting, when we get the report.

MR. BURKE: Welcome an opportunity to present that information when we have all of it.

MR. MATHEWS: Mr. Chairman, would you like that report, if it's done in time and it's available ahead of your meeting, mailed out ahead to the members for review?

MR. LEE TITUS: Yes.

MR. MATHEWS: Okay. I'm telling John that to give me copies, then I can ship it out or give him your addresses.

MR. LEE TITUS: Okay. So we're done with that one?

MR. MATHEWS: Yes. That was just kind of an update to get you aware of what transpired this past summer.

MR. ROACH: Mr. Chairman, we did add migratory bird Item H, other old business on the first page

MR. LEE TITUS: That's under H?

MR. ROACH: I believe so, yes.

MR. LEE TITUS: As old business?

MR. ROACH: Yes.

MR. LEE TITUS: Okay. The migratory bird treaty.

MR. MATHEWS: I can summarize that.

MR. GINNIS: Can you turn that heat down?

MR. MATHEWS: It's down to 55 now.

MR. MATHEWS: It's actually 82 in here, so.

MR. GINNIS: Everybody quit breathing for a while.

MR. MATHEWS: Okay. I'll try. You've been informed of the migratory bird treaty I believe in your Tok meeting. Basically, the United States and Canada has successfully negotiated a protocol amendment to the 1916 migratory bird treaty. The migratory bird treaty or convention, as it's called, prohibits spring and summer hunting, which as you know is a very important subsistence activity in Alaska and Canada.

So what is now going on is they are in agreement that now awaits formal signing by the U.S. and Canadian officials, and the formal signing is tentatively scheduled for mid October, so it could happen soon here. There may be others in the room here that are directly involved in the negotiation team that may be able to provide more current information on this.

And it's also because of this, they also have to look at the 1936 migratory bird treaty with Mexico, which also had a similar prohibition. So if, when this ratification of both amendments, and someone correct me, I think the senate has to approve that. Once that is approved and Canada signs off on it, then there's going to be a quote, rigorous regulatory process will follow to determine the conditions under which subsistence harvests will be conducted in Alaska.

And that will involve intensive public involvement to have a successful management. And that's down the road.

But I believe at the last one, and someone can correct me if that's changed, if this goes through and there is spring and summer harvest of waterfowl, it will not be subject to the preference that is in ANILCA and Title VIII. There will be no preference. But there will be spring and summer seasons and harvest limits, and I don't know if Stan has more on this or not because I know a couple of the members and Tanana Chiefs has been more closely involved with this treaty negotiation, so they may want to share something. But that's the update.

So I'm keeping you informed because once this rigorous regulatory process comes on board, you as a Council may want to be involved in that. So I'll leave it up if someone else has additional information on the migratory bird treaty amendment.

MR. LEE TITUS: Any more comments?

MR. MATHEWS: Since there's no comments, the next item would be

an update on compacting, that deals with the Indian Self-Determination Act and the amendment to that.

MR. LEE TITUS: I think we moved that

MR. MATHEWS: I'm sorry, that's under new business.

I think we'll need a minute or two for the staff to set up. We're going to have slides and overheads to address the discussion on the Sheenjek and Coleen.

MR. LEE TITUS: Okay.

(Off record.)

MR. MATHEWS: This is just kind of a discussion, this is a request to just look into the use of moose in the Sheenjek and Coleen Rivers, which are in Unit 25(A) and 25(B), and just kind of preliminary discussion. David James will be doing that. I don't see Bob Stephenson, but I know he was involved. He is with the Alaska Department of Fish and Game helping provide information on this, and this is kind of a preliminary discussion, and the Council can proceed from there.

MR. LEE TITUS: David.

MR. JAMES: Mr. Chairman, members of the Council, the information I will be providing and that Fran Mauer with the Arctic National Wildlife Refuge will be providing when he gets back here, and also Bob Stephenson, if you have questions, all pertain to this Sheenjek, Coleen moose area.

This information was put together in response to requests by council member Steve Ginnis. And he's expressed a concern about the level of hunting that goes on, and those two rivers are tributaries to the Porcupine River. We did have a map earlier I could refer to. I don't know what happened to the map. We had to make the room for it, so bear with me.

These are up the river, up Porcupine, up from Fort Yukon. There are two drainages side by side. So the questions that were asked were, first of all, that were asked that I'll attempt to answer, at least in part, are how many hunters are in the area and how many moose are they taking.

This table on top, the top table shows both the Sheenjek River here on the top four lines, and then the Coleen River down here at the bottom four. I got the data going backwards starting with not this fall but last fall, '94, '95, and going backwards consecutively for four years for both the Sheenjek and the Coleen Rivers. I would have had more data, but we had a little glitch in the computer, and given my limited facility with that piece, this is what we ended up with for this presentation. Plus I've got a little bit more info to give to you. The two main columns that you're interested in are this one right here that says total, and then this one over here that says total hunters.

Well, total simply refers to the number of successful hunters, in this case 100 equals one bull moose harvested. The reason it's split in this case, six slash zero means the upper Sheenjek River, there were six moose reported taken, and on the lower Sheenjek there was zero moose reported taken. The lower Sheenjek means about the lower 50 miles of river, at least air miles of river. That's the part that's in Subunit 25(D). The rest of the river is up in Subunit 25(A).

So this shows you, then, just as an example, read it across, '94, '95, that's a year ago this fall, six moose reported harvested by a total of 15 hunters that reported hunting in that area. So you can simply read down the table for the Sheenjek and see that there were 4 moose harvested here, 8 there, 16 and so on. Likewise, over here are the number of hunters that reported hunting in that area.

And likewise, with the Coleen, the way the data are collected, you can't split the river up so it's just reported as one whole drainage, or almost the whole drainage. And you can see, it was working backwards of 9, 10, and 17. The pattern you see here is once you get from this year, they are going backwards, it's a substantially higher number of folks. We have 31 hunters in '91 and '92, and 28 in the Coleen.

After doing a little bit of digging, but I didn't have time to put it on the table, if we went back one more year to the '90, '91 fall season, it indicated that 21 moose were reported harvested on the Sheenjek River by 30 hunters, and for the Coleen River for that same year it was 20 moose reported by 26 hunters.

What this suggests is that it could be worthwhile exploring a much longer history of harvest. And that stuff is available, but I didn't have time to put it together for this go-around. It takes quite a bit of time to dig that out. But if it seems useful to the cause, the Council gives us direction that they want more detailed reports, we could certainly get that. So this is a preliminary indication here of the kind of information that's available.

MR. GINNIS: Excuse me, this is only based on those folks that had -- that reported their harvest?

MR. JAMES: That's correct. This is reported.

MR. GINNIS: Reported. Okay.

MR. JAMES: This is from the state harvest report system. As you can see, over here

MR. GINNIS: So it's possible that this is really not a true reflection of how many is actually being harvested? Would that be a correct statement?

MR. JAMES: I would agree with that statement. Yeah.

MR. GINNIS: Okay.

MR. JAMES: As you can see, we have it broken out for number of

successful hunters into unit residents, other residents, and nonresidents. As you can see, the unit residents, the report rate is quite low. In general.

MR. GINNIS: What's the unit resident?

MR. JAMES: That live in Unit 25 is what it means. It's not a precise estimate on a determination of where they live, but it's mostly the villages in that general vicinity. And I just mention also briefly, the bottom table was an attempt to show the means of transportation. This reflects the transportation that was used by these hunters up here, in this table, that are reported. So you can see working backwards for the Sheenjek River, it works out it was 10 airplanes, 5 boats on the Sheenjek for a year ago, and for the Coleen it was 12 airplanes, 5 boats, et cetera. You can read down the table and see the split there.

MR. MAYO: I have a question on those airplanes, what about the -- are those airplanes hauling out all the meat, you know?

MR. JAMES: Legally they are required to haul out all the meat. There's no doubt about it. There's no exemption made for sport hunters or for airplane hunters that they can leave meat.

MR. MAYO: I know that, so there has to be waste going on because you get a big bull in a small airplane, you know, somebody is going to have to stay behind. I don't think the pilot will.

MR. JAMES: Legally, if it takes more than one trip, they have to do it. If they don't do it and they leave meat, it's illegal.

MR. GINNIS: Well, Mr. Chairman, I think at a previous meeting, I think that was part of my motion is to -- you see, the concern that came about from this thing here is that at least from the people in the Yukon Flats, they felt that this sports hunting activity that is happening up there in the foothills there is having an impact on the moose that actually come out on the Yukon Flats. And the other part of the issue was, you know, during hunting season, just go to Fort Yukon and sit by the airport and see the number of antlers that's going out and there's no meat. So that was part of my concern here.

In fact, I think I made a motion to the effect that there's some monitoring given to this particular area, and also that the meat that's not going to be brought back, you know, be given to the villages right around that area there.

What you're providing here, and this is good, but what you're providing here is how many hunters are in the area, how many are successful and so forth and so on and their means of transportation. This is good information for me, but you know, what happens to the meat is another issue. In fact, at one of our tribal meetings here just a few days back this whole thing was brought out, people didn't feel that I was doing enough work on moose in that northeastern part of the refuge, working on this Council here. So anyway, do you have that kind of information too, or --

MR. JAMES: I can at least partially answer that, Steve. I'll

jump out of sequence here. I had written this list of questions that was forwarded to me, and had it sent up that way, but you brought up one point about whether the hunting at the foothills is having an effect in the Flats. And when Fran Mauer gets here, he definitely has some information.

MR. MAUER: Excuse me, David, I'm here.

MR. JAMES: You're here. In a moment we will get Fran set up and he has a presentation that will show preliminary results from a research project that was just started. And it will at least address that question, if not fully answer it.

I think before we do that, I might also add about a comment concerning monitoring of the harvest going on. I should also make you aware that all guides and commercial users on the refuge are required to do so under special use permit, and part of the requirement, reporting requirements of the permits are to report the kinds and the number of animals that they, their clients take. And that they transport. So there in a sense is a double check against the state harvest information. I did not compile that for this meeting, but it certainly is available.

MR. LEE TITUS: Jim?

MR. CHARLIE TITUS: Do they have an estimate on the population of the moose in that area?

MR. JAMES: I think I'll defer that answer, that question, rather, to Bob Stephenson. I think Bob could probably characterize the moose population in that area better than I can. Are you there, Bob?

MR. STEPHENSON: Yeah, I'm over here, David. I'm Bob Stephenson, I work for the Alaska Department of Fish and Game and I'm a Fort Yukon area biologist.

We have never done what we call a census of moose in the upper part of the Sheenjek and Coleen Rivers, but in cooperation with the Fish and Wildlife Service, there's been a number of years, Fran would know better than I, of composition data in those areas that are hunted in the fall, or upstream from them where moose are concentrated late in the fall. It's not a real high density moose population, there are pockets in the best habitat where moose are fairly abundant, and as Fran is finding out, there's some real interesting movements going on between Alaska and Canada, from that area.

So we don't have a number. We know that the bull ratio is pretty high, up above 60 per 100 cows, which usually indicates that hunting bulls isn't having a big effect on the population. But it's not a real high density in this country.

MR. CHARLIE TITUS: So my question was to point out that it was competitive with the commercial and residents for the hunting. I don't see a very big take on the, or successful hunts of 15, there's just 6, so that's my question, why it was so small, compared to other areas?

MR. STEPHENSON: You mean the total number of moose taken?

MR. CHARLIE TITUS: Yes.

MR. STEPHENSON: Because it's limited mostly in the fall. It's pretty accessible, fairly remote country. There's not a lot of local residents of Unit 25 that hunt in the Coleen or Sheenjek. There's one person that lives on the Coleen in the winter and traps there. But it's kind of far from -- it's a ways from Arctic village, then it's a long ways from the Yukon Flats communities. So it's not a place where a lot of local residents go. And so it's a little bit in the fall, there's some hunters that float or get dropped off, then picked up, then it's pretty quiet the rest of the year.

MR. JAMES: I might add brief comments about the level of enforcement on the Sheenjek River. A couple of, two refuge enforcement staff spent four days on the Sheenjek in roughly mid moose season this year, from September 14th to 18th. They were flown into a place locally known as Haystack, up, oh, 30, maybe 40 miles or so up the river and floated down. And during that period, that weekend, that bracketed weekend there was very little use. They saw three boats, one appeared to be nonlocal users, at least it was a large boat with four drums of gas, that sort of thing. And they only spent one night on the Sheenjek. The other two boats appeared to be local residents, judging by small boats and not a lot of equipment. And it was unknown how long they spent. That was at the end of this trip. So just that short period of time on the river didn't really give much opportunity to make a lot of contacts.

I did talk to the state fish and wildlife protection office and asked what the situation is now for patrols in that area, and they just reinstated a Coldfoot trooper, I think he said as of June of this year, and actually, that person's beat goes from Coldfoot, the pipeline all the way over, includes probably all the way to the border, Sheenjek and Coleen. And without giving me specifics because they didn't have time to get the number of patrols, the number of days or hours, but I was told by the person in charge there that it was very unlikely that that trooper spent much time there at all this fall. So it is a very remote area.

I might also add that for -- between those two drainages, there are a total of five guides that are permitted by Fish and Wildlife Service to operate in that, in that area. In general. I've got much more information on that, but I think time is growing short here. I'm not sure that really addresses your questions right now, but we can elaborate on that in a future time, or afterwards if you want more information, get ahold of me and I can provide it to you.

I would say, I would like to cover just one more thing here now before I turn this over to Fran and he tells you about the research project up in the upper reaches of those two drainages. These are the results of some telemetry studies done on moose from late 1980s until about 1990 or '91. This area shown on the map here, the Porcupine River is the large river running diagonally here. Here's the lower, very lower part of the Sheenjek, Coleen River is not shown on this map. Here is the community of Chalkyitsik, located here. This is the Black River.

And this shows the results of tracking nine different moose, and

with the exception of three moose, these diagrams, with this vertical hatching represent the movements of three moose. They were pretty much resident moose. In other words, they were found within these respective areas at all seasons of the year. These three moose did shift from winter to summer, this distance here being roughly, say, 15 miles.

What this suggests, but certainly doesn't prove is that the moose at least in this part of the Flats may be predominantly a resident population. But no one is trying to use this information to build a definitive argument saying this is a resident population. This certainly suggests that this is the kind of pattern you would expect to see. And this interestingly is, apparently at this point, is in contrast to what goes on in the upper reaches of these rivers. And unless you have any questions at this point, I'll go ahead and turn it over to Fran, and he can carry on from there.

MR. GINNIS: Wait a minute. You know, you're only talking about up in the Flats here. What I wanted to find out is what was happening with those moose that were way up there in the upper part of the Sheenjek and Coleen River. I wanted to find out how their movements were. I still contend they come out, they come out of that area down into the Flats. But the way I look at this, it doesn't show that. You're looking at these areas here. Is there any way you can --

MR. JAMES: All I can say is for nine moose that were captured in this area, none went up there. So none of these guys were moving back and forth. I mean we can say that. What that means for the whole population we simply can't say at this point.

MR. GINNIS: So how -- oh, never mind.

MR. JAMES: But again, Fran's presentation will directly address your question, just let him get going.

MR. GINNIS: Okay. Thank you.

MR. JAMES: Any more questions? It will take us a moment to get set up here.

(Pause in proceedings.)

MR. MAUER: I'll introduce myself. My name is Fran Mauer, I'm an arctic biologist with the Arctic National Wildlife Refuge. And I just got in here. I'm a little bit -- I didn't catch the whole discussion. However, apparently we're talking about the upper Sheenjek River which is shown here on this map of the Arctic Wildlife Refuge. And the upper Coleen River. And since the 1970s, the Fish and Wildlife Service, Arctic Wildlife Refuge, we have been aware moose continued to concentrate in some of those Brooks Range valleys in the fall.

And from time to time, we got up there and flew aerial surveys, as Bob Stephenson mentioned, to count these moose in those areas. One of the things we found out was, or noticed was that during the summertime, the moose were not there, in the concentrations that we would find in the wintertime. So one of the questions we had was where do these moose go in the summer?

Another question we had was do the same moose go back to the same valleys every winter so that when we count them, we're counting and tracking the same populations of moose, or are they mixing from one valley to another. To answer those questions, we decided to start a moose study, to mark some of these animals and find out where they do go.

This map shows a more close-up of the upper Sheenjek River, upper Coleen River that we're talking about. Another river where we find moose to concentrate is the Firth River that flows north into Canada, and the Kongakut River which also flows north to the North Slope. We found concentrations of moose on all of those rivers and we wanted to try to find out what the relationship was between the different valleys and where they go in the summertime. We were hoping to go in last fall and put some radio collars on some of the moose when they were concentrated in the valleys. We were unable to do so. We finally got out to do the Coleen -- back up. I wanted to show some slides of what each one of those valleys look like so you have a frame of reference what we're talking about.

This is the upper Sheenjek Valley. It's Brooks Range, it's got high mountains on each side with a main valley running up the middle. Very few side drainages, and it's very steep country all around. The moose will gather in this valley bottom from this point and on up deeper into the mountains than what's shown on this slide.

This is a picture of the upper Coleen River. The mountains are not as tall and steep there. There's big braided areas in the river with ice fields, with tall willows where moose concentrate in the fall and winter.

This is the Upper Kongakut River Valley. There's no spruce trees in the Kongakut but there are some tall willow, and moose concentrate there, and again, there's very high mountains on both sides of the valley, very concentrated habitat.

Then this is the upper Firth River valley. The Firth River although it goes to the North Slope, has some spruce trees on it up there, and again, tall willow where the moose gather in the fall and winter.

Our study objectives were, as I said, to determine the seasonal movements and distribution of the moose during the different seasons, to determine the fidelity or whether the individual moose go back to the same winter concentration areas, and then as a result of these two things, it will help us to assess the relationship of these moose concentrations to the regional moose populations and relative to human harvest.

This spring, in the last few days of March and first few days of April, we got up there with a helicopter, we worked out of Old Crow because Old Crow is actually closer to this area than Fort Yukon or Arctic Village. We coordinated with the Canadians, they were very helpful in providing facilities for us to stay in, in the village of Old Crow.

We caught the moose using the standard techniques, helicopter with a dart and tranquilizer, got the moose caught. This is one of our biotechnicians, Jimmy Akaran, a person from the Yukon Delta that has been working with us, and one of the moose that we had drugged and ready to put the radio collar on. We also took blood specimens, hair samples, pellet specimens and tissue samples from the moose that we caught.

This is one of the bull moose with the radio collar and an ear tag in the ear.

This shows the areas where we captured the moose. These all represent separate radio collared moose, and where we caught them. This is the Firth River, the Kongakut again, the Coleen, and the Sheenjek. And those are the areas where we caught the moose in late March, early April.

This map shows our first relocations of those animals. On the 11th of April 1995, about a week after we caught the moose, we went out to check on them right away. One of the reasons we wanted to check on them right away was to determine whether any of the animals died as a result of our handling them. We wanted to check them right away to find out if any had died. And we were pleased to find out that no moose died as a result of our handling them. They all survived. Everybody was alive when we checked them.

But some interesting things are already showing up here. This is one week since we caught the moose, and there's only two moose still in the Kongakut drainage. Several moose had moved south into the Coleen drainage, one had gone over to the Firth River drainage, and one had crossed over into the Upper Sheenjek. Some of these Sheenjek moose had started to move down the valley in this direction, from where we caught them up here, some had moved down as far as here. And one of the Firth moose had moved out of the Firth valley, or two of them actually, this one and this one had moved out and started moving in the southeasterly direction.

On the 2nd of May, the distribution was quite a bit different. We had significant numbers of radio collared moose had crossed the border into Canada, and were in the western portion of Old Crow Flats. We only had three moose that were still over in the Coleen River drainage. Some of the Sheenjek moose were still moving, they had come down the valley and were moving more in this direction. We had a couple of Sheenjek moose here, one here. And it looked like they were, they were moving also towards Crow Flats. That was on the 2nd of May. So that's about a month after we had caught and marked the animals.

On the 22nd of May, we were able to get out and do another survey, and again, more of those animals had moved into the Western Crow Flats. A few animals seemed to be remaining and not moving. Seven of the Sheenjek moose had moved east. We've got one here, a couple here, and three here. The others remained in the Sheenjek valley. But as you see up here in the Kongakut, none stayed there.

MR. SCHWARBER: What is the distance of scale that they moved? Could you estimate that?

MR. MAUER: Oh, yeah. The scale, some of the distance involved here, the most distance moved we measured is about 120 miles in a straight line across the map. And that was an individual in the upper Kongakut River that moved down into Crow Flats, and that location was made later in the summer. And it's about 120 miles. We've also, subsequently this fall, we've had a female Sheenjek moose that was in Crow Flats move to the extreme upper part of the Sheenjek, which, again, is about 120 miles in one direction.

This is in the 30th of July, again it looked like most of the moose that had moved over there remained there. Some of the moose that did not move were remaining in their places where they had gone to.

So to make a long story short, it looks like we have a predominantly migratory population of moose up there. All of the collars that moved any significant distance at all moved to Crow Flats. There was no movement of any animals down to the south towards Yukon Flats.

You can ask the question why did they go to Crow Flats? I think part of the answer at least is that it's an excellent habitat for summer range for moose. There's an abundance of lakes, shallow lakes that have abundant aquatic vegetation that moose like in the summertime. Plus, there is a real good growth of willow around many of the lakes. So it's a real haven for moose from a habitat standpoint. The question of why do they leave Old Crow Flats is a bigger question, and I don't think anyone has the exact answer to why they leave in the fall. Why would a moose want to leave such a good place as this? I don't think we have a good answer for why they are going back.

MR. GINNIS: Looking for a cow.

MR. MAUER: Well, I don't have maps that show our work we have done this fall. I haven't had a chance to plot and develop the maps, but the moose started moving as early as the 29th of August. We started to see some individuals that were in the middle of Crow Flats move from the middle to the western edge of the Crow Flats. By the 6th of September, there were 35 radio collared moose in Alaska and 18 in Canada. And by the 18th of September, there was 47 collars in Alaska, and only 6 remaining in Canada. And going back to July, that July figure, we had 37 radios in Canada, and 19, I believe it was, in Alaska. So the numbers have switched around.

Most of the moose are migrating or have migrated to rutting grounds and wintering areas in these upper Brooks Range valleys again. And this is a typical scene of how they move through the valleys. It's common to see a couple of bulls moving together. Sometimes they are following a cow, but not always.

Again, it appears that these moose are being conceived in Alaska, but getting back to the map that we had on the 22nd of May, the calves are being born in Canada. So we've got a strongly migratory population, and it's a significant movement across the international border.

This slide just illustrates, we're talking again about this area up here, and the moose are moving over into this newly created Canadian National Park, and into lands that have been recently settled with the land settlement with the First Crow, First Nation of Old Crow.

In addition to that, this map shows the game management unit boundaries and the moose population we're talking about straddles both 25(A) and in the case of the Kongakut and the Firth River, the moose are moose that are spending the fall and winter in Unit 26(C). So it's a population that's in both the North Slope management area and the Eastern Interior

we intend to continue to track these moose for the next two to three years. There is many questions yet that we haven't answered. All this information is preliminary, but I think it gives you a beginning idea of what we're finding out. That's my presentation, basically. If there are any questions.

MR. CHARLIE TITUS: What kind of questions?

MR. MAUER: Well, it remains to be seen exactly how many of these individuals are going to end up in exactly the same places that they were the year before. That's something we want to know about because when we go out to count the moose each year in a given valley, if moose mix, one year there's 100 moose in one valley, the next year 50 of them spend the winter in the neighboring valley, it's very difficult to say whether you have got -- you need to know that so you know whether you have a decline in the moose population when you go out and count and only find 50, or whether it's because they move from one valley to the other. And the information we're collecting right now should help to answer that question.

This fall, we had seven of the moose that were in the Firth go to the Kongakut, for instance. We don't know if they are just going to the Kongakut for rutting, then they will return to the Firth River for the winter, or if when we caught them in the Firth River, they were migrants that were already migrating from the Kongakut and we may have caught them while they were moving. So we may have to look at this for a couple of years before we understand the relationship between the valleys. Probably take two or more years to sort all that out.

MR. LEE TITUS: Any more questions?

MR. GINNIS: Mr. Chairman. The only other thing I guess I want to add to this thing is you know, I'm still wondering about the meat. What becomes of the meat of these activities that occur up in that area? I mean I know there's guidance services going on there.

MR. LEE TITUS: Yeah.

MR. JAMES: Mr. Chairman, if I may, I'll respond to this, partially to that. At least partially one of the big differences you frequently see between fly-in hunters and people who are based in boats is that a person in a boat brings a moose back, it's frequently in about nine pieces, if you bring the whole thing back I guess that's probably not counting the head. But the airplane hunters they usually bone the

meat out. So frequently if they are shuffling around and transporting through the airport, you won't see that they have meat because it's in a box, or it's otherwise covered up. It doesn't look like a butchered moose.

That's not to say that nobody's not pulling anything fast out there. I'm just saying that just because it doesn't look like, you know, a traditional boat hunting method, as I call it, of bringing the whole moose back, it doesn't mean that the meat's being wasted. Unless you consider meat that's left attached to the bones out there is wasted, then you come into a difference in values. But that's one thing to think about. You don't see meat, it might really be there. Yes.

MR. STEPHENSON: Mr. Chairman, another thing maybe for Steve, I've talked to quite a few people around Fort Yukon about this, and over the last few falls been around the airport a bit, and I know the area you're talking about. One thing that can happen too, and might lead to the feeling that there's a lot of people just flying out with antlers is that, for instance, one of the air taxis in Fort Yukon who takes out a few hunters, which is Don Ross, some of his hunters already have given their meat to people in Fort Yukon. It's already in the community. And when they leave on Wrights or Frontier or whatever, they may have not much meat with them and antlers, and if people see that, they might think it's been wasted. But I know they already give some, quite a bit of meat to the community.

MR. GINNIS: Is there a way to monitor that type of activity?

MR. STEPHENSON: Yeah.

MR. GINNIS: Just to insure that that meat doesn't go to waste.

MR. STEPHENSON: Yeah, I think we could work up a program, perhaps, with a resource specialist or in Fort Yukon to during the fall season, to try to make a lot more contacts with the people using aircraft, that certainly would be possible.

MR. LEE TITUS: Any more? This is just for discussion or --

MR. MATHEWS: Yes.

MR. MAUER: One point that I might add, to correct a question that was asked earlier, how many moose are we talking about up there, in 1991, we got what I believe is a very good survey, we did count 722 moose between those four drainages at that time. We don't have an accurate measure of how many moose that we didn't count or miss, but I believe we got a very good survey of the area, and that's a minimum figure. There may be as many as 50 to 100 more moose that we were unable to count, but 722 is a reasonable figure. We don't know what the population is now because we haven't been up there to survey since 1991. We're hoping to get up and do a survey this fall, if the weather cooperates. We will have a better figure at that time.

MR. LEE TITUS: Yes.

MR. SCHWARBER: I understand from another meeting I've attended

that there's been serious consideration of moose population decreases on the North Slope. Do you have any evidence of that or are you in a position to start tracking for that fact elsewhere in the north?

MR. MAUER: We do. The Arctic Refuge has some new surveys in the North Slope portion of the Arctic Refuge in cooperation with the Alaska Department of Fish and Game. And yes, we've had, we noticed a significant decline in moose. So since in some areas, the decline started in 1986 on the Canning River area, in particular. And as of last fall, it looked like our numbers were down in the area by 40 percent of what they had been in late 1980s.

Since then, some people may have read in the newspapers about finding of moose on the North Slope this summer, dead moose. I'm not aware of anyone who has determined positively what the cause of death was, and it's an open book, I think, on what's happening. But there's abundant evidence that suggests that moose are drastically declining. So far we haven't seen significant mortality of the moose in this study that I presented. We've had three individuals die since we put the collar on. One was a cow moose on the Coleen River. When we found the carcass site, it had been covered up by a bear but we don't know if a bear had killed the moose or not.

Another mortality was in late summer on Crow Flats, it was a bull moose, again we couldn't get on the ground to tell anything about how, why it had died. And the third mortality was a collared bull moose that a hunter shot in the Upper Coleen, or excuse me, Upper Sheenjok River. Those were the only mortalities we have had so far.

MS. PETRUSKA: How long did the collar stay on them?

MR. MAUER: The batteries in the collars will last three to four years. So we should be able to track these for several years to come.

MR. LEE TITUS: Any more questions? I guess we will take a break

(Off record, recess.)

MR. ROACH: Do you feel comfortable with me starting the meeting? I'll go ahead and call this meeting back to order. We're on Item A, which is Review of federal Regulations Proposed Rule and generation of proposals at this time.

MR. MATHEWS: Jeff, I think it's been clear to everybody that Steven has a prior engagement that I would recommend that his request was to have a information on the Yukon fisheries, that we move that up on the agenda so he could be present and ask questions of staff if available.

MR. ROACH: If nobody on the Council has any problem with that, we'll go ahead and do that. Now that Lee is back, he can take over the meeting. We are going to move the Alaska Department of Fish and Game report on Yukon River fisheries up.

MR. MATHEWS: So Steve could take advantage of the testimony

before he left.

We invited Keith Schultz to come, and I mentioned earlier that due to communication, probably on my part, it wasn't clear that he was to have a full report here, so he's willing to answer questions, and with that I think Steven doesn't have any problem asking questions, so.

MR. GINNIS: Very funny.

MR. SCHULTZ: Okay. My name is Keith Schultz, I'm with the Alaska Department of Fish and Game, Division of Commercial Fisheries, management and development of the Yukon River Fisheries. I'm a Yukon management biologist, primarily handle salmon, Yukon River drainage. And I saw that I was on the agenda for a brief update report on the Yukon River fisheries.

Basically for 1995, it was a real good season. We had pretty much all the salmon runs were strong. We had normal subsistence fishing throughout the entire season for all species. We have had commercial fishing activities pretty much on all species in all districts, and our escapement particularly for summer chums and fall chums were excellent so it was a very good season. It was a good season after the last two seasons, at least, especially when we're talking about subsistence closures.

Couple issues that are, that are here at present is, one is the Board of Fisheries will be meeting this winter. Looks like there will be possibly two issues for the Yukon River. One is the fall chum salmon management plan is going to be up for review. And the other is the roe cap for Subdistrict 4(A). Subdistrict 4(A) includes Anvik, Grayling, Kaltag, Nulato, and Koyukuk. And currently they have a roe cap that they cannot exceed, and the residents, fishermen from these areas are seeking to have the Board lift that, either totally remove that roe cap or raise it. So those are the two issues that are going to be in front of the Board over this winter.

The other thing is Steve mentioned about he wanted an update on U.S. treaty negotiations with Canada. And we are in treaty negotiations with Canada. We have been now for over ten years. Why is it important for us to be in these negotiations is the Canadian part of the Yukon River drainage is an important distributor that's produced in the Yukon River drainage. At the mouth of the Yukon River, the studies that we've conducted, over half of the kings that are harvested in the commercial fisheries are kings that are headed for Canada. So they are a very significant chinook salmon producer.

For fall chums, they also produce a significant number of fall chums in the Canadian portion of the drainage, but less so, I think in the neighborhood of something like less than 25 percent of the fish caught at the mouth are probably headed for Canada, but they still have some important spawning stocks that are important to our commercial and subsistence fisheries, and we would like to make sure they are healthy and that they stay healthy.

So we have been in negotiations for about ten years now, and it's been kind of an interesting process. It's a different process for

me, but it's basically in the process of trying to form a treaty that both Canada and U.S. can sign. And in developing that treaty, they come up with terms that are bracketed and unbracketed language. Unbracketed language means both sides have agreed to it. Bracketed language means that it's language that we're differing on how it should be.

And we've come to kind of a stumbling point. We have been meeting about twice a year, and we've come to the point where we're dealing with really sticky issues, and it's hard to move any more forward. So what they have done is they have gone and taken all the issues that are unbracketed, placed them off to the side and formed a, what's called an interim treaty, interim agreement. And both sides have signed that. And what this interim agreement basically does is there is a fall chum salmon rebuilding program that's built into it. The Canadian stocks of fall chum salmon are not as healthy as they should be. And there is a program that has been developed to try to rebuild that stock up to healthy by the year 2001. And it's a step increase, each year we try to get more and more up there.

There is a chinook salmon stabilization program; in other words, both sides have recognized that the chinooks going into Canada are less than what they should be. And we haven't agreed to a rebuilding program, but we've agreed to let's not have it any less than a certain point. And we're into the negotiations of how to build that stock back up.

There is a restoration enhancement fund that's been agreed to. What that is, is basically the U.S. has acknowledged that we are catching Canadian bound fish. And the Canadians want compensation for that. They say these are fish that are headed for Canada, there is -- these are Canadian fish, and you guys are catching them. Our position on this is, our side is basically yeah, they would be headed for Canada, but we've also contributed to these stocks. In other words, our habitat protections for the Yukon River drainage, the fish are outmigrants, if we didn't keep our habitat good on our side, those stocks could collapse also because of that.

These fish spend some time in the estuary waters at the mouth of the Yukon River, about the first year of life in the ocean is around the mouth of the Yukon River. And again, you know, that's an important aspect of their population, of their life cycle, and we keep that habitat protected then, too. So we feel that just because the fish are bound for Canada doesn't mean that they get everything.

So what has been agreed to is the Restoration and Enhancement Fund. And it looks like it's going to be in the neighborhood of about \$400,000 that the U.S. will contribute to a fund, and that fund would be spent on Canadian bound fish to try to restore and enhance those stocks. That \$400,000 would be contributed on a yearly basis.

The last thing that's been agreed to is a process, a panel process on how to spend that money. And this panel process is, consists of 12 people, 6 from both sides. The U.S. side is still -- this is still being developed so we're not even quite sure how it's going to be worked out. But it appears that there will probably be four fishermen on the group, there will be one state person, and one federal person.

So there would be -- that most likely would be the U.S. side. And the Canadians, however they work out their side.

And what this panel is going to meet about is this panel is going to talk about the remaining issues that need to be discussed in the treaty, and they are also going to be discussing how to spend this enhancement fund. And before -- they work on a consensus basis. In other words, it takes 12 votes in order for anything to happen. So their first meeting is possibly as early as November of this year.

It's, again, I think we just talked to the Canadians about two weeks ago, and they are about the same stage as us, that we have not selected the panel yet, or where the first meeting is going to be, or any of that, monetary funds on how to provide for the panel. But that's -- that process is moving forward.

So that's kind of the update, kind of a real brief update on the Canadian treaty process. And it's moving along pretty quick here. I would be happy to answer any questions.

MR. GINNIS: Do you have the current lists of those folks that are serving on this association team?

MR. SCHULTZ: I don't have them with me, but I do. They are members throughout the drainage, and my thinking is I think Clifford Luke is on it from Fort Yukon. I would have to double check that.

MR. GINNIS: Okay.

MR. SCHULTZ: Negotiation team meets twice a year, and I think they are planning on meeting here probably November, December of this year sometime, too.

MR. GINNIS: There was someone else that heard about this, I don't know how true it is, but there was some kind of legislation that was introduced by Stevens, I guess it's related to the Yukon River fish. I guess he plays a role in appointment of people to serve on this thing? It's different than what occurred before.

MR. SCHULTZ: Yeah. I'm not that -- I wasn't prepared necessarily to give a real in detail negotiation update. But it's my understanding that the panel is appointed by the Governor. But the federal government is independently involved in the funding process. They are the ones that have to sign off, for example, on the \$400,000. There's another -- part of the treaty that's called the treaty implementation funds that has to go through the federal government, and what the treaty implementation funds is you know now that we have a treaty, we need -- you know, one of our obligations is to get so many fish across the border. And we need to have a program in place to be able to say if we do, to determine how many fish get across the border, determine how many fish that was that we did get across. So those kind of programs do need to be funded, and I know that that's in the process of -- that goes through Stevens' office, I know.

MR. LEE TITUS: Any more questions?

MR. SCHULTZ: I can get you that list, too. I'll send it to you as far as who is on the negotiation team.

MR. GINNIS: Okay. Thank you.

MR. LEE TITUS: Okay. Where are we at now?

MR. MATHEWS: Mr. Chairman, I think we're back to the original A, which is a review of federal regulations, proposed rule, and if the Council wanted to discuss possible proposals or write their own. And you have the proposed rule under Tab 8, if you want it, or you can look at the salmon colored book. And I think the Council fully realizes that any proposals that would be submitted will be back before you in January, February. While you're looking at that for the public, there's forms in the back if you want to submit a proposal, there's blank forms back there, and the close-off for that is October 27th. You must have it sent to the Federal Subsistence Board for your proposals.

(Mr. Ginnis left the proceedings.)

MR. LEE TITUS: So how do you want to go about doing this?

MR. MATHEWS: Well, this is why this fall meeting is kind of difficult. If there is no issues out there that you have heard of within your area, or within the region, then the Council could ask if there's participants in the public here that have some ideas about a proposal or concern that you could assist them with writing or endorse or adopt as your own proposal. And that's why future meetings in the fall will have this more round table discussion of status of species, and et cetera, then from that you might say there seems to be a situation here that may require proposal action. If the Council doesn't know of any, and if the public here that's present doesn't have any, then we could kind of move on, on the agenda.

MR. NICHOLIA: I've got a proposal here that affects the National Wildlife Refuge that I wanted to bring before the Board here. And this is in the Eastern, Western Region, which is in your jurisdiction.

MR. MATHEWS: It is in the Western Region, so it's not in yours, it's not in your jurisdiction, but he is going to bring it up at the Western, or I'll carry it, if that's --

MR. NICHOLIA: The thing I want to do is bring it up to the Western Regional Board, for us, since you're going to be attending that.

MR. MATHEWS: Sure. If you could give me that copy or Conrad, then we could take it as a submittal. Sue, that would be right, he's actually submitting it now to the Board, so he would not, you would not have to send it again to the Federal Subsistence Board, we'll take it as a submission now.

MR. JAMES: Does subsistence uses involve the village of Tanana?

MR. MATHEWS: Yes, it does. So the Tanana community is right on the line between the two regions. And Tanana, I don't have all the

data, but I do have it here somewhere, hunts quite a bit on the Nowitna, so you may want to take a look at this proposal now since you do have a representative here from the village of Tanana, and it's too bad that your council representative John Starr could not be here. So I'm glad Dave brought that out. The actual area of closure, well, the issues dealing with the Nowitna is in Western Interior, but you represent users from Tanana. Thank you, Dave, for bringing that up. You may want to discuss it. It's an idea.

MR. LEE TITUS: It's up to you.

MR. MATHEWS: Do you want to submit them and come on up and they can ask questions of it and we'll proceed.

MR. NICHOLIA: This is just kind of a rough draft that me and my supervisor, Julie Roberts, drew up here. And we can look at the options there.

MR. MATHEWS: Mr. Chairman, could I ask a question of Fred on that?

MR. LEE TITUS: Sure.

MR. MATHEWS: Fred, are you indicating that this -- I know you said it's draft, but is this the one that you really want to go forward as a proposal?

MR. NICHOLIA: Yeah. Actually, it is, but since I've heard with this, I've come upon other options to go with.

MR. MATHEWS: So this would be the one you would want as a proposal, correct?

MR. NICHOLIA: Yeah.

MR. LEE TITUS: Do we need a motion on the floor, too?

MR. MATHEWS: You have --

MR. LEE TITUS: It's just for discussion purposes?

MR. MATHEWS: It's for discussion, and if you -- it's difficult at this time to say what you can do. I mean you could say that you support the idea of it. I don't know how that would be carried forward. You're not at the time of making a recommendation on a proposal. The options, it's easier for me to say for Western Interior would be to say we want a proposal just like this submitted under our name also, or that we endorse it, but I'm not clear how, what an endorsement means. Maybe someone else in this process could explain that to me, but I'm not sure what that would mean if the Council endorses a proposal that's submitted by an individual or group.

MS. ROBERTS: My name is Julie Roberts. I'm from Tanana. And we've been working closely with the refuge managers from the Nowitna in obtaining this information over the past years and also working with Tanana Chiefs trying to gather good data to back up the reasons why we

wanted to have this proposal, regulation put into effect. And being kind of like on the dividing line here, you know, we are in, you know, one region, yet we're affected by this other region. It just makes things more complicated, but you know, we do need the support of this Council here with this proposal. And I think for it to go forward, you know, we do need the support at this time, to have -- to affect the other Council's decision.

MR. LEE TITUS: I think we will discuss this when we consider proposals next spring, right?

MR. MATHEWS: That is an option, but Julie is telling you that Tanana would like your support and is wondering where you would stand on this, and you could just indicate that when the proposal comes back in, because it will, this is now going to be the proposal, that you will address it at that time when you have full analysis from the refuge and additional information from the village of Tanana in front of you.

I mean this is pretty complete here for a proposal standpoint, but we still have to do the analysis behind it. And maybe just for the record, it would be good just to summarize what the proposal is so it's clear on the record, and then if you have questions. You at your late winter meeting is when you make your official recommendation, which is carried forward to the Federal Subsistence Board.

MR. CHARLIE TITUS: Jim?

MR. LEE TITUS: Yes, Charlie?

MR. CHARLIE TITUS: So this would also go to the Western Interior?

MR. MATHEWS: Yes, it's on their agenda. And yes.

MR. CHARLIE TITUS: In May, huh?

MR. LEE TITUS: Yes, Julie.

MS. ROBERTS: Georgianna asked that we bring that proposal down at that meeting in Aniak. It's the same proposal.

MR. LEE TITUS: I don't really know how to kind of act, how to go about taking action on this proposal right now. I need some kind of a --

MR. CHARLIE TITUS: We really -- are we in a position to take any action at all on this?

MR. MATHEWS: You are not in a position to make your official recommendation because you have not received benefit of analysis or public comment. You could take this opportunity to find out more about the specifics of the proposal. And if the issue is compelling enough for the Council, you could submit a proposal of your own. Again, it's not your geographic area but you do represent some of the users that utilize the area.

MR. LEE TITUS: Jeff?

MR. ROACH: Could we find out what the customary and traditional use determination is for 21(B)?

MR. MATHEWS: Sure.

MR. ROACH: Does somebody have that available?

MR. MATHEWS: Let's see if my handy dandy chart will help.
20(B)?

MR. ROACH: 21(B), which would be -- it's not within our area, so it wouldn't be in our booklet.

MR. MATHEWS: 21(B). Okay. 21(B), moose, rural residents of 21(D) --

MR. ROACH: B, bravo

MR. MATHEWS: Rural residents in Unit 21(B) and 21(C) and residents of Tanana and Galena. So residents of Tanana, however that line was drawn through, it may fall within your region.

MS. DETWILER: While people are thinking, I'll interject that these proposals as they come in during this proposal period are all going to be compiled into a book that will be mailed out to all the Regional Councils and everybody else that is to review, then at the same time the federal staff is going to be doing all the staff analysis on it to bring back to you when you meet in February and March, so that's -- that would be the time for your -- to make a recommendation on whatever proposals come in.

I have just one more thing. However, this is the time to add to, to submit proposals of your own, so if the issue within this proposal is trying to address something that this Council thinks it should address on behalf of Tanana, you guys might also want to think about submitting the same kind of proposal in the same thing, since it does affect Tanana, within your region.

MR. ROACH: Just a question of clarification on that, Sue. If we make a similar proposal to this, or the same proposal, does -- there is no benefit in that, is there?

MS. DETWILER: There would be in the sense that it comes from the Regional Council, and that just gives it a little bit more weight in the Board's eyes when they look at it. When they look at that issue. So in other words, it would be not just the Western Interior Regional Council proposing something, it would also be the Eastern Interior Regional Council proposing the same thing.

MR. LEE TITUS: And would you say this proposal came from the Tanana Tribal Council and the Eastern Interior?

MR. MATHEWS: You could just accept a proposal that you've looked at it here, and that you will wait for full analysis, and at your

next meeting you could take advantage of the opportunity to hear their case on it and not take any action, but just hear what they want to say, and then wait until you have full analysis and public input. And if it's a large enough issue that requires it, we can, with a lot of leg work, work out a joint meeting between the two Councils. But I would prefer we wait until there's -- if there's a difference between the two Councils to do that.

MR. LEE TITUS: So I guess as far as this proposal is, we can just wait for -- wait until we meet again, when we consider proposals, and we will also consider this here. And when we get all the other background information pertaining to this proposal then we can make a decision then.

MR. MATHEWS: Right. The only thing would be if you met at a location that the representatives from Tanana can't make because of whatever reasons, you won't have their input, then. You will have their written input. So that's the only thing. I don't know where you're going to be meeting next. So it may be in Tanana, so it won't be a problem.

MR. LEE TITUS: That was what I was going to ask Steve. Any more questions?

MR. CHARLIE TITUS: I agree with you, Mr. Chairman, perhaps we will have a full Council, too, next time. All have input into it.

MR. MATHEWS: And you most likely will have your representative from Tanana attending the meeting.

MR. LEE TITUS: So is there any more proposals that the public has, or is there any proposals that the Council members want to work on, or present? If not, we will move on with the agenda. And discussion about the Regional Council's training needs.

MR. MATHEWS: Mr. Chairman, this is a request to find out if the Regional Council members or the Council itself would like to have some additional training. And all the Councils are being asked, so if you see a need for additional training in certain areas, doesn't mean that funding will be provided, but it does mean that it's known and then we can work towards achieving that. Some areas of additional training might be in negotiation skills, in how to conduct a successful meeting, public speaking, writing proposals. I don't know if all these courses are available. Those are some that might be there. There may be additional courses in biological areas, there could possibly be that. I don't know. It would be up to you, if you feel that -- what areas that you need additional training in.

MR. LEE TITUS: I need all kinds of training.

MR. CHARLIE TITUS: You said other Councils requested training. How many others? There's nine?

MR. MATHEWS: I haven't heard from the other Councils. I don't know if anybody else may have attended other meetings to know how they addressed this request. I think someone at the Southcentral one, maybe

they addressed it, but it came up I believe in the February 12th and 13th, or 13th and 14th meeting of the chairs, and internally, that we may need to provide -- the process may need to provide the Councils additional training so they can perform their duties well. So that's why this request is here. I don't know if other people are here. I didn't attend the other Council meetings.

MR. CHARLIE TITUS: Mr. Chairman?

MR. LEE TITUS: Yes.

MR. CHARLIE TITUS: I have one concern with regard to training.

I know when we first started, when we first got on, many of us didn't know anything about doing this. And perhaps it's time that we have a, for new members, sit down and have someone have a -- I know when I first got on, I sat with about a half hour with David James and well, it was new too, but since then we've come a long ways. And you might make an orientation period, or full day orientation, saying this is what's happened in the past, give them the action items, brief history of what went on. It's for new members, is all I say. I could see where a new member would have a lot of problems deciding what, what goes on with this.

MR. MATHEWS: Another area I failed to mention would be a lot of the -- some of the analysis that's provided to you is done using statistics that you would want individuals on the Council to have training in basic statistic analysis or something like that. We kind of got -- I'm not saying that's what you need to do, I'm just trying to give you an idea of what the range is. I asked internally what the range was and got no answer, so I'm kind of scrambling around, too, to figure out what they really mean by training needs.

MR. GUENTHER: Mr. Chair, we talked about this a fair amount and I think we all agree 100 percent with what you're saying, Charlie, that there's a need for ongoing training. We will have new Council members coming in on a regular basis. One of the things we talked about was possibly setting up, like, say a meeting starts in the morning, have an hour or two the evening before the meeting starts when people first arrive, we could sit down and have an informal discussion, sort of like we did last night. I look at it from a biological perspective, there is lots of terms that we use, and if everybody has a good understanding of terms, like that sheet that I passed out, and there's actually quite a few more than that, we could just go over them and talk about it, everybody understand better so that we know what we're talking about.

And same with some of the statistical information, the harvest data, and bull-cow ratios, all of those things, what do they really mean. Those are some of the things that we talk about from a, from a biological perspective.

Then on the legal perspective, dealing with things like ANILCA and some of the particular laws that you have to be aware of, you know, it's good to get updated on these sorts of things, informally where we could just sit down and talk back and forth.

MR. CHARLIE TITUS: Also the departments we have to recognize,

different departments, like BLM, Park Service. Their function or their involvement.

MR. LEE TITUS: Dorothy?

MS. SHOCKLEY: In the orientation, I hear you talking about orientating the Board to, you know, the different agencies, but I think it would be good to have the different agencies having orientation into our culture, into the way our people do things too. We could work both ways, so that we have a better understanding.

MR. GUENTHER: Mr. Chair, if I might respond. I think that's really important, and we do have cross-cultural training that a number of us are involved in at different times throughout the year. For example, I've been to probably six or eight different cross-cultural courses in the last six or eight years, various cultures all over the state, so we do have some of those things. And it would be easy to incorporate those also into this sort of a format, so that we're talking about some of those things with our Council members so that we understand some individual cultural variations that may be important for us to realize too.

Another item, Mr. Chair, if I may continue, is that we've talked about quite a bit how to, how to incorporate traditional environmental or ecological knowledge into analysis that we do, and we are very interested with that, and we think very -- at least a number of us, myself, I feel very strongly that there's no reason in the world that we can't take the current technologies and knowledge that we have and incorporate them with traditional knowledge and come up with a much better product and much better understanding of that whole system out there, so this is a good opportunity to change that.

Just one other thing. With this training, we're really also looking for an endorsement from all of the Councils to help us to get the funding and the time necessary to make sure that this training happens. If it just comes from us internally, it doesn't have quite as much strength as it does if the Council members are saying yes, we need this too. Thank you.

MR. LEE TITUS: Any more questions?

MR. ROACH: Mr. Chairman, I would like to make a motion that we recommend to the, through the Federal Subsistence Board that the U.S. Fish and Wildlife Service subsistence division provides training, at least on an annual basis, for Council members, with the subjects to be determined by the individual Councils.

MR. LEE TITUS: It's been moved.

MR. CHARLIE TITUS: I'll second it.

MR. LEE TITUS: It's been moved and seconded. Discussion? All in favor of the motion, say aye.

THE BOARD MEMBERS: Aye.

(IN FAVOR - ALL BOARD MEMBERS.)

MR. LEE TITUS: Opposed?

(NO OPPOSITION.)

MS. DETWILER: Mr. Chair, before we move off that subject, I would just like to comment that there's a meeting that's tentatively scheduled for November the 16th and 17th between the Council chairs and the Federal Subsistence Board to discuss some of these very issues. Actually, I think the Board is going to have an executive session on the 16th and the Council part of the meeting would be on the 17th.

And I know that one of the main issues that the Council -- that the Board is going to be discussing with the Council is, you know, what constitutes substantial evidence, what are the roles of the council, the staff, the solicitor's office, the staff committee and those sorts of things. So that would be one opportunity for you guys to be at -- to get a better idea of what sort of training needs you had, and also to convey some of your concerns to the Board when you have that direct interaction with them.

MR. LEE TITUS: Is that meeting with the regional, I mean the Board, Federal Board?

MS. DETWILER: And the chairs. Whatever, the chair representatives.

MR. MATHEWS: I failed to mention it to you, and I'm glad Sue brought it up because if you know now, Lee, that you cannot attend, it's November 17th, and it would be good at this moment because you only have one officer to make sure that there's an alternate to go because this is a very important meeting between the Board and the chairs where they both sit down and discuss what they are expecting from each other, and where to go from here.

So I would encourage you to attend, but if you're not able to, to make arrangements that someone else from the Council, either your secretary or someone else go. It's a half day on the 17th, which means you probably would have to get in on the 16th and leave on the 18th. Depending on where you're coming from.

MR. LEE TITUS: It's just a one day?

MR. MATHEWS: It's a half day, but you know how that goes, to get people in, it takes a day and a half to get them in and out. It will be in Anchorage, I believe.

MR. LEE TITUS: Anchorage?

MR. MATHEWS: Uh-huh. November 17th, it's a half day, location hasn't been determined yet. And it would be a very important meeting. I'll give you more information on it and I'll be on your phone quite a bit to convince you to go.

MR. LEE TITUS: Okay.

MR. MATHEWS: It sounds to me like we've completed the training needs unless there's more discussion.

MR. ROACH: The only other training need that I can see is that we have continued to ask for input on our annual report, and possibly if we set that up as a training need, we will get the information that we need because we've been asking for that for two years now. Unless there's something that's come up in a new development, and I would like to see that as our, as our first training.

MR. MATHEWS: On that, Mr. Chairman, that's a later agenda item, but we can discuss it now. You did get a reply to your '93 report; '94 report there's not a reply coming. I have not had time -- I had a medical situation this summer that kept me out for about five weeks -- to take and synthesize what the response was to your report and in comparing it to the report you submitted in '94. I think it was clear to you that at both the last meetings I'm a very strong supporter of you doing annual reports. I just have to apologize, I just did not have the time to do that synthesis.

So if that's where Jeff is going, there has been a response to your '93 report, without it in front of me, I do have it somewhere, I'm not sure it's addressing what you're asking by the fact that it's not saying -- it's pretty clear in ANILCA what's supposed to be in there, but what the actual product is to look like, there's still some distance between that. The response to your annual report is addressing the specific concerns that's within it. I'm not trying to --

MR. LEE TITUS: Who responds to the annual report? Secretary of Interior?

MR. MATHEWS: The annual report process is, is a complex process. The Secretary of Interior delegated that to the Federal Subsistence Board. Your last two reports, and Dave can correct me, I'm pretty sure, I don't have the file here for the one that he worked on, but the one I worked on was copied to the Secretary of Interior. So the Secretary is copied on these. But the Board is the one that addresses them.

If you're asking how the response to your annual report is done, I can answer that. Okay. The annual report presently is assigned to the regional coordinator to draft a response to -- that goes to the various levels within the interagency office for their surname process.

So I write your response. But I have to tell you that it is very difficult to do, but no. The expertise, if you submit a --

MR. LEE TITUS: Seems like a bureaucratic red tape.

MR. MATHEWS: No, it's not. It is, but it isn't.

MR. LEE TITUS: It seems like there's no real purpose for it.

MR. MATHEWS: This is a discussion that I believe is coming up on the 17th, that the Board needs to look at how officially it looks at the annual reports. And the annual reports, I would write in ANILCA to list the three or four main parts of them, many of the Councils have ignored or have not completed the, or not incorporated the parts on the status of the wildlife populations and the present use by subsistence.

Now you can understand why I kept saying when we were doing this round table thing, that if we go to this round table thing, guess what's going to come out of that. An annual report. So the annual report is very powerful because it's a base line data, one; two, you can flag in there concerns that are beyond these proposals. And really, it's the only -- my assessment it's the only historic document that this program will be evaluated on because the volume of proposals and et cetera is too large. So the annual report is really your direct communication saying we still have concerns in this area, it's based on this, and we would like results on it.

You can get similar results through proposal process, but some of the issues that you're talking about cannot be brought up by proposals. So it's still very powerful.

To protect myself, so when I go back to the office, in particular, you know, if you sent a letter to Senator Babbitt, he does not sit down in front of his computer or at his desk and physically writes that letter back. It's someone else that does it, and then he has review levels, then reviews it on his own. So the fact that the coordinator does the response is a little bit cumbersome, but it still goes through other levels of review. I think I'm covered now.

(Laughter.)

MR. MATHEWS: It is extremely difficult to do, there is no doubt about it, but please don't walk away from the annual process, or annual report because of that. That is an issue you need to address, but the annual reports I would hope you would continue to do. And I will tell you other regions are not doing, some regions are not doing annual reports.

MR. LEE TITUS: I guess we get back to this when we continue on with the agenda.

MS. DETWILER: I was just going to add quickly that it is not just bureaucratic red tape it's another tool that the Council has to convey their recommendations to the, to the decision makers, in this case the Board. And if you make a recommendation in an annual report, the Board or the Secretary still is bound by those requirements to adopt those recommendations unless it meets those three criterion for not adopting them.

MR. LEE TITUS: Okay. So we're done with the training, right?

MR. MATHEWS: If Jeff is not going forward.

MR. LEE TITUS: We're still on a motion.

MR. ROACH: I didn't make a motion, Mr. Chair. And I don't think I will at this time.

MR. LEE TITUS: I thought you made a motion on funding or something?

MS. DETWILER: The last motion that was made was --

MR. LEE TITUS: We already voted on that. Okay. I see. Okay.

MS. DETWILER: It's finished.

MR. MATHEWS: Then we would be on to agency reports, unless you want to shuffle the agenda to something else, but you do have agency representatives here. This is their turn.

MR. LEE TITUS: National Park Service. National Park Service.

MR. MATHEWS: I'm getting indications from one Park Service rep there's nothing to report, but another one is standing up, so.

MR. TWITCHELL: Council members, Hollis Twitchell with Denali National Park. Only have two issues to bring before you today. The first one involves the customary and traditional use determination that was made for an area along the Parks Highway, Mile 216 to 239 within Wildlife Management Unit 20(C). It's the area on the eastern side of the Denali National Park.

That C & T determination was made in 1988, in which case that portion of the highway was found not to have C & T use of moose and caribou in Unit 20(C). That decision impacted at the time 12 individuals who were subsistence users at Denali, who utilized moose and caribou in that area. They subsequently have appealed that determination at the time to the State Board of Fish and Game, and then subsequently to the Federal Subsistence Board. That appeal has been standing since that time, and has not been dealt with yet.

Denali Subsistence Resource Commission has written this Council a letter requesting that this Council put it as a high priority for review, and the Council would hope you would act on that.

This particular council about two years ago wrote a letter to the Federal Subsistence Board urging it to take up this issue as a high priority. So at this point, I'm not sure what action I would request of you other than be aware that you do have the request into the Federal Subsistence Board already to review this, and when you take up the priorities for C & T review at your next meeting, that you keep this area in mind.

Also, that the Southcentral Regional Advisory Council in their last meeting put this particular area high on their priority because of they are neighboring community to this rural corridor area, and have concerns about these individuals who are disfranchised of their use of moose and caribou.

The Park Service, Denali National Park Service also supports a review of this area, since it's the Park Service belief that these individuals do have customary and traditional use of at least moose. The issue of caribou is yet to be answered. But that we feel that these individuals should receive some relief to that C & T determination.

If you don't have any questions on that, I'll move on to the second issue.

MR. LEE TITUS: Charlie?

MR. CHARLIE TITUS: You said the Southcentral, I have some concerns, what are their neighboring --

MR. TWITCHELL: That negative C & T determination for 216 to 239 was also applied for moose and caribou in Unit 13(E), which is, it's a borderline situation between 13(E) and 20(C). Mile 216 begins right where your Unit 20(C) begins. Just on the other side of Mile 216 lies within the Wildlife Management Unit 13(E). So these individuals in this area determination are excluded from using moose and caribou in 20(C), and they are also excluded from using moose and caribou in 13(E), so they have no options or recourse to go to other areas for those resources.

MR. CHARLIE TITUS: Which communities are in 13(E)?

MR. TWITCHELL: Cantwell community is about Mile 210, 212 on the Parks Highway, immediately south of this closed area.

MR. CHARLIE TITUS: Thank you.

MR. TWITCHELL: No further questions?

The second issue is evolving, as we speak, regarding wolf and the subsistence use of wolf within Denali National Park and Preserve. It evolved out of actions that occurred this year regarding one particular pack that has been identified as and called the headquarters pack, which its home range lies right on the eastern boundary on this road corridor area I just described, spending a good portion of its time outside of the park, and also in the park for the remaining time.

Through the course of the winter, trapping occurred outside of Denali National Park and harvested most all of the members of this pack. After the formal trapping season -- this is a state trapping season I'm referring to -- ended, traps were not pulled from the field, and subsequently the last remaining member of this pack, female member was trapped and harvested. The state subsequently investigated and the individual was cited for that harvest.

The offshoot from this year's events with all of the members of that pack being removed was picked up by a number of wildlife conservation groups, and subsequently have started a campaign, letter-writing campaign to the Park Service, which was advertised across the Lower 48 and Alaska in USA Today, as well as on the Internet with many misleading facts, urging them to write to the superintendent and have him close subsistence harvest of all wolves on the north side -- well, all harvest of wolves entirely within Denali National Park and Preserve.

We've received well in excess of 500 letters from constituents of these groups, and other interested people on the south side -- or in the Lower 48, as well as in Alaska. And I would expect that you will see a number of proposals in the next call from different individuals and groups asking that type of closure to occur.

The park's position is that we have a healthy population of wolves in Denali, and we do not feel that the population is threatened, although it is unfortunate that this entire pack was removed. We don't feel that is cause for closure to the subsistence harvests of wolves within Denali National Park. And that's the position that the park is taking in response to these other special interest groups and others.

One of the points that has been brought out with the major focus is that the hunting aspect of wolves within Denali, that that season opens August 10th, and that questions are raised what are the merits or why are subsistence hunting rules of wolves occurring in the summertime, August, September and October when the pelts are not prime, and the wolves are not used for any subsistence purposes, and there is questions being raised as to is that an appropriate season. Local subsistence users in Denali have indicated that they do not hunt wolves at that time of year. Why would they take a wolf who is not in prime at that time. They would rather wait and take it in the winter months when it has value to them.

So that particular issue will probably be raised as well. And I just throw that out for your information. Not requesting any particular action of the Board, just to be aware that these issues will be coming forward. They are very political. And there's a lot of pressure being felt at Denali at this time. Any questions?

MR. ROACH: I have a quick question.

MR. LEE TITUS: Yes.

MR. ROACH: Is the SRC looking at that, at that harvest season in any way?

MR. TWITCHELL: The SRC met in June of this year, and it was before the media letter-writing campaign was initiated, and as such, they were informed over the headquarters pack being harvested. It wasn't a major issue at that time, and so they took no action, other than just being advised of the status of this pack as well as the overall population of the wolves in Denali. The particular campaigning began August of this year so they have not had a meeting post the letter-writing campaign.

MR. LEE TITUS: Hollis, when will the SRC be meeting next?

MR. TWITCHELL: There's no date set on the agenda to meet. I would expect them to meet sometime before the next round of Regional Council meetings, so that they can put their comments in to the Regional Council regarding proposals, and I would expect they would come forward at that time.

MR. LEE TITUS: Any more questions? Questions from the public? Thank you, Hollis.

MR. ULVI: Yeah, Mr. Chairman, I would like to introduce myself. I'm Steve Ulvi. I work at subsistence manager of the Gates of the Arctic National Park, and recently as of a week ago, the two park

units, Gates of the Arctic National Park and Preserve and Yukon-Charley Rivers, which falls within your region, have been administratively combined. So it's kind of a big change and a big deal for us, just a small issue for you folks.

I wanted to introduce myself to say that I would be your subsistence manager also for Yukon-Charley Rivers and we would have Superintendent Dave Mills who is currently the superintendent of both units here in Fairbanks.

So Vince has been informed to change the mailing lists. And otherwise, I would just look forward to working with you folks. I know some of you folks by good fortune from meeting you in the past, and we're here in Fairbanks, if there's ever any issue or any aspect of subsistence management or resource management into a subsistence species in Yukon-Charley, please give me a call or stop by and I would love to hear from you. Otherwise I'll look forward to working with you folks on Yukon River fisheries next year.

MR. LEE TITUS: Thank you. Any more comments? Questions? Is there any more report on the Park Service? Are we done? Fish and Wildlife Service.

MR. MATHEWS: There is several refuges present here and I think they are trying to figure out if someone has something to present.

MR. LEE TITUS: Don't everybody speak up at one time.

MR. HEUER: Mr. Chairman, I'm Ted Heuer with the Yukon Flats National Wildlife Refuge. David and I just wanted to take this opportunity to follow up on a few things that we discussed at the Northway meeting back in March, I guess it was. And I guess I would like to start off with our black bear monitoring effort.

We mentioned at the last meeting that we would be starting an effort to kind of do some basic studies on black bears within the Yukon Flats. And this past May we captured and radio collared 19 black bears in an area about 15 miles west of Birch Creek. The many objectives of that study are to basically determine how big of an area the black bears are using, what their home ranges are, to determine their seasonal habitat preferences, what types of areas are they are using at different times of the year, to determine whether they are using burned areas, and what percentage of the time they use those burned areas. And to just basically get some idea of how dense the black bear population is out there.

We've always known that we have a lot of black bears in the Yukon Flats, but there's never been any studies done out there. I guess the most surprising thing about the study so far is just how easy it was to capture 19 black bears. We picked a site pretty much at random, we set up 8 trap sites, and in a matter of 13 days we had 19 black bears. And this is an area of about two square miles that we trapped. It's pretty much unheard of to catch that many bears in that small of an area in that length of time. And those were not only the bears that we caught, we actually had about 75 percent of all of the traps that we set sprung during that period.

Since that time, we've flown about 13 relocation flights to check on location of the bears. Some of the bears have moved as much as 30 miles, a couple of them crossed the Yukon River, went up on the Hudzana River (phonetic). Right now, most of the bears are pretty much back at the trap site, so it looks like this is a fairly localized population, and if the density is as high as we suspect it is, it could have some major implications on how we're managing moose out there.

Speaking of moose, do you want to take it from there, Dave?

MR. JAMES: Sure. A couple of items on moose. One has to do with the administering the moose permit hunt, 25(D) west. Refuge made an offer to Stevens Village, Beaver, Birch Creek, this past fall -- well, August, actually, to help administer the permit. The way it's set up now permits are essentially dumped on the Tribal Councils and the chiefs to go ahead and allocate them and distribute them as they see fit. And it really hasn't worked well at all, so my hope was to take some of that administrative burden off. Well, we had a streak of bad weather, had scheduling conflicts, there were other community activities going on that just precluded my getting out there. So it didn't happen.

Anyway, what we're looking at now is considering just taking on the total burden, or a lot of it anyway, next year, and just we'll prioritize it and it will be a lot higher on my priority list, in fact it will be the tops for August. And what we'll be doing is talking with the representatives for those three communities this winter, and come to an agreement about how to do that. But all I can say is it just hasn't worked well up to this point, but I think we can fix it. And I think we can fix it without the whole thing getting elevated up to the Federal Subsistence Board level which would be kind of nice. That's all I had on the permit thing.

One more, one more issue that has to do with moose, the low numbers of moose on the Flats, mainly the western Flats continues to be a focus of real concern. We believe that if there's ever going to be any hope for reversing that situation, we've got to overcome two key hurdles.

First, we simply have to understand better what the biological reasons are for the moose population remaining in a depressed state. As Ted just mentioned, the bear part of that equation could be very important. At any rate, what we're going to do is once again, submit a proposal for funding to conduct a study so we can assess calf and adult mortality. It's also our understanding that our counterparts in Fish and Game are also simultaneously submitting, will be submitting a proposal for funding, and together, both the monies working towards that goal will hopefully allow us to overcome that first hurdle of simply needing to better understand what's going on.

The second hurdle that we see is that the residents and governmental bodies on the Yukon Flats are going to have to formally recognize that there's a problem, be willing to cooperatively address a solution to the problem. Agencies aren't going to get anywhere by ourselves. There are signs that this has already happened. For

instance, this Council has already endorsed the concept of a biological study.

Also, refuge personnel and Alaska Department of Fish and Game personnel, especially this past summer, had been receiving an increasing number of private, informal comments by Flats residents, stating their serious concern about the future for moose. We think that this is the beginning of a grass roots realization that perhaps it would be worthwhile to try to address this and do something about it. But at any rate, both agencies will be working with the various interests in the communities this winter and we hope to really make some progress on that issue. Any questions?

MR. LEE TITUS: Any questions?

MR. MAYO: Mr. Chairman.

MR. LEE TITUS: Randy?

MR. MAYO: Yeah, I wanted to know where Doyon's proposal is, the one, you know, for oil and gas development on the Yukon Flats at. I learned last spring that they presented you guys with a nice proposal without going to the tribal governments and the tribes. Where is it at right now? Where is Doyon with their proposal for oil and gas development?

MR. HEUER: They did submit a proposal to us, we had some questions about the legality of going into an exchange like that, forwarded those questions to our solicitor's office, and we're still waiting for a response from the solicitor's office at this time. And it's really a Doyon proposal, so I would -- I would recommend if you have questions about it, get ahold of them.

MR. MAYO: Yeah, I haven't had a chance to track it down yet, but I didn't know nothing about it, you know. I found out after they made the proposal and sent it to you guys, you know. And they never contacted us or anybody else that I know of, you know, with this proposal here, you know. Major development there in that area.

MR. HEUER: I think they did visit some of the villages, I think they went to Beaver, didn't they?

MS. PETRUSKA: I don't know. I didn't hear of it.

MR. HEUER: I have a couple more things real quick, Mr. Chairman, just along the lines of working more closely with local people.

At the last meeting I mentioned that we had planned to use the local hire provision of ANILCA to fill one of our two biological technician positions this summer, and we followed through on that. We advertised in the villages within the Yukon Flats, we advertised on the radio, we had seven good applicants that applied, we ended up selecting Fred Roberts from Fort Yukon, had a real good experience working with Fred this year. He basically participated in all of our field activities. And he's gone through some fairly extensive training, our

mandatory training. And now we have a local person in Fort Yukon that we can use for our surveys and studies that we're working on. And we really look forward to working with Fred some more in the future, or some other local hire person.

And also along those lines, I think I mentioned that we were trying to get a RAP student from the Yukon Flats. We did, we did visit all the schools and advertised for that position. We got a number of applicants, made a selection, and at the last minute the person decided not to participate in the program. So we did borrow a RAP student from the committee refuge for a couple of weeks this summer, and we also had a high school student who was originally from Fort Yukon, Isaac Solomon, that volunteered for us for a couple of projects this summer. So we want to continue doing those type of things.

MR. LEE TITUS: Any more questions? Charlie?

MR. CHARLIE TITUS: How about your bison study?

MR. HEUER: I think I'll defer that to Bob Stephenson with Alaska Department of Fish and Game.

MR. CHARLIE TITUS: I was always curious about that. Bob, do you want to handle that?

MR. STEPHENSON: Sure. Maybe I should come forward. You guys are going to disappear, huh? Chickens.

I'm Bob Stephenson, area biologist for Fort Yukon. And I've been involved with the wood bison project since it started. Maybe I should just give my agency report. This is part of it, so we'll just do the whole thing. But I'm starting with wood bison. I know you were -- we talked to you about it a little bit in Northway, and people have been talking about it for a few years now.

Last summer we finished a habitat assessment of range of the country in the Yukon Flats for wood bison, did a real careful job on all the meadows, whether they had the right kind of plants that bison like, how much country there was, how much food for them, all that stuff. And we got a lot of help on that from the people in Canada who manage wood bison, who have quite a few of them in certain areas. And it looks like the Yukon Flats is a very good place for wood bison. It will easily support 500 bison, which is the smallest number that you want to have for -- that would survive for a long time. And it looks like it would support at least 2,000, if we wanted to make as big a population as possible.

The Canadian people, including one of the native man from Fort Resolution who has been over here are very impressed with this country for wood bison. Then about the first of June, the Canadian wood bison recovery team, which is about 10 people who have put together a plan to bring this animal back from almost disappearing at the turn of the century, came to Fort Yukon, asked to have their meeting there, and made available lots of information to people. Everyone was invited to a meeting there, to talk about this possibility. And they told everyone what was going on in Canada with bison management, bison and local

communities, economic development, bison co-management, all that.

So what, where we're at right now is that people have expressed enough interest on the Yukon Flats and asked for more information that we've -- we would like to get a public information consultation effort going in all the communities. And we've offered to contract that with resource specialists in the communities through the Council of Athabaskan Tribal Governments. And we're waiting to hear back on that. That would be one step.

If there seems to be a lot of support there and people want to go ahead with the project, I guess the next thing would be to put together some kind of working group to work on a long-term management plan, and develop agreements and just work through it so everyone knows what's going on. Do you have any questions on that issue?

MR. CHARLIE TITUS: Yeah, I had one question. What is the purpose of it, just to reintroduce or keep it from extinction, or --

MR. STEPHENSON: There's two kinds of reasons. One is that bison are very useful animals. They are good eating, they are quite productive, they used to live there. The Yukon Flats has a moose population that's very important to people, but it's pretty low density in some places, so some people see this as a way to build another meat resource, and an economic resource if people are interested in things like tourism or anything any of that, they are very attractive animals.

So the local economic and meat and cultural aspects are one part of it, then the other consideration is wood bison do need another place to live. This is the last big place where they used to live where they don't live now, and it would pretty much -- that would complete their recovery and get them off the endangered species list, having this one herd here, which we're quite certain would be very successful, would be a big step in bison conservation. But it's also because it would be a very valuable local resource.

MR. CHARLIE TITUS: Thank you.

MS. PETRUSKA: How many were you planning to put there? 2,000?

MR. STEPHENSON: No, no. What you would do, Selina, is you would start with 40 or 50 one year, the Canadians will give us healthy wood bison for this kind of project, then you will start with 40 or 50.

If you could, you might bring another 40 or 50 the next year, get it up near a hundred, then just let it grow from there. Then you would manage it for wherever, if you wanted to stop it at 500, you could hold it there and manage that and harvest from a herd of about 500. If people decided let's have a thousand and do that, you could do that. But that's up to people there.

MS. PETRUSKA: I think they should keep them in Canada, after running into them last spring, no.

MR. STEPHENSON: Down where?

MS. PETRUSKA: We were coming back from Northway. Me and Randy

ran into them.

MR. STEPHENSON: On the road? Well, did you hit one actually?

MS. PETRUSKA: We didn't hit him. Just ran into a bunch of them. And they were so ugly, and you said pretty.

MR. STEPHENSON: Some people think they are pretty. But one of the good things about the Yukon Flats is it doesn't have highways, and they are a problem, just like moose, with cars and trucks. But you wouldn't -- I don't know if you could hit one with a snow machine, but probably not.

MS. PETRUSKA: No, I don't think.

MR. STEPHENSON: Other people are pretty interested, and so we'll at least give everybody a chance to talk about it, give them information to talk about it.

MS. PETRUSKA: I hope you guys bring the information to the people in Beaver.

MR. STEPHENSON: Pardon?

MS. PETRUSKA: I hope you bring this information to the people in Beaver because we are not all able to go to Fort Yukon. Are all those people up there for it?

MR. STEPHENSON: In Fort Yukon?

MS. PETRUSKA: Uh-huh.

MR. STEPHENSON: There's both people very interested, somewhat interested, some people say no. But mostly there's a lot of people I think are interested but they want to -- they want more information and they want to think about it. I think it's the same.

MS. PETRUSKA: I don't know. I don't think so.

MR. ROACH: Any other questions or comments?

MR. STEPHENSON: Maybe a couple other things I'll tell you about, one is that in late -- in July, we -- I was able to create a college intern position, and a young man named Craig Fleenor from Fort Yukon has taken that, and he's doing a lot of interesting things. He's full of ideas. He wants to make a career in resource management, he's in his third year at UAF and doing real well there. So he will be working with us on a variety of things.

And the purpose of that kind of position in addition to helping us with things is to give students a lot of training and experience in everything we can possibly get them involved in, so he will be involved in moose surveys and issues in communities, and you name it. Every kind of field work. And probably work with the refuge people pretty well. We work pretty well with him, at least so far.

And one of the first things Craig got interested in, and it's

very -- I'm glad he did, is he volunteered to try to do a number of interviews in Fort Yukon with a good sample of households, perhaps 40 or 50 of them, about the various concerns about moose and moose management.

Because lately we've been hearing more and more concerns from people about all different aspects, whether moose are declining, what about the future of moose. So he's trying to go around and talking informally with a lot of people about things like what they think, if there is a problem, what are the parts of the problem, you know, what about bears, what about wolves, what about hunting, what about habitat, would you support cooperative management planning, should we try to get more studies going to figure out exactly what's going on, all those kinds of things. And I think it will be interesting. He will summarize that for us. Perhaps we could do it in other communities too, but that's something we can make available to the Council, advisory committee, and other representatives and people just to see what the community thinks about moose management at this point because there is a lot of concern about it.

I've already talked about wood bison. We've had just a little bit of involvement with the Dall River work, and trying to just support it a little bit on the edge, and I did manage to come up with some salary money to extend the monitoring into the hunting season, into September, to see what was going on then. So that worked out pretty well.

I think that those are the two major, the major things I wanted to let you know about. So if there are any questions?

MR. ROACH: Thank you. Any other comments from Department of Fish and Game? If there aren't, we'll move on then to Bureau of Land Management.

MS. GRONQUIST: I'm Ruth Gronquist. I don't have any specific comments or issues to bring up. If anyone has any questions, I'm here.

MR. ROACH: Are there any questions from the Council?

MR. MAYO: Yeah. I read in the paper someplace where the White Mountains trail where they are going to build a road, 16 mile road or something? I have some concerns about that, just how far towards the White Mountains it's going to extend, you know.

MS. GRONQUIST: The recreation folks from the White Mountains area proposed and went through the EA process, put forth a proposal to build a road off of U.S. Creek Trail, which goes off of the Steese Highway at about Mile 58. It would go in both directions, once you -- are you familiar with that area, when you get down to Nome Creek on U.S. Creek Road?

MR. MAYO: No. I traveled that Elliott Highway and I know that --

MS. GRONQUIST: Okay. This would be off the Steese Highway.

MR. MAYO: Off the Steese?

MS. GRONQUIST: At about 358 mile. And it would go toward Mount Prindle in one direction, and down toward -- follow Nome Creek down farther. And one of the motivations was to get a point for recreational rafters to be able to get into the Beaver Creek area easier. And I think it is, in fact, about 16 miles long. The contract was -- has been let, and they expect to start the work next spring.

MR. MAYO: So this is to provide access to Beaver Creek?

MS. GRONQUIST: Yes.

MR. MAYO: And what communities were involved with this process, you know?

MS. GRONQUIST: This process predates my time with BLM, but my understanding is that it went through the public hearing process, that an EA was written, and there was public comment, but it was basically focused on recreational community, or recreational use, rather.

MR. MAYO: Yeah. Well, my real concern about this is there's a lot of federal lands around the area, and you know, working with Ted and them, they already know my views on this, I haven't talked to BLM very much, but what happened was that federal action back in the 1930s, there was supposed to be reservations all over Alaska, you know, and those were denied because of the obvious reasons that we're seeing today, is that resource development would have been blocked because our lands are held in federal trust, so we really got shortchanged to, you know, to land claims. We weren't even a part of it. You know, we didn't want it. And we were right in the loop of it, and somebody else signed all our land away, you know. And the way I see it, the federal government just annexed our lands to these agencies and put them in federal public recreation areas, playgrounds for the American public, while those are the very lands we derive our living off of, you know.

So I'm real concerned that the designation as, you know, recreation while we're out there trying to make a living, and trails into our areas for access, you know. If there's another one up there on the Elliott, I think it's the Colorado Creek Trail, you know, and that's not too far from the Flats, you know.

MS. GRONQUIST: That's primarily a winter use trail, and the road into the White -- into the Nome Creek area would be a summer use road.

MR. MAYO: One of my other points is that it seems these agencies, you know, one thing justifies the other, they start out with a trail, they say well, let's make it wider and wider then pretty soon you have a road then everything else, and you know, that's what's happened in my area right now, at the Dalton Highway. So there's real concern from the Council. That's all I have.

MR. ROACH: Any other questions or comments from the Council? Okay. Any other comments from BLM?

MS. GRONQUIST: No. I did tell you folks at the March meeting last year that the registration permit that was initiated for the winter

White Mountains hunt last year, there were no, no permits ever issued, and it remained that way. There were about two weeks left in that season and none of those permits were ever issued. There were a total of three caribou taken out of the White Mountains last winter.

MR. ROACH: Thank you.

MR. MATHEWS: Jeff, I'm not sure, there are other refuges here, there's Tetlin, and if I missed somebody else that may want to speak. I know we jumped because of the bison issue.

MR. ROACH: So any other Fish and Wildlife Service?

MR. MOSS: I would just like to introduce myself. My name is Richard Moss, I'm with Fish and Wildlife Service. I recently transferred to Tetlin National Wildlife Refuge as the manager. I've been with the service for 24 years now and seven states, I guess including Nevada, Oregon, Washington, California, Idaho, Hawaii, I've worked in the Philippines and in Mongolia and Russia for the Fish and Wildlife Service.

I'm looking forward to working in Alaska; this is my first formal assignment here, and working with the Native Americans here. I see certainly the Native Americans here trying and doing their best to work with the bureaucracy.

I have taken Dorothy's comment to heart that certainly I'll do my best to work with the Native Americans and conserve the use of resources of Tetlin National Wildlife Refuge wisely. I don't know any answers or even the questions to ask yet, so perhaps Bob could help me if you did have any specific questions on the Tetlin refuge.

MR. LEE TITUS: Thank you. Vince?

MR. MATHEWS: The only other thing, and I don't know why he didn't do it, but I'm still going to make him do it is that you have now the new regional coordinator for the state advisory system here that may want to put in a few cents here since you did pass a motion to have the local advisory committees look at prioritizing C & T. So Jim may want to talk.

MR. MARCOTTE: Yeah, I'm Jim Marcotte, and I've been with the Department of Fish and Game for a number of years, working with the subsistence division, but as of the first week of September, I'm with the court support section and based in Fairbanks. My office is on Peger Road, and my area is the Interior, and their 14 advisory committees in the Interior. So I'll be working primarily with those committees, helping set up meetings, getting them information, keeping them up to date on deadlines and schedules for Board of Game, Board of Fish proposals. And then during the Board of Game and Board of Fish meetings, helping provide staff support there.

MR. ROACH: Just to let you know, we've gone through Bureau of Land Management.

MR. LEE TITUS: Any more report from other agencies? Or anybody

from the public who wants to make any comments? If not, I guess we'll move on to the Regional Council nomination process review and comment.

MR. MATHEWS: Mr. Chairman, you may want to turn to Tab 1 and you'll see these boxes with arrows. This is your opportunity to ask, to let the process know and the Board know how does the Regional Council want to be involved in the selection of new members. Before you answer that question, let's me just lay out the process, so you're clear on that, and then you can see where you can plug into that.

The process starts with an application period, which is coming up here real soon. It's December 1 and it goes through January 29th of '96. The next sheet after that chart there is sample application, all of you filled one out similar to that. At the end of that period, all the applications are pooled to the region, they are given to a -- it says here a field panel application review, we generally call it the nomination group or team. That's made up of a coordinator then a representative of each of the federal land managing agencies within that region.

Once we get the applications, they are usually divvied up amongst the members of that team, and then they call each of the applicants and their references and ask pretty much standardized questions. From there then they get together, go through a weighing process and a ranking, and they turn in their recommendation to the Federal Subsistence Board for review.

The Board then passes its recommendation, which goes for secretarial review, and then the Council members are appointed.

I want to make it clear to you that the Secretary is not delegating his authority for appointment, but the process before that or steps before that you may want to participate in.

In the past we have tried to provide you at your January, February meeting a list of the candidates so that you could see there and decide individually because it's usually provided before the Council -- I mean after the Council has met. But if the Council was in session, that you could pass a recommendation saying we support so and so, or you could do that individually.

So in the past, that's the way you've been able to plug in this nomination process. So now it's before you, if you would like to look at where you would like to be involved with that, continue with the status quo, or some kind of changes.

MR. LEE TITUS: I notice that the field review, the time period is usually the same time that we have our meetings in March and April, and I wonder if we can get an application prior to that meeting from -- like if we get nomination applications from, let's say about 10, 20 places within our region, from different communities, would this Regional Council have an opportunity to review those applications at the same time a staff is reviewing them?

MR. MATHEWS: I think the Council could look at passing a recommendation to support a person. I'm not sure if the application is

considered -- I'm almost positive it's not considered a public document.
So I think -- I would have to check to see on the Privacy Act on that.

The other thing that is deterring that, if that's even an opportunity, is that the period ends on the 29th, your window of meeting for next cycle, or for the next meeting is January 29th to March 1st, so in general, deadlines are when everybody submits on that day, or the day before. So we may not have the full bolt there anyway, so I'm pretty sure the Privacy Act would kick in on the application. Maybe someone else is wiser, but I think if you're applying, we can give you the name but I don't think we can publish your application.

MR. LEE TITUS: I don't have no problem with the way it's currently been. They did a pretty good job with this Council anyway. Things can change though.

MR. MATHEWS: At times I wish we didn't have a recorder, but --
(Laughter.)

MS. DETWILER: This is going to go on record.

MR. MATHEWS: Well, it will wake up those that read the record. I waited to tell you this. Other Councils are pretty much, that I've been aware of, which is two, have done the same thing, that they are comfortable with the present system. But I didn't want to mention that until you at least discussed it so you wouldn't be influenced by theirs, but they felt an independent process separate from them will not end up turning into a quote, unquote, a good old boys club. So for those, I think all realize that a third of the Councils are up each year, their seats I mean are up, and then additional if any resignations that have happened.

MR. ROACH: Mr. Chairman, I agree. I like the system the way it works now, so far, so good.

MR. MATHEWS: I will carry that across, if there's no other disagreement with that. I don't know if a motion is needed. You can if you would like.

MR. LEE TITUS: I don't think so.

MR. MATHEWS: Okay. On the nomination one, so I make it clear to you that the application that's there is possibly changing, but in general, you know, people that want to apply and they apply, that will definitely get it into the system. The seats that are up for the next round are Jeff, Jeff's seat is up next year, and Charlie Titus, and Selina Petruska's seats, so those are seats 1, 2 and 3 will be up in '96. And that's pretty much for that part of the agenda, that's really what we were looking for is kind of getting an evaluation of how the nomination process is viewed from the Council level.

MR. ROACH: Mr. Chairman, as it is now, five o'clock, or nearly so, I would like to request that we break for dinner at this time and come back and finish out the rest of the agenda items after dinner. It appears that we have enough to keep us busy for a while.

MR. MATHEWS: You have annual report, lynx, and then compacting and then next meeting where you want to meet and what dates. The lynx thing you have been in support of all along. I don't know, that would take 20, 25 minutes. The annual report, whew, could be 5 minutes, could be 20 hours, depending on how you look at annual reports. I would guess it will be about 8 minutes. Just because of the lack of response and unable on my part to analyze the response for you.

MR. LEE TITUS: What's the wishes of the Council? Do you want to --

MS. PETRUSKA: I wish you would just keep going because I have got a class tonight.

MR. CHARLIE TITUS: Let's keep going and finish it.

MS. PETRUSKA: Finish or otherwise I have got to come back.

MR. MATHEWS: If that's the agreement, we can move ahead. If that's what the will of the Council is.

MR. LEE TITUS: Yeah, otherwise we will be without a quorum.

MR. MATHEWS: Okay. The annual report section is numbered and I kind of summarized that. I won't be as much on my soapbox but it's right there, identification of subsistence uses, present and future, evaluation of subsistence needs, present and future, and recommendation of strategy for management of subsistence, and recommendation on guidelines, regulations, policies and standards to carry that out. The audience of the report is the Federal Subsistence Board, but unless you direct me otherwise, it will be CC'd to the Secretary of the Interior, and I consider it a report card on the subsistence program.

Your report from '95 follows that, and then following that is the reply to your '93 report, which I mentioned earlier. I haven't had time to mix all of them together to tell you which ones have been answered and what the answers are, et cetera. Without that analysis, that brings you up to the status of the '93 report. The '94 report, there's not been an answer given, and the '94 report, if I remember correctly, is due by -- the date keeps changing, but it's somewhere in November or December. And as I mentioned earlier, some Councils have said they do not want to write an annual report because they feel that the proposal process meets their needs.

So my recommendation would be if you would let me do that, would be -- one option would be to have a subcommittee of one or two people that would allow me time to condense these together to see what responses were, what issues are still standing, and I think you would have to take a motion to the effect that the actions that have not been answered that you would like to go forward as your '95 report, even though it's redundant, just to make it clear that you have someone look at this, that you still value the annual report, and then next year we'll be able to have the lead time to hopefully pull off an annual report.

And then okay, let me follow that up, so then you would have a subcommittee, a subcommittee then would, I suppose by verbal would give me approval of what has transpired, then I would float that out to you as a draft, and at your next meeting, you would adopt your '95 report based on what's left of all that. And then there would -- it would be imperative on each Council member that if they have issues that are very important that they would get it to that subcommittee, or myself, and I would get it to the subcommittee, then they would be approved at the late winter meeting. Kind of complex.

MR. LEE TITUS: So what you're asking for is maybe you and a couple of members from the Board, kind of like review?

MR. MATHEWS: I would do the reviewing and just call you up, certain ones, and say this is it, maybe fax it to you, what do you feel about it, did I overlook something, and then from there bring it back to the Council at the next meeting

MR. LEE TITUS: Okay. That sounds good.

MR. MATHEWS: Then next year, barring any things, I'll have that block of time that summer to give you more direction on an annual report.

MR. LEE TITUS: So you need a motion to that effect or --

MR. MATHEWS: It would make it easier.

MR. LEE TITUS: Or should we just give you a --

MR. MATHEWS: I don't know if Sue got it all but I'll summarize it again. It would be that the Council would establish a subcommittee, that the coordinator would provide a synthesis of the past annual report, items that have not been responded to by the Board, and that the Council agrees that those issues that have not been responded to by the Board are still important, and want it noted in their '95 report that they still want an answer to those. And that subcommittee action would be back before the Council at your January, February meeting.

MR. ROACH: I'll make a motion.

MR. LEE TITUS: Motion on the floor.

MR. CHARLIE TITUS: I'll second the motion.

MR. LEE TITUS: It's been moved and seconded. Any more discussion? Hearing none, all in favor, say aye.

THE BOARD MEMBERS: Aye.

(IN FAVOR - ALL BOARD MEMBERS.)

MR. LEE TITUS: Opposed?

(NO OPPOSITION.)

MR. MATHEWS: Who is going to be on the subcommittee? It's got to be somebody -- I know it's late but it has to be some individuals that I can get ahold of fairly easily, otherwise this drags on for a long time. And I know everyone is busy, I understand that, but a fax

machine would definitely help. And I'm not providing it.

MR. LEE TITUS: This is your last year.

MR. ROACH: Mr. Chairman, as the secretary I would like to be on that.

MR. LEE TITUS: Okay.

MR. MATHEWS: One other person would be helpful on that, just --

MR. MAYO: I don't know, I'm pretty busy this winter.

MR. LEE TITUS: I'll volunteer, I guess. Me and Jeff.

MR. LEE TITUS: Okay. And I'll fax you on that and we'll be on the phone doing that. So it's clear for the record, then, Lee Titus and Jeff Roach will be the subcommittee.

MR. LEE TITUS: Okay.

MR. MATHEWS: Well, that's it for annual report unless you know now of some item you wanted to add to your report. Okay.

Moving along, that brings us up to the Special Action S95-05, which is lynx season. I think Conrad is going to do that but I want to make it clear to you that in the past, the Council has taken action to support the harvest tracking strategy. This is now Phase 2 of the harvest tracking -- well, just the next annual part of it, and he will review the special action addressing that. I assume.

MR. GUENTHER: Mr. Chair, and let me just refresh everybody's mind on the lynx harvest tracking strategy, so that you remember exactly what this involves. It's a strategy that was developed by Alaska Department of Fish and Game and it's a method in which they monitor the animals trapped, lynx that are trapped, and it involves a couple of things, changes in a number of animals that are taken, and also the ratio of kits to adults.

Lynx, as you know are cyclic, they are on about an 8 to 11 year cycle. When the cycle is at a high phase, there's a large number of kits in the population, and the number of animals that are trapped, the percentage of kits is high. When the population goes into a low in the cycle the number of kits taken in trapping is a much smaller percentage and a higher percentage of adults are taken.

By analyzing changes in the number of animals taken, and the ratio of kits to adult animals, it gives us a good indication of whether the population is rising to a high in the cycle or falling to a low in the cycle or bottoming out. So that's the basis this action is on.

This action, then, is the same action that was taken by the Board of Game, is an emergency action, and I believe it's -- that's like the second page

MR. MATHEWS: This is under Tab 10, in Tab 10.

MR. GUENTHER: Emergency order by the state under number 10, and it's the second page in that if you would like to look at that.

And the state determined that in a number of areas in Units 11, 12, 20(A), 20(B), 20(C), 20(D) and 25(C), that lynx populations had changed so that action had to be taken to adjust the season length to reduce the harvest.

When the lynx population is going into a low in its cycle, if trapping is continued at the same rate it is when the population is higher, it takes much longer for the population to come out of that low end of the cycle and to rebound. So by reducing the length of the season, and thereby reducing the take, as a population comes down, it comes back much more quickly. So over a long period of time, trappers can actually take more lynx because you stay at a higher level for longer -- a higher percentage of the total time. That's what this action is about.

Now, I'm not going to read all the changes in the season dates, but most of these have changed by -- they have shortened the season by 14 to 16 days. Now, you'll also notice that for several units that the season's been lengthened slightly. The reasoning for the lengthening of the season is that state had a longer season and its basically been the Federal Board's policy that when the state has a longer season, to make sure the subsistence user has a comparable season on the subsistence on federal lands they have lynx in the season. This is somewhat outside of the actual harvest tracking strategy. They have been lumped together into one.

Now back to the special action itself. As the Board of Game acted on this emergency order, the Fish and Wildlife Service in cooperation has proposed adjusting the seasons based on the harvest tracking strategy to the action that we're requesting your concurrence on now.

And let me say one additional thing. Several years ago, the lynx harvest tracking strategy was presented to the Federal Subsistence Board and they felt it was a good strategy for managing lynx for the highest possible harvest. So that the Federal Board has adopted this. The Federal Board also said we are not going to just delegate the right to set season dates to the state under this, we want to retain it. That's why we have to take an action now to make the adjustment of the season dates.

So when the state decides within its tracking, harvest tracking strategies, that either a shortening or lengthening of the season dates is appropriate, they present their data to us and we'll put a proposal forward to you, for your recommendation, it affects your area, then it will be passed on to the Federal Subsistence Board from there.

So that's what's happened here. We're proposing that the seasons be shortened in the areas that are listed, and this would be page number 2, which is, well, it's the fifth page after number 10, it says staff analysis, special action. We've proposed those changes of season dates to help conserve the lynx population, let it rebound at a

more rapid rate, and in the couple of cases where the season date is lengthened, we've lengthened it to correspond with the state season dates.

If you decide to accept this and endorse it to the Board, what you will have done is you will have adjusted the federal subsistence seasons to -- it will be exactly the same as state seasons in these subunits.

I would be glad to answer any questions you have, but unless you have questions, there's no sense in, I don't think, me belaboring this point. Do you have questions relative to that?

MR. LEE TITUS: Cherie?

MS. MARUNDE: When you do these surveys or however you find the numbers, do you ever take into consideration the amount of or the price of the fur, when the prices were low, people don't trap it? You did take that?

MR. GUENTHER: The state does. Basically what the state bases their statistics on is the pelts that are actually harvested by trappers. And I can't speak, maybe Bob would like to say something for the state in addition to this, but the state considers a lot of factors and I believe when they look at this they look at pelt prices because they realize, as you said, when pelt prices go down, trapping effort goes down and there are fewer animals taken. But even when pelt prices go down and the number of animals taken goes down, you still have a certain ratio of kits to adults. And even if fewer animals are trapped, if you're at a high in the cycle, you get a high percentage of kits in the number of animals that are trapped.

So even though the trapping percentages may be going down at a high level, it's indicated because you have a number of kits in the -- a high percentage of kits in that animals that were trapped. If you had a low in the cycle, the number of kits is much smaller, and so this is -- gives you a good indication of where you are cyclically. But they also look at what the total trap take is, and then, of course, they would throw in, I'm sure some factor relative to fur prices. Does that sound -- can you add anything to that?

MR. STEPHENSON: Well, I think we don't want to change the regulation unnecessarily, if trapping pressure is very light, and I think Unit 25, for instance, is excluded from this, am I right? I think it effects --

MR. GUENTHER: 25(C) is included.

MR. STEPHENSON: Yeah, 25(C), but the country to the north isn't, and that's because the trappers there are fewer, even though it's very important lynx country and the eastern part of the Yukon Flats is one of the best areas. We didn't feel it was necessary to go through this regulatory change because the trapping there probably isn't having that much effect on those places, so that just stays as a four month season, I believe, which they are happy with.

So I'm sure a lot of this came out in the tracking strategies and concern about lynx came when the prices were very high. And trappers were encouraging us to do something because the trapping effort was expanding so much when lynx were four or five or \$600.

MS. MARUNDE: The reason why I ask about that is when the lynx were \$500, the kits were seven, \$800. So I know they would get more then. Did you guys take -- I mean, do you look at that?

MR. STEPHENSON: The fact that the kit was worth more?

MS. MARUNDE: A lot more and everybody was trapping kits instead of adults.

MR. STEPHENSON: I don't think you can trap selective too much for kittens and adults, but what we do know is if the adult female is trapped and the kittens aren't -- they don't have a real good chance of survival unless rabbits are very abundant. So we are not worried about that selection part. Seems like if the adult female would get caught, often the kit was going to get caught in a set nearby anyway. So we didn't try to do that. We were just trying to save the breeding stock in the lows so that we get a better high, which is when you really get more lynx.

MS. MARUNDE: Where is the lowest? I'm just curious, where is the lowest part of these lynx, where is there hardly any left?

MR. GUENTHER: I don't think it's a matter of not having any left, just when they go to a low point.

MS. MARUNDE: When they are low, where are they low at? Unit 12.

MR. GUENTHER: The cycle occurs all over the state and all of the seasons that would be shortened are either going into or at a lower end of the cycle and it would be -- Unit 13, Unit 20, 20(F) -- no, I'm sorry, 20, not 20(F). 20(A), (B), (D) and (E). And 20(C). Those would be the ones going into a low or are at a low point.

MS. MARUNDE: Okay.

MR. GUENTHER: For the regions in the Eastern Interior.

MR. BOB SCHULTZ: Bob Schultz, Tetlin Refuge. During our lynx study of '92 and '93, we've seen virtually no kitten production in the study area. So we are right at the bottom. Now we've seen some increase in kitten production. So hopefully we're coming back up. If we shorten the season, it will make that low less of a period hopefully, and it will increase at a rapider rate so we will be able to lengthen the season quicker.

MR. ROACH: Mr. Chairman?

MR. LEE TITUS: Yes.

MR. ROACH: I would like to make a motion that we adopt Special Action S95-05.

MR. LEE TITUS: It's been moved to adopt Special Action S95-05. Second? Anybody second? If not, I guess we --

MR. CHARLIE TITUS: I'll second the motion, Mr. Chairman.

MR. ROACH: Thank you, Charlie.

MR. LEE TITUS: Moved and seconded. Any more discussion on the motion? Hearing none, all in favor, say aye.

THE BOARD MEMBERS: Aye.

(IN FAVOR - ALL BOARD MEMBERS.)

MR. LEE TITUS: Opposed?

(NO OPPOSITION.)

MR. LEE TITUS: Motion is adopted. Other new business? Tribal compact

MR. MATHEWS: Yes, Mr. Chairman, that would be -- Sue was going to give you an overview of the Indian Self-Determination Act and the tribal compacting.

MS. DETWILER: Okay. Compacting is the means by which Indian tribes can negotiate annual funding agreements with non-BIA agencies to administer those, some of those agencies programs. The statute that authorizes compacting is known as the Self-Governance Act, it was signed in 1994, October of 1994, and it was an amendment to the Indian Self-Determination Act of 1975. And basically, the Indian Self-Determination Act is cornerstone legislation in the federal government's relationship with Indians, and what that relationship is, is that the federal government asserts some jurisdiction over tribes, but recognizes that they have an inherent right to self-determination and self-governance, and so that's what the Indian Self-Determination Act and the Self-Governance Act are designed to do.

So up until the Self-Governance Act for compacting was signed last October through the Self-Determination Act, tribes were able to contract out for programs that were managed by BIA and IHS, and if I'm not mistaken, Tanana Chiefs manages Chief Andrew Isaac Health Center, and they do it through a 638 contract.

So what the Self-Governance Act amendment of last October did was broaden the tribe's opportunities to have those annual funding agreements to other agencies besides just BIA and Indian Health Service, and so -- and those agencies are all within the Department of Interior, the non-BIA agencies. So the agencies that tribes can now compact with include Park Service, Fish and Wildlife Service, and BLM up here in Alaska.

And self-governance is a little bit different from the Self-Determination Act in that the tribes have to be certified as eligible in order to compact, and the only tribe or tribal consortium that's eligible right now in this region is Tanana Chiefs. And they have contacted at least BLM and Fish and Wildlife Service, I don't know if they have contacted Park Service in this region, and they have expressed interest in compacting out some of the programs that BLM and Fish and

Wildlife Service administer. And as far as BLM goes, they -- Tanana Chiefs expressed interest in a whole variety of programs, and what they finally ended up with for this year was doing some surveys, just that -- they just limited it to surveys, and they did it, a 638 contract, where the Title I provision instead of Title IV, the Self-Governance Act.

And what they asked to compact with Fish and Wildlife Service was the Federal Subsistence Program, and they haven't even started negotiations on that yet because Fish and Wildlife Service and Tanana Chiefs haven't been able to reach an agreement on either the range of funding that should be made available, or the scope of the program itself that should be compacted out. So it's an up and coming issue, and just stay tuned and see what happens.

MR. LEE TITUS: Any more questions? So there -- TCC already has money right now from BLM, you said, for some kind of a survey?

MS. DETWILER: Yeah. I don't know if they have the money, but they have, as far as I understand, they have reached an agreement

MR. LEE TITUS: Oh, okay. Any more questions?

MR. MATHEWS: Mr. Chairman, that brings us up to the near final item, which is time and place of the next meeting. If you would look in Tab 1, you have a calendar there. And it shows you the open time period of January 29th through March 1st as when the period is open for the Council to meet. So if you could decide on a relative time and place for the next meeting.

MR. ROACH: Mr. Chairman, before we get into that, if I could, I would like to make a motion that the U.S. Fish and Wildlife Service through the regional coordinator would send a letter of interest to all of the Village Councils and communities within our region and request from them when and how the Village Councils or the community would like to hold meetings in their communities. And the reason I want -- I'll wait for a second.

MR. LEE TITUS: Motion on the floor.

MS. DETWILER: For the purposes of the motion, which meetings?

MR. ROACH: For the two annual meetings that we hold.

MR. CHARLIE TITUS: For what?

MR. ROACH: For our annual meetings -- the two annual meetings every year.

MR. CHARLIE TITUS: You would like input?

MR. LEE TITUS: He wants to, he wants to, the staff to write a letter to all the communities within our region and ask them if they have any interests in having us having a meeting in their village.

MR. ROACH: And when the best time for us to do that.

MR. LEE TITUS: Which kind of accommodations can be taken.

MR. CHARLIE TITUS: I'll second the motion

MR. LEE TITUS: It's been moved and seconded. Discussion?

MR. ROACH: Mr. Chairman, the reason I would like to do that is I felt a little bit uncomfortable about wanting to go into especially some of the smaller villages and overwhelm them without their input into, you know, us bringing all of us plus all of the people that come with us for these Council meetings. And I would like to have the villages select the time and give us, you know, what kind of accommodations and meeting place that they would like us to hold those meetings.

So that we're not saying well, let's go for Fort Yukon or another village, and just telling them that we are going to be there and expecting them to come up with a way for us to hold our meeting and to provide for all of these people.

MR. MATHEWS: Mr. Chairman, I think it's a fair motion. I just want to explain how we do it in Western Interior, Western Interior so you understand. Northway was different because you are a leader of Northway, but in Western Interior, when we met in Huslia, the chair and myself went ahead of time and met with the Tribal Council to find out if they would approve if we would come. Even though the Regional Council said the next meeting is in Huslia, you know, that was tentative upon their approval.

So we could go to that, the motion here would be, if it's clear, is I would have to give the communities those windows of time, they're fairly well set, I mean they could not ask you to meet in April because there's nothing for you to do in April, as far as in this process, so I would have to give them the windows relatively, and then I would need assistance from you as to if we get multiple responses, then, how to prioritize.

MR. ROACH: Mr. Chair?

MR. LEE TITUS: Yes.

MR. ROACH: We do decide now, at this time, where we're going to hold the meetings, so if we get requests from more than one village for, say, our spring meeting, I would not see this going into effect for the spring meeting, but for next fall's meeting, that then the Council members can decide, we would have a much better ability to decide where to go for the Council meeting.

MR. LEE TITUS: I don't know, it's really hard for me right now at this time, to, to specifically name a community, without really knowing what we're going to be discussing.

MR. MATHEWS: Well, that's where you would look at the issues that may be of interest, and I'm not suggesting any community, but there's been a lot of discussion in the Yukon Flats area, a lot of this meeting has been dealing with that. So maybe it would be a time to

target that area to get input directly. I mean I'm just mentioning that as a point. Struck out on that one.

But the other Councils, that's what they do. If -- I'll select Western Interior. They decided to meet in Aniak because they were getting a whole series of proposals from Aniak, and most of the Council members except one didn't really understand the Aniak area, so they met in Aniak to get a chance to hear from Aniak and the Kuskokwim area. You have, because of the Upper Tanana process, have been kind of anchored down in Upper Tanana, now you've kind of loosened the anchor and moved to Fairbanks. So

MR. LEE TITUS: So I guess we're kind of getting away from the motion. Any more discussion on the motion? Hearing none, all in favor, say aye.

THE BOARD MEMBERS: Aye.
(IN FAVOR - ALL BOARD MEMBERS.)

MR. LEE TITUS: Opposed?
(NO OPPOSITION.)

MR. LEE TITUS: Okay. We're still back to time and place. I think Fort Yukon would be a pretty good place to have our next meeting. I don't know, I'd like to suggest that we consider Fort Yukon as our place for our February meeting date, and we'll leave that up to the coordinator.

MR. MATHEWS: Would you like, I can consult with your representative, Mr. Ginnis, but if you feel comfortable with it, I can get approval for your travel with myself to Fort Yukon if you wanted to meet with the Village or Tribal Council to see if they would like all of us coming and landing at Fort Yukon. I'm pretty sure Steven would be willing to offer Fort Yukon, he's just not here.

MR. LEE TITUS: He mentioned having this meeting at Fort Yukon last time.

MR. CHARLIE TITUS: I have no problem with that.

MR. ROACH: I think Fort Yukon is a large enough village that we can deal with that at this time.

MR. MATHEWS: Give me some direction. I feel a lot of people rushing for the door here. Can you give me some direction in this time period of the last day of January through March 1st, when you would like to meet, and realize that your regional team serves two Councils, so it would be nice to have a breather between the two, so we can catch up on both.

MR. LEE TITUS: 7th, 8th and 9th of February. Sounds good to me.

MR. ROACH: Mr. Chairman, that week would be good for me, that week or the previous week.

MR. LEE TITUS: We can shoot for that and try to get a consensus from the other Council members. Maybe you could even get in contact with

Steve Ginnis and mention that Fort Yukon and these three dates were mentioned.

So you will be trying to talk to the other Council members to see if these dates are okay?

MR. LEE TITUS: Yeah.

MR. MATHEWS: The other thing is it was clear earlier in the meeting that this Council did not want to meet in an evening session before a full day session, that you wanted to go full day sessions and no evenings.

MR. CHARLIE TITUS: No evenings.

MR. MATHEWS: Okay. Mr. Chairman, then I understand the next meeting, upon approval from the community and input from your Council member, will be Fort Yukon, and it will be February 7th through the 8th, or some combination thereof. Thank you.

MR. LEE TITUS: So we're done with the agenda. Any comments from the public or other Council members? I would just like to thank all the Council members for being here, and making their input and I would like to thank, I know that some of the general public left earlier, but I really appreciate the comments that they make. And it's really helpful we get kind of a consensus of where to go when we make comments like that, and with that, I guess I'll wait for a motion to --

MR. ROACH: I'll make the motion. Motion to adjourn.

MR. LEE TITUS: Motion to adjourn.

MS. PETRUSKA: Second.

MR. LEE TITUS: Second. Discussion?

(Laughter.)

MR. LEE TITUS: All in favor, say aye.

THE BOARD MEMBERS: Aye.

(IN FAVOR - ALL BOARD MEMBERS.)

MR. LEE TITUS: Opposed?

(NO OPPOSITION.)

MR. LEE TITUS: Meeting is adjourned.

(Meeting proceedings adjourned 5:28 p.m.,
Thursday, October 5, 1995.)

REPORTERS' CERTIFICATE

We, LISA G. ESLINGER, RMR, and CAROL A. McCUE, RMR, hereby certify:

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IN WITNESS WHEREOF, we have hereunto subscribed our hands and affixed our official seals this ____ day of _____, 1995.

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