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1 EASTERN INTERIOR FEDERAL SUBSISTENCE
2 REGIONAL COUNCIL MEETING

3
4 VOLUME I

5
6 Fairbanks, Alaska
7 March 6, 2001
8 9:45 o'clock a.m.

9
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11 COUNCIL MEMBERS PRESENT:

12
13 Gerald Nicholia
14 Nathaniel Good
15 Craig Fleener
16 David James
17 Charles Miller
18 Jim Wilde
19
20 Coordinator; Donald Mike

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P R O C E E D I N G S

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CHAIRMAN NICHOLIA: I'd like to call the Eastern Interior Regional Advisory Council meeting to order. At this time I'd like to take roll call.

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MR. MIKE: Thank you, Mr. Chair. Roll call for Gerald Nicholia.

CHAIRMAN NICHOLIA: Here.

MR. MIKE: Craig Fleener.

MR. FLEENER: Here.

MR. MIKE: Davey James.

MR. JAMES: Here.

MR. MIKE: Charles Miller.

MR. MILLER: Here.

MR. MIKE: Nat Good.

MR. GOOD: Here.

MR. MIKE: Jim Wilde.

MR. WILDE: Here.

MR. MIKE: We have six members, we have a quorum and we have three vacant seats.

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CHAIRMAN NICHOLIA: At this time I'd like to take care of some things for this Council and I'd ask to go into executive session. I'd like everybody to leave except Peggy and Don. There's one thing that I want to take care of right off the bat because I didn't want it hanging over my head the whole time.

(Off record)

(Executive Session)

(On record)

CHAIRMAN NICHOLIA: I'd like to call this meeting back over. I think to save time, is that, introduction of agency and Staff, would be the agency Staff

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1 will introduce themselves when their reports come up, will
2 that be better?

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4 MR. MILLER: That's fine, yeah.

5

6 CHAIRMAN NICHOLIA: We'll just introduce
7 the Council members and what concerns we have and we'll go
8 from there. Concerns.

9

10 MR. MILLER: Charles Miller from Dot Lake,
11 no, not yet. I'll have some before the meetings over,
12 though.

13

14 MR. GOOD: Nat Good, Delta Junction and I
15 feel the same as Chuck.

16

17 CHAIRMAN NICHOLIA: Gerald Nicholia, Tanana
18 Tribal Council. One of my main concerns pretty much is
19 fisheries, are our people going to be able to fish this
20 year? I think not probably. I have a few more concerns
21 but I'll wait until after the meeting.

22

23 MR. FLEENER: Craig Fleener from Fort
24 Yukon. I got several concerns, as I always do. One of the
25 most important things on my mind right now and for quite
26 awhile, of course, is the moose population in Fort Yukon.
27 It seems to be on a steady decline and I know that we don't
28 have much money in the way of doing moose management or
29 other things like that so I'd like to see an effort be made
30 to put some money into moose management in the Yukon Flats.
31 I think right now we have the second lowest moose
32 population in the state, density-wise. And of course, our
33 needs for moose meat is always increasing as our population
34 in the Yukon Flats is going up and our ability to depend on
35 salmon is -- is gone. And of course that brings me into
36 the second problem and, that is, rumors that the salmon
37 returns are going to be as bad or worse than they were last
38 year. And so what that tells me is we're going to need to
39 look for some alternative supplies of food. And not too
40 many people like to eat TV dinners and Spaghettio's and all
41 this other stuff that's shipped in from Minnesota, or
42 wherever they make it. We like to eat things off the land.

43

44 And so we are getting into some pretty
45 serious conditions here in the Yukon Flats, no moose and no
46 fish. And what are we going to turn to? What are the
47 alternatives? Now, we don't like to depend on the
48 government so we need to do something, and that brings me
49 into issue number 3 and that is reconsideration of the wood
50 bison reintroduction project to use as an alternative

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1 supply of meat in the Yukon Flats to help the creature get
2 off the endangered species list in Canada where it's listed
3 as threatened. And of course, potentially to supply local
4 people with a means of making money if they could use the
5 herd for tourism.

6
7 And another issue that's not really in the
8 Flats but it's one that's been raised to me by several
9 people, and that's the Fortymile Caribou Herd and how
10 people have been talking about hunting it and some people
11 want to open it more and some people want to keep the
12 hunting limited and I think we need to pay close attention
13 to the steps we're going to be taking. I think we need to
14 make sure that we honor the agreement that's been made and
15 make sure we don't do anything to jeopardize an agreement
16 that people have gotten into. Make sure that we're doing
17 the best we can to ensure herd growth. But in saying that,
18 I also know that we need to meet subsistence needs and
19 that's the purpose of this Council being here, is to do the
20 best we can to make sure that subsistence needs are being
21 met. And so we need to do something that's going to help
22 ensure a subsistence, I don't know if you want to call it
23 priority or what, but we need to do something to make sure
24 that people that are living off the land have a good, fair
25 shake at the amount of caribou that are going to be
26 distributed.

27
28 And that's all for now.

29
30 MR. WILDE: Jim Wilde from Central. I
31 mirror most of what most the other concerns are, mainly in
32 the fishing. Another concern is we have this meeting in
33 February so I can get out and enjoy the sunshine. Thank
34 you.

35
36 MR. JAMES: David James, Fort Yukon. About
37 20 years ago I was out of high school there, me and my
38 brother we built a hundred mile trapline in the Yukon Flats
39 there and we opened the trapline up my dad had. And we ran
40 it for about five years and then after awhile, my dad and
41 my uncle came up and said, you know, you're going to have
42 to learn something different after this, you know. You
43 ain't going to keep on doing this. It's going to be harder
44 and harder to live out here. I see it right now. Three
45 trapper families moved back into the village, they live
46 about 15 miles out. They couldn't do it out there anymore,
47 you know. There are hardly no animals out there anymore.

48
49 And this is just the reality of it. 20
50 years from now, what are we going to manage, you know? I

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1 bet you 20 years from now there's only going to be half of
2 your Staff members here and half of us here because there's
3 nothing out there to manage. It's not your fault or our
4 fault, it's just the way the cycle goes.

5
6 I guess we're just going to have to work
7 with what we've got, technology and what kind of management
8 plan we need. One of the things Craig said is our needs,
9 you know.

10
11 I was talking with a couple of your Staff
12 this morning about the moose management plan, you know, how
13 much moose do we really want in the Yukon Flats, 15,000
14 3,000 or 4,000? But what are we really managing for? Are
15 we managing for easy hunting so we can just sit in our
16 boats and shoot from the boat there or are we going -- or
17 is that our main problem, concerns, you know, we're riding,
18 riding, 12, 14 hours a day, we're flying around with the
19 airplanes, looking, looking all day for the easy moose,
20 easy bulls out there, or what do we really want, you know?
21 You know, some people just want the horns. This fall,
22 guess where I got my moose from, I got my moose out here at
23 the dump drop-off, out there in Steese, a half a moose was
24 perfectly thrown away. And my next door neighbor got a
25 half a moose. That's where I went hunting. I went hunting
26 down Minto but I never shot nothing, that's where I got my
27 meat. And my nephews and my brothers give me my moose out
28 there. But there's moose out there, you have to hunt it.

29
30 That's another issue we really need to look
31 at, you know. We need to look at other parts of Alaska
32 where the moose management has been implemented, you know.
33 We have to really see, are we just catering to the needs of
34 real easy hunting to our people or are we doing real
35 management, you know? So that's another area that we need
36 to look at.

37
38 Thank you.

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40 CHAIRMAN NICHOLIA: I'd like to recognize
41 Steve Ginnis, president of TCC, if he has anything to say
42 he could come up here.

43
44 MR. GINNIS: Thank you, Mr. Chairman. I
45 just wanted to take this opportunity to thank you and Davey
46 for your participation at the Board of Fisheries meeting.
47 You guys did a real outstanding job. And I'd like to thank
48 other people from the Interior that was at that meeting as
49 well. You know, I think that we've made some headway
50 there. And frankly, I was kind of surprised by the action

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1 taken by the Board of Fisheries, you know, they've had this
2 history in the past of kind of voting against the interests
3 of the Yukon River folks. And I think this year we made
4 some headway in terms of a little cut back in the Area M
5 fisheries, cut back in the hatchery production and those, I
6 think, are all positive steps. I guess it remains to be
7 seen how -- whether we have a return of the fish or not
8 this year. I'm really hopeful that there is a return of
9 the fishery. You know, we can't go through another year of
10 disaster that we had experienced last year.

11
12 So I just wanted to take this opportunity
13 to thank you. I know you put a lot of time and effort into
14 it and a lot of work you put into it on behalf of the
15 Eastern Council and behalf of this region here. So I just
16 wanted to thank you for that.

17
18 The other thing is I'm just curious as to
19 the committee's involvement in looking at proposals in
20 terms of research dollars for the Yukon River fisheries. I
21 don't know what role you play in that but certainly, I
22 think that your recommendations as to those kind of dollars
23 coming from the Federal Board would be helpful for us. You
24 know, as we talked at the Board of Fisheries, we were
25 talking about a joint effort between AVCP, Kawerak and the
26 Tanana Chiefs try to put together a proposal for funding
27 some of our needs along the Yukon. And I am working on
28 that and, you know, your support would definitely be
29 helpful in that regard. I don't know if you're dealing
30 with that issue here, I don't see it on your agenda, I see
31 mostly game-related stuff on this agenda. I don't know
32 where you speak to that issue but I would encourage you to
33 have continuing involvement in it. And Gerald, at the
34 Board of Fisheries, you did make a commitment that, you
35 know, you would work with the Tanana Chiefs and others to
36 try to seek those dollars. We have a delegation of people
37 that's going to Washington D.C., this week, that will be
38 looking at trying to get some funding through our
39 Congressional Delegation. You know we've put some
40 proposals together that have been submitted to the Federal
41 Subsistence Board and I don't know whether they dealt with
42 those at their last meeting or not. But, you know,
43 whatever you folks can do to try to help us out in
44 accessing those dollars would be very helpful.

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46 With that, thank you very much. (In
47 Native)

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49 CHAIRMAN NICHOLIA: We just -- and Peggy
50 might be able to answer this, we just did -- the Federal

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1 Subsistence program requested more fisheries proposals this
2 year or I thought we already went through that process.

3
4 MS. FOX: We just completed the process to
5 make decisions on projects that would be funded this year,
6 for 2001. And then we advertised for proposals for 2002,
7 and that process closed February 16th. So the next
8 opportunity to submit proposals would be next November --
9 or this coming November, you know, about eight months from
10 now, for 2003.

11
12 CHAIRMAN NICHOLIA: To answer one of
13 Steve's questions, are we going to be dealing with fish at
14 this meeting or is it just all wildlife?

15
16 MS. FOX: There will be an opportunity to
17 review what was approved for 2001. I'm not sure, I don't
18 have the agenda in front of me but I think it's probably
19 going to be tomorrow; is that right, where it says,
20 fisheries monitoring?

21
22 MR. MIKE: Thursday.

23
24 MS. FOX: Thursday, is it going to be in
25 the joint session?

26
27 MR. MIKE: Mr. Chair.

28
29 MS. FOX: Okay, I understand it's going to
30 be during the joint session on Thursday.

31
32 CHAIRMAN NICHOLIA: Okay.

33
34 MR. MIKE: Yes, Peggy just answered your
35 question, we're having a joint meeting with the Western
36 Interior Council on Thursday and it will be here at the TCC
37 building.

38
39 Mr. Chair, just for the reviewing of the
40 agenda, I don't know if you want to add or change any
41 agenda items but before we get started, you know, if
42 there's any public out there that wish to come comments on
43 the proposals, I'd encourage them to fill out a testimony
44 sheet and hand it to Laura Jurgensen and she'll give you
45 the testimony sheets for persons wishing to testify on
46 proposals. So as far as the booklet is concerned, I did a
47 new format for the meeting minutes. I mainly highlighted
48 the motions passed at the last meeting so if that's -- if
49 the Council would rather see more details on the minutes,
50 you know, I can do that, but I mainly highlighted the

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1 Council recommendations that they did last meeting.

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3 Thank you.

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5 CHAIRMAN NICHOLIA: Is there any additions
6 or corrections to this agenda that we would want to make?

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8 MR. FLEENER: Mr. Chair, I was thinking
9 that there might be a lot of discussion around the
10 Fortymile Caribou Herd management harvest plan and I was
11 thinking it might be good if we could set aside a little
12 extra time and maybe we don't need to, maybe because it's
13 here under V, since it's already in there maybe we can just
14 make that some sort of a meeting time where we can actually
15 do some work on this because I think it's going to take
16 some work. I think we're going to have to sit down and
17 talk with the people that are interested that are not on
18 the Council and work with Council members, and will you be
19 here for this Nat?

20

21 MR. GOOD: I'll be here until 3:00 o'clock
22 this afternoon.

23

24 MR. FLEENER: Okay.

25

26 MR. MIKE: Mr. Chair, I spoke with the
27 biologist with the State, Craig Gardner, I don't know if he
28 will be available for the day or tomorrow, we can talk to
29 Craig about it; what's your schedule, Mr. Gardner?

30

31 MR. GOOD: Mr. Chairman, I, personally,
32 would like to be a part of this so I would like to see this
33 happen as soon as possible.

34

35 MR. FLEENER: Yeah, that was the main
36 reason I asked. Because if we're going to separate some
37 additional time for this I want to make sure that Nat is
38 here because I know he is very interested in what goes on
39 and I know that Jim would be equally interested. So I
40 think maybe we move the item up and have a little work
41 session or something, I don't know. I don't know exactly
42 what to do but I know I've heard a lot of differing sides
43 and I think it would be good to actually do it out of
44 regular meeting and in some sort of work group; I don't
45 know what you think, Mr. Chair.

46

47 MR. MIKE: Mr. Chair, as far as
48 availability for Mr. Gardner, I spoke to him last week and
49 he would give us more details on his availability to
50 discuss Fortymile.

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1 CHAIRMAN NICHOLIA: Since Nat is from that
2 area, is there any problem with moving the Fortymile
3 Caribou deal up to now? How about you, Davey, you got no
4 problem with that?

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6 MR. JAMES: (Nods negatively)

7
8 CHAIRMAN NICHOLIA: Then it is, we shall
9 hear about the Fortymile Caribou Herd.

10
11 MR. GOOD: Mr. Chairman, in order to put
12 this formally on the floor, I move that we adopt Proposals
13 38 and 39, which would actually be dealt with
14 simultaneously at this time, I believe.

15
16 MR. FLEENER: Mr. Chair, before we actually
17 do that I think we should approve the rest of the agenda
18 and then maybe move into that. Try to get this top of the
19 line stuff out of the way before we do that, if you don't
20 mind withdrawing your motion?

21
22 MR. GOOD: No, consider it withdrawn.

23
24 MR. MILLER: I move we adopt the agenda as
25 revised.

26
27 MR. GOOD: As amended.

28
29 MR. FLEENER: Second.

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31 CHAIRMAN NICHOLIA: It's been moved by
32 Chuck Miller and seconded by Craig Fleener, is there any
33 discussion?

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35 MR. FLEENER: Yes, Mr. Chair. I think that
36 not only moving it up for discussion like this but I'm
37 wondering if it would be better to have some sort of a
38 breakout session to bring in a couple of the people that
39 are most interested or do you think it would be -- do you
40 think it's okay to work in this forum?

41
42 MR. GOOD: Mr. Chairman, I think it would
43 be better to keep everything public and keep everybody
44 involved because we all have to make the decision on this.

45
46 MR. FLEENER: Okeydokey.

47
48 CHAIRMAN NICHOLIA: Let's go for it.

49
50 MS. FOX: Excuse me, but I was looking on

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1 the agenda to see where there was the opportunity for the
2 Council to address fisheries proposals, Donald, do you know
3 when that is, we can't seem to find it?

4
5 MR. MIKE: That was going to be brought up
6 during our joint meeting on Thursday, all the fisheries
7 issues, with the Western and Eastern joint meeting.

8
9 MS. FOX: Okay, if that's the wishes of the
10 Council, for you to work with Western Interior on fisheries
11 proposals then that clarified it. Thanks.

12
13 MR. FLEENER: Mr. Chair, I call for the
14 question on adopting the agenda.

15
16 CHAIRMAN NICHOLIA: Okay, there's been a
17 question called for adopting the agenda as revised. All
18 those in favor of approving the agenda signify by saying
19 aye.

20
21 IN UNISON: Aye.

22
23 CHAIRMAN NICHOLIA: Opposed, same sign.

24
25 (No opposing votes)

26
27 CHAIRMAN NICHOLIA: Agenda approved. There
28 is one thing I want to do right now, if we have any honored
29 guests or -- besides agency Staff or people that just came
30 in that want to introduce themselves, they could at this
31 time, besides agency Staff. Seeing none and hearing none,
32 let's go deal with the Tanana meeting minutes, let's hear a
33 motion.

34
35 MR. GOOD: Mr. Chairman, I move that we
36 approve the minutes as written for our Tanana meeting of
37 October 11th and 12th.

38
39 CHAIRMAN NICHOLIA: Do you guys need time
40 to look through it?

41
42 MR. FLEENER: I'll second the motion but I
43 do -- I can't even find the minutes in here, where are
44 they?

45
46 MR. MIKE: It's in Tab B.

47
48 MR. FLEENER: Okay.

49
50 MR. MILLER: Call for question.

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1 CHAIRMAN NICHOLIA: Nat Good moved to
2 approve the minutes of the Tanana, October 11th and 12th,
3 2000 meeting in Tanana and Craig Fleener seconded and Chuck
4 called for question. All those in favor of approving the
5 minutes for the Tanana meeting signify by saying aye.

6
7 IN UNISON: Aye.

8
9 CHAIRMAN NICHOLIA: All those opposed, same
10 sign.

11
12 (No opposing votes)

13
14 CHAIRMAN NICHOLIA: Minutes approved.
15 Okay, let's go into the proposals. We would have to move
16 to introduce each proposal, we would want to go down the
17 line or just introduce the first ones?

18
19 MR. GOOD: Mr. Chairman, I think we had
20 indicated that we'd alter our agenda to take 38 and 39 and
21 40 first.

22
23 CHAIRMAN NICHOLIA: Okay, do you so move?

24
25 MR. GOOD: And that being the case, I so
26 move that we adopt Proposal No. 38.

27
28 MR. MILLER: Second.

29
30 MR. FLEENER: Second.

31
32 MR. MIKE: Mr. Chairman, Proposal 38 is for
33 Unit 25(C) for caribou, it's to revise the season and
34 harvest limit and the revised area description. And this
35 was proposed by the Eastern Interior Regional Advisory
36 Council. And Staff will do the presentation, Pete
37 DeMatteo.

38
39 MR. DeMATTEO: Mr. Chair, as this proposal
40 -- or these three proposals are going to generate a lot of
41 discussion, Staff suggests that you allow Department of
42 Fish and Game to make their presentation first concerning
43 the Fortymile Caribou Herd. In the interest of saving time
44 in the long run, that would probably be the best way to go
45 and then Staff can give our presentation afterwards if
46 that's what you need.

47
48 CHAIRMAN NICHOLIA: Craig.

49
50 MR. GARDNER: First I have some handouts

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1 maybe I'll just pass out to the Board first here, okay?

2

3

4 MR. MIKE: Mr. Chairman, before you go any
5 further, for Proposal 38, on Page 70, summary of written
6 comments. there was an error on the comment that was
7 submitted to the book. And the Bureau of Land Management
8 provided their comments to the proposal and when it comes
9 to agency comments I'll read it out to the Council.

9

10 MR. GARDNER: First, I guess, I'd like to
11 get, maybe some direction from Craig or you, Gerald, on
12 basically how you want me to start? I mean I like talking
13 about Fortymile Caribou Herd pretty much from the start to
14 finish but I'm sure you guys want to have more of a clip in
15 the history than the total history so do you want me to go
16 through the harvest plan, you know, how that came to be or
17 do you want me to go through herd structure or what?

18

19 MR. FLEENER: Mr. Chair, yeah, I think that
20 we should probably just follow the same pattern we normally
21 have with proposals that we've done in the past, just talk
22 about Proposal 38 and I think questions are going to be
23 generated and then when questions are generated you can
24 just answer them as they come along. But I think if we
25 change formats and go into something -- we've discussed
26 Fortymile Caribou Herd, you know, enough to have a general
27 idea of what they are and that sort of thing. So I think
28 if we just went into regular proposal discussions and
29 generate questions from there that would suit me. I don't
30 know what Nat or Jim thinks.

31

32 MR. GARDNER: Okay. I guess, then my
33 comments pretty much stem from the goals and objectives
34 that I basically manage the Fortymile Caribou Herd under.
35 Now, to start with, the goals, I think probably this might
36 be the only goal, that I know of, at least in the state,
37 that was actually generated not by the State, this was
38 actually generated by the people, the people of the
39 Fortymile team and then actually got perpetuated from the
40 groups that actually designed the harvest plan. But
41 basically the goal is to manage to see continued herd
42 increase, that's the first step. But really what the final
43 goal is to have for this herd, increase back into its
44 traditional range, move back into ranges it hasn't seen for
45 20, 30 or 40 years. This is a great goal. I mean I think
46 the people that designed it were quite wise in coming up
47 with this because it's just going to benefit subsistence
48 users as time goes on. I mean right now, Jim Wilde is
49 seeing caribou, you know, in Central Circle, Circle Hot
50 Springs the last three or four years and in fairly good

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1 numbers and they haven't seen them in 20, 25 years. You
2 know, Pat Saylor was here last year, there's caribou in
3 Healy Lake, you know, they haven't seen caribou there.

4
5 So this is the goal and this is where I'm coming
6 from when I talk about Proposal 38. And if you look at
7 this one comparison between the Fortymile Caribou Herd,
8 what I wanted to do was kind of hit on the points that I
9 understood from your proposal and from the Staff analysis
10 and how I saw the disadvantages as written, okay.

11
12 First of all I think one of the most
13 important considerations and discussions we need to have is
14 it seems like to me the basic premise of the proposal of
15 the Fortymile Caribou Herd since it's increased, you know,
16 the last few years, you know, we could come in with a much
17 greater harvest. You know, Craig, I think you said quite
18 well, we want to see this herd to continue to increase.
19 That's pretty much what the designers of the two plans
20 want. But yet we want to meet subsistence needs, you know,
21 some kind of hunting needs. You know, I've come in front
22 of the Council a number of times and talked about, you
23 know, really the optimism of this herd and how it's growing
24 but what we can't forget is that this past year has not
25 been good for caribou, you know, it really hasn't been good
26 for moose, it hasn't been good for ungulates. Where the
27 optimism still lies is that the Fortymile Caribou is doing
28 better than any other herd in the Central Yukon all the way
29 through Interior Alaska but it's still not doing all that
30 smashing. And you know, there's two reasons why that's
31 happening this year. I mean one, we had a horrible winter
32 last year, you know, they came through, the second lightest
33 calf weights, you know, being born. We had a smaller calf
34 crop and so they came into the winter with fewer calves.
35 Okay.

36
37 Now, some of the benefits of the program
38 are also causing some of the problems. You know, this herd
39 is starting to expand. Well, instead of feeding 20, 30 wolf
40 packs, it's now feeding over 45 wolf packs. And so what
41 we're seeing is this few number of calves are getting
42 whacked by a greater number of wolves, okay, so our calf
43 crop is, you know, basically we are not seeing the survival
44 rate as we would hope to see by this time this winter.

45
46 Now, the second thing is more of an
47 anomaly. I don't think we probably see it once every 10
48 years and you guys, you know, I'm sure have seen it a
49 number of times in your life, but basically the eastern
50 side, you know, the snowshoe hare populations are crashing,

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1 the lynx populations are really high and actually lynx can
2 kill caribou calves and when they get hungry they're
3 actually not a bad predator. This winter we've lost four
4 radios just to lynx which equates to like 800 calves.

5
6 You know, so you start adding these factors
7 in and this population is not as growing as fast as the
8 years prior to this past year and then what we expected to
9 happen again.

10
11 So what we see now is that this herd really
12 doesn't -- if we want to see this herd continue to grow
13 each year, we really don't want to jump on it quite as hard
14 as harvest as we had originally hoped to this first year,
15 okay.

16
17 So that's the first step, we still got to
18 be somewhat cautious.

19
20 Now, the harvest plan, you know, they built
21 that in that. You know, they said there's going to be bad
22 years and, you know, the harvest plan is flexible enough
23 that the harvest can be changed, you know, depending on the
24 herd trend.

25
26 Now, in 38, I don't see that same
27 consideration, it was with no quota and you know, I mean
28 basically the no quota. It doesn't give that ability to
29 hold back some harvest at times.

30
31 The next disadvantage I see in 38 and this
32 comes from actually the Eagle Advisory Committee or the
33 Eagle people seem to be the most concerned about this is
34 the cow harvest. And I actually, in your packet, I gave
35 you the notes from the Eagle Advisory Committee, but they
36 from Day 1, have hated cow harvest. And what they see in
37 38 is that there is just no protection for the cow element
38 and so again, over all we don't expect the cow harvest to
39 be excessive but it does appear that the subsistence
40 harvest does seem to take a greater percentage of cows than
41 let's say regular harvest, regular State harvest. You
42 know, you guys are probably sharper when it comes to when
43 you're shooting around the rut or shooting late in the
44 year, you know, you're going to take cows, okay, so the
45 subsistence harvest does seem to have a higher percentage
46 of cows.

47
48 CHAIRMAN NICHOLIA: Craig, is this cow
49 harvest adversely affecting the overall population of the
50 herd?

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1 MR. GARDNER: Overall, if it wasn't for
2 this year, it depends, again, how great it is, of course.
3 And I kind of modeled that in a little bit. And basically
4 if you go with o quota and let's say a 50/50 cow harvest
5 for subsistence harvest, you know, you could maybe instead
6 of 210 or 200 cows, hopefully have taken -- or at least a
7 ceiling for cows taken next year, let's say got up to 300
8 and, yeah, you would start seeing the effects on growth
9 rate.

10
11 MR. GOOD: Mr. Chairman. The harvest plan
12 that you're referring to is actually -- will appear in the
13 State regulations. It's the State regs for this year,
14 right?

15
16 MR. GARDNER: The harvest plan itself is
17 endorsed by the Board of Game and then the steps, the
18 recommendations within, at least, the first two years,
19 right, is going to be implemented by the State this coming
20 year.

21
22 MR. GOOD: And it does include a cow
23 harvest?

24
25 MR. GARDNER: Right. It does have a cow
26 quota and what it has is a 25 percent cow quota for the
27 total harvest and then that's also looked at for the fall
28 and winter season so there's a ceiling put on it.

29
30 MR. GOOD: Could you just address, you
31 know, the total number of animals and how the cow harvest
32 will be 25 percent, that type of thing; just go over it
33 briefly for us?

34
35 MR. GARDNER: You mean how it got
36 established?

37
38 MR. GOOD: What will actually be occurring
39 on the State side this next fall?

40
41 MR. GARDNER: Okay, on the State side,
42 okay, come the season we'll open up August 10th. And
43 basically it will be a registration permit across the
44 herd's range again, okay, so there'll be a hunt over in
45 25(C) and there's going to be a hunt in 20(D), 20(B) and
46 partial 20(E), and then a hunt in 20(E). Now, each one of
47 those segments, each one of those are a separate hunt and
48 each one has their own quota. So basically each hunter
49 will have to come in and register for the hunt like they
50 have in the past basically seven years. Now, I'll be

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1 managing strictly on total quota and on cow quota for the
2 State hunt and so when they come up to it either way, then
3 I'll shut, like I say, the cow segment down. Let's say,
4 for whatever reason in the early fall the herd's somewhat
5 segregated, people get into groups of cows, they take a
6 fairly large harvest, I'll come in and I'll make it a bull
7 only hunt. You know, I mean basically there's some real
8 beauty in the registration permits, it's a discretionary
9 authority, and with that actually comes quite a bit of
10 power in being able to stop hunts, okay, and so that's how,
11 you know, the cow harvest and the total harvest will be
12 managed.

13

14 MR. MILLER: Mr. Chair.

15

16 CHAIRMAN NICHOLIA: Chuck.

17

18 MR. MILLER: Hey, Craig, how are those
19 numbers broke down?

20

21 MR. GARDNER: That's a great question,
22 Chuck. Some of it was we modeled it. Like I said, the --
23 basically, you know, it was five advisory committees that
24 came up with the harvest plan. You know, four of them
25 really represent the subsistence users, you know, from
26 Central, Eagle, Delta, Upper Tanana and Eagle, and the
27 other one was Fairbanks. So first of all they looked at
28 the two kind of problem areas that happen during hunts.
29 One, is just basically illegal take. You know, or
30 opportunity to take. You see a bunch of animals and
31 they're all cows or what have you and you try to pick out
32 that bull and you tip over a cow, so some of it was let's
33 try -- let's make this easier on hunters. That was one of
34 the steps. And then the second one was, we don't want
35 excessive take of cows so what we did, a couple of things,
36 we modeled it to see what would be kind of the ceiling we'd
37 want to see where we didn't affect this herd growth. And,
38 you know, the herd growth is moderate, that's the whole
39 goal, to continue this herd growing at a moderate rate. So
40 we modeled that part out. And then what we did is we
41 looked at all the hunts basically across the states, you
42 know, from the Mulchatna to the Nelchina to the Western
43 Arctic and looked at, basically, what's kind of the normal
44 take of cows in a regular harvest and that kind of ranges
45 between anywhere from like 20 to 30 percent. So that's
46 kind of the ball park we figured, you know, if people just
47 went out and randomly shot caribou, not randomly, I mean
48 they definitely select for bulls, that's kind of what we
49 suspect, but then we modeled, like I said to make sure that
50 it never exceeded this kind of threshold that would keep

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1 the herd from growing.

2

3 MR. MILLER: One more question, Craig. You
4 mentioned earlier about breaking down by percentage per
5 area, how does that break down?

6

7 MR. GARDNER: Okay, the way the advisory
8 committees did it, they looked at basically the history of
9 take, and they -- for Central's benefit, they went a little
10 bit longer than the past 20 years, you know, since the herd
11 wasn't there for a long time. And basically they looked at
12 historical take, you know, how many caribou were harvested
13 across the herds range, okay, and basically then just took
14 that percentage. You know, so for the 25(C) portion, you
15 know, it's 35 percent. And the 20(D), 20(B) and that part
16 of 20(E), which is very difficult to access is basically
17 you're going to go through two or three or four-wheelers to
18 get there or use an airplane, that was 15 percent. And
19 then the biggest area was the 20(E) Taylor Highway Corridor
20 which was 50 percent.

21

22 MR. MILLER: Another question there, on the
23 Taylor Highway quota that was broke down to 50, is that --
24 or will you be working with the Feds on what part of that
25 50 percent will be going for like say the Charley River
26 area, the Fortymile River area, has that been worked out?

27

28 MR. GARDNER: Yeah, actually it was.
29 Basically the Preserve was broken out into the more remote
30 area. It was kind of considered that most people from
31 Eagle or even from the southern part from the herd's range,
32 you know, from Dot Lake, Tok, you know, where they get into
33 the Yukon-Charley Preserve, especially in the fall. And so
34 it was actually included with the 20(D) and 20(B), more
35 difficult to access area, and then we worked with them,
36 basically, the rest of the corridor, including the BLM,
37 wild and scenic corridor and the private lands and the
38 remainder of 20(E) was treated with the 50 percent.

39

40 CHAIRMAN NICHOLIA: Any more questions?

41

42 MR. GARDNER: I got a couple other things.
43 I think you guys might want to consider is that with 38 as
44 written, it would require and it's in the Staff report, it
45 would require a separate Federal permit. Basically what it
46 will do is complicate the Fortymile hunt again. Back in
47 1992, I think there used to be, I think seven different
48 hunts, different regulations on Fortymile caribou. And
49 just because of the different Federal hunts, different
50 areas, different quotas, different bag limits and it was --

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1 actually I think most hunters were pretty much confused
2 every second of the day.

3
4 What the joint permit did and, again, I'm
5 speaking primarily from the western side, but what I saw
6 what it did it simplified the world for everybody that came
7 in. They had a number of places they could get their
8 permits. They could come in, you know, and one permit
9 basically ran the Federal hunt in November and ran the
10 State hunt the remainder of the time. There was one set of
11 regulations you know, and so it was a very simple hunt.
12 Now, what I can -- now, I know one of the questions was, as
13 many of you know, that next year in 20(E) especially, that
14 there's going to be a permit, well, at least the State
15 hunt, to try to protect the moose population is that I'm
16 going to make people basically choose to either hunt moose
17 or hunt caribou. Now, the joint permit would allow the
18 Federal hunter, though, to be exempt. Basically that was
19 never part of the Federal subsistence harvest, that's
20 strictly a State regulation. So if we still had a joint
21 permit, the simplicity of it would be that a guy would come
22 in, you know, from basically all the Federally eligible
23 communities, you know, we just check a box. And basically
24 I would say that they basically could shoot either moose or
25 caribou on Federal land and also on State land.

26
27 So because of that change in the moose
28 regulation there is a possibility that, and I would have to
29 talk to a bunch of the legal beagles, but there is a
30 possibility that not only would there be a Federal
31 registration permit or a Federal permit for caribou but
32 there may have to be one for moose, too, just because the
33 State moose tag is going to be totally different, you know,
34 so it could mean that a subsistence hunter would have to
35 come in to BLM, get a caribou permit and a moose permit,
36 come into the State get a caribou permit, get a moose
37 permit and I mean I don't have a pocket big enough to carry
38 the paperwork. So I mean, you know, it's a real
39 consideration that if we can come up with a proposal that
40 meets the needs of the subsistence user and the herd and
41 such that we can keep the joint permit, I actually think
42 the users benefitted under the joint permit. I mean many
43 of you got one so you can answer that yourselves, too.

44
45 Another question I had on the original
46 dates, you know, it's an October 21st proposed date. And I
47 realize that a lot of people understand that shooting
48 caribou, especially bull caribou during that time of the
49 year you can get some bad meat. And it seems to me tat
50 this proposal could be written better, that basically met

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1 the best quality of animals out there. And if you delayed
2 it until November 1, you've pretty much taken yourself out
3 of that realm of bulls being poor. I mean bull caribou got
4 an incredible ability to basically rid themselves of those
5 hormones and, you know, as soon as they start eating they
6 pretty much get clean pretty fast. But it seems to me the
7 hunts I've had around Tok from either Nelchina or
8 Fortymile, that if you start opening hunts in October and
9 people take bulls that there's going to be a percentage of
10 them that are going to be rutting, you know, and so I know
11 I have a concern and the team had a concern about that
12 October 21st opening.

13
14 Another one I think is pretty important. I
15 know the Council, yourselves, do not have an agreement with
16 the Tr'ondek Hwech'in First Nation Yukon, you know, there's
17 no agreement between you. When this harvest plan was
18 developed by the subsistence users, the advisory
19 committees, you know, there was an agreement made,
20 particularly with the Tr'ondek Hwech'in because that's
21 where the herd is starting to get into, that First
22 Traditional range, if you look at it, the quota was broken
23 down to 65 percent Alaska, 35 percent Yukon, okay. Now, in
24 that agreement they basically said that whatever quota is
25 not used in the Yukon can't be taken by Alaska and whatever
26 quota in Alaska not used is not going to be taken by the
27 Tr'ondek Hwech'in. Now, if there's no quota on the Federal
28 side and let's say I don't -- we just go separate ways and
29 I just manage on the 850 or whatever the first year is, and
30 we shoot over that quota, in essence, actually we've just
31 kind of violated that agreement. It kind of complicates a
32 little bit of what's already gone on with the Tr'ondek
33 Hwech'in.

34
35 And so like I said, the Tr'ondek Hwech'in
36 are kind of watching us right now. They're in kind of their
37 process of writing their harvest plan. And they're the
38 first First Nation territory that the herd's getting into
39 and in fact the last two years, you know, 5,000 animals
40 went in there last year and another 5,000 this year and
41 they're spending some time in there. And, you know, their
42 subsistence laws are much stronger on that side but yet
43 they're still choosing not to hunt Fortymile caribou and
44 they could have done it this year. They knew they were
45 there but they're still choosing not to harvest. And so I
46 think what we need to do is be really cognizant and come up
47 with a proposal that looks at both sides because that's
48 part of the whole goal is to get this herd over on their
49 side, too.

50

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1 CHAIRMAN NICHOLIA: Craig, how good do you
2 work with your Canadian counterparts?

3
4 MR. GARDNER: Actually I've been really
5 lucky. From members of the Tr'ondek Hwech'in and from the
6 Yukon Department of Renewable Resources and actually the
7 Canadian Fish and Wildlife Board, actually we've had really
8 close working relationships. I've been over there four or
9 five times for different meetings with them and they've
10 been actually over on this side.

11
12 CHAIRMAN NICHOLIA: And if we adopt
13 Proposal 38 as it is would it have any beneficial effects
14 or adverse effects with your Canadian counterparts?

15
16 MR. GARDNER: As written, I think it would
17 be looked at poorly. It would be looked at as here's the
18 first year, out of the box, first year of the agreement and
19 already there's a regulation out there that shows no quota.
20 You know, I mean that was a fairly -- it was a long talked
21 discussed part, how are we going to break this herd out to
22 make sure that this growth continues. So I think they
23 would look at that as -- like I said, they wouldn't look at
24 that very favorably.

25
26 MR. WILDE: Craig, what is the exact
27 complication with the Yukon on Proposal 38?

28
29 MR. GARDNER: I think the primary one would
30 be just because there's no quota.

31
32 MR. WILDE: What?

33
34 MR. GARDNER: I'm sorry, that there's no
35 quota associated with 38.

36
37 MR. WILDE: You say there is no quota on
38 38?

39
40 MR. GARDNER: Not as written.

41
42 MR. GOOD: Mr. Chairman, I think we need to
43 continue. Craig, is quite right, there is no quota there
44 but we have to keep in mind that Proposal 38 can be amended
45 or anything can be done to it in the future. We want to
46 hear everything he has to say at this point and be taking
47 notes about the things we want to consider.

48
49 MR. GARDNER: I think the -- and again, in
50 the Staff analysis I read, it probably was just -- some of

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1 it was overlooked and some of it was just a mistake, but
2 the last two points I want to say is first that the Upper
3 Tanana Fortymile was against 38 as written. You know, they
4 actually put their own proposal in for 39, but you know,
5 they were against 38. And also the Eagle Advisory
6 Committee, now, that one was no mistake other than the
7 Eagle Advisory Committee forgot to send the notes into the
8 Office of Subsistence Management. I guess they sent it to
9 George yesterday and they sent me a copy and I gave you
10 that copy.

11
12 The last, though, but I think is the most
13 important is that the Fortymile Caribou Management Team was
14 against 38 as written. And again, in the Staff analysis,
15 it actually said they supported it. And so what I did, I
16 copied you the letter that the team actually sent to the
17 Office of Subsistence Management and, you know, in it it
18 basically says that they're against 38 as written. But
19 really it's a lot of the points that we've already talked
20 about. You know, basically no quota and, you know,
21 basically no way to protect the cow element. There's
22 probably not, as apparent, ways to protect the growth rate
23 of the herd to try to ensure this kind of continued growth
24 rate of the herd to grow back to traditional territories.
25 And I think, too, that the team held this harvest plan
26 fairly strongly. I mean the team itself didn't develop the
27 harvest plan. The harvest plan was, like I said, developed
28 by the advisory committees within the herd's range. And
29 you know, the team basically -- I mean it's what makes this
30 so novel, is that this is the only harvest plan that I'm
31 aware of that's ever been developed by the public. You
32 know all the other harvest plans are either pretty much
33 written by the State or by the Federal government and then
34 the public, this one is actually written, you know, by the
35 advisory committees and submitted and I think that's why
36 the Game Board went with it so much. You know, it was a
37 total novel idea. And so the team, you know, six year
38 public process, you know, it just basically supported all
39 the way through.

40
41 Yeah, Gerald.

42
43 CHAIRMAN NICHOLIA: Yeah, Craig, you said
44 there's no quota on this Proposal 38 but if like say for
45 instance it says, where it cuts it off, the fall season
46 will be closed, combine State and Federal harvest of 55
47 bulls has been reached, could that number be raised or
48 dropped, see where it's crossed out there?

49
50 MR. FLEENER: Page 31.

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1 MR. GARDNER: Oh, yeah.

2
3 CHAIRMAN NICHOLIA: That's what you're
4 talking about, is a harvest quota, right?

5
6 MR. GARDNER: That's right. That's right.

7
8 CHAIRMAN NICHOLIA: And where it could go
9 down because, could that 55 number be dropped or raised
10 where it says the winter season will be closed when the
11 combined harvest quota for 150 bulls, could that number be
12 raised or dropped also, too?

13
14 MR. GARDNER: That's correct, yeah. You
15 definitely wouldn't want to consider raising it.

16
17 CHAIRMAN NICHOLIA: Then I see from the
18 introduction of Proposal 38, we're the ones that proposed
19 this.

20
21 MR. GARDNER: Right.

22
23 CHAIRMAN NICHOLIA: So that's what you mean
24 by a harvest quota deal right there, okay. Craig.

25
26 MR. FLEENER: Mr. Chair, I have a question.
27 Something you mentioned earlier about the 5,000 caribou
28 moseying over into Yukon Territories, what sort of numbers
29 are they actually looking at before they want to consider a
30 harvest?

31
32 MR. GARDNER: That's a great question.
33 When I went over to Dawson last year for their kind of
34 initial kind of meetings with the First Nations and stuff,
35 they were actually like the team in a way. They didn't
36 really want to put an actual number on it, they wanted to
37 actually start seeing traditional movement patterns again.
38 I mean the whole idea was if this herd starts following
39 history, then not only will the herd be in the traditional
40 lands of Tr'ondek Hwech'in but it will cross over the Yukon
41 and then get into actually four or five other First Nation
42 traditional lands. And so the discussions when I was there
43 and also what I hear was going to the harvest plan, it's
44 not so much total numbers, is they want to kind of see the
45 herd develop, kind of this traditional movement pattern
46 back in before they start hunting with any kind of, you
47 know, high harvest.

48
49 They are talking about ceremonial harvests,
50 you know, celebration harvest. You know, basically this

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1 Fortymile herd coming back in is a big deal. So I think
2 what -- you know, at least the last time I heard, you know,
3 they were thinking about maybe a 45/50 animal harvest and
4 maintain that until the herd gets across the Yukon.

5
6 MR. FLEENER: And what's going to happen if
7 it's 15 or 20 years from now before we actually see the
8 caribou getting into this traditional migration pattern
9 again? Are we going to keep our harvest at extremely low
10 numbers and only harvest these 75 or 65 percent, whatever
11 you said it was?

12
13 MR. GARDNER: Now, we're getting down to
14 good questions.

15
16 MR. FLEENER: Especially when you consider
17 the herd may be up to 60 or 70,000 at the time.

18
19 MR. GARDNER: That's right. And I think we
20 can expect that this herd will be up to 50,000. I mean,
21 you know, I put a little bit of a dampening start on this
22 herd this past year, but all -- what we can't forget is
23 that all the parameters that we look for in a herd that's
24 ready to increase, the Fortymile herd still has incredibly
25 young age structure. You know, what we expected, really
26 high pregnancy rates. We have high bull/cow ratios. You
27 know, so basically the herd's sitting right now as healthy
28 and high quality as you expect. So you're right, Craig, we
29 can expect this herd to increase and we can expect it to
30 get into the 50,000, 60,000 caribou in, I think, the next
31 five or six years. The answer, are we going to maintain
32 low harvest because they don't reestablish their
33 traditional routes -- no.

34
35 Again, the harvest plan was really flexible
36 in that way, is that, there was a proportion of the
37 harvest, you know, given to the Yukon and this harvest plan
38 goes to 2006. Okay, then basically it gets re -- well,
39 it's over, you know, it has to be renegotiated. But even
40 in that five year period, if you look at the Alaskan
41 harvest as the herd increases, it might be only 65 percent
42 of probably what could be taken. By the time you get to
43 50,000 animals, you're talking up about a 2,500 caribou bag
44 limit. So it keeps increasing as the herd keeps
45 increasing, and that's factored right in there.

46
47 MR. FLEENER: So I guess I have a couple
48 questions for, maybe for Nat, since I think he's had a lot
49 of involvement in crafting this proposal. I know one of
50 the main concerns and it's something that concerns me is

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1 that subsistence needs are met. And that really there's no
2 biological reason not to harvest these caribou. I mean
3 they're at 35,000, there's not a real biological reason not
4 to. And I guess you can say there is a biological reason
5 not to and that is if we want to protect herd growth but
6 other than that there's no real reason not to. So the
7 biological reason is to keep increasing the herd and then
8 there's social issues which is to get the herd up to where
9 we want to fulfill the agreement that we have and try to
10 have the population up so we can have sustained high hunt
11 on the population. But the no limit here, how do you think
12 that's going to affect herd growth, Nat, and what do you
13 think about the no limit and the bull and cow harvest in
14 regards to what Craig has said, especially in regards to
15 the agreement that has been established with the tribes --
16 or the one tribe, I guess on the other side of the Yukon?

17
18 MR. GOOD: Well, I'll start by saying that
19 I think that our responsibility is not to provide a hunting
20 opportunity but to provide a harvest for subsistence
21 people. And the people that we actually deal with are on
22 this side of the border, they're the only ones that we can
23 legally deal with. And I am concerned about seeing that
24 they get animals. Now, I think that there are three areas
25 of concern that have been addressed here.

26
27 One was possibly delay of the hunt to
28 November 1st; the second was looking at a Federal limit and
29 from my point of view, it would be the limit that we would
30 set on this and that would possibly be both caribou and
31 cows; and the other one was the question of our March
32 season which is currently what is done with the Nelchina
33 herd and that season ends at the end of March.

34
35 Now, what you have before you are a series
36 of questions that revolve around 38 and what we'll end up
37 doing is discussing these and determining what we wish to
38 do with them. I also have a series of questions but I
39 think I'll let you finish yours Craig.

40
41 MR. FLEENER: Well, I guess I'm just
42 looking for more direction because I see, like I said in
43 the opening remarks, I see merits to both sides. Not only
44 do we have the responsibility to manage for subsistence
45 take but I think we actually do have a responsibility when
46 it comes to management plans, even if the management plan
47 wasn't authored by us, even if it's not -- even if, you
48 know, I wasn't involved in it, I think because it's a
49 management plan affecting a subsistence resource, I think
50 we have a vested interest in making sure we comment on it,

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1 we get involved in it, and if it's a good management plan
2 that we probably support it. But saying that, you know,
3 I'm sort of confused in this whole thing because I'd like
4 to see people harvesting caribou but then, again, I'd like
5 to see the caribou herd continue to grow where we can
6 harvest more. And maybe Craig can comment as to whether or
7 not he things -- or apparently he does think so, but how he
8 thinks this proposal will negatively impact the population
9 and he's already commented that if we go above the 850, is
10 that the number -- if we go above harvesting 850 that it
11 will show a bad form, I guess, to the cooperators on the
12 other side of the agreement. But how will it negatively
13 impact the population, do you think?

14
15 MR. GARDNER: Okay. Actually, if you don't
16 mind I might take two of your statements and answer both.
17 First, a little bit on Nat's answer and how this will
18 affect the subsistence user and then basically how will the
19 subsistence users harvest affect the herd? Because, I
20 think, you know, they're married together.

21
22 I think Nat's concern is a good one. You
23 know, how do we ensure, you know, through ANILCA and
24 whatever that subsistence users get an equitable harvest,
25 you know, a needed harvest. It's important and I'll be the
26 first one to go to bat with that. I've kind of played
27 around with the numbers, not played around with them, just
28 actually took them right out of how people have done. And
29 the subsistence users, again, I'll be talking primarily
30 from the eastern side just because the herd hasn't been on
31 the western side for very long are quite efficient.
32 Basically even when this hunt was huge, you know, before we
33 reduced the harvest, you know, people on the eastern side
34 always took 20 to 30 percent of the harvest. You know,
35 competition, you know, and that's when 2,700 people were
36 basically getting permits, you know, they always took 20 to
37 30 percent. Another case in point, when there's like say a
38 November season, when there's no competition and there's
39 caribou these people are quite good at getting caribou,
40 you we've seen them kill 150 to 200 caribou in just a
41 number of days. This has happened on the Nelchina herd,
42 that's happened on the Fortymile herd in years past. So,
43 you know, the subsistence hunters are very good at getting
44 caribou when the caribou are available. Okay. So I think
45 if you could take the straight percentages, you know, of
46 say 850, just even almost on the eastern side we can expect
47 subsistence users to take 150 to 200 caribou next year
48 which is the highest harvest they've since before 1973.
49 Okay. So I mean that's just their ability to get the
50 caribou and what the season will offer, especially with a

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1 November season, you know, an open right then.

2

3 Now, how was I saying this will affect the
4 caribou herd? Craig, you brought out two really good
5 points. Now, if you just looked at the Fortymile herd as
6 it stands, you know, and lets face it, population-wide,
7 especially if you looked at the last couple of years of,
8 you know, kind of poor environmental conditions, it's a
9 success story. I mean you're right, 35,000 caribou.
10 There's no way that a 2.5 percent harvest under 850 and if
11 you add, let's say an additional, let's just say we add the
12 whole subsistence harvest onto it, so it's another 200, 250
13 animals or whatever, if you count the western side, that
14 that itself is going to be any -- you know, that it's
15 something that that herd can't absorb. But the important
16 question is and it's really the essence of the whole
17 planning process and the whole essence of the harvest plan,
18 that is herd growth and that's to get this herd back into
19 traditional ranges to, you know, basically be in Dot Lake,
20 you know, come winter and you know, they're in Billy Creek
21 right now but not in great numbers.

22

23 But the whole idea is if this herd keeps
24 growing it will get into traditional range, there will be
25 caribou close to Fort Yukon. I mean history tells us that
26 herd can get that big and it can move that far. So you
27 know, that's really -- I mean that's the goal of this whole
28 thing. So the idea of the -- I mean let's face it, the
29 Eagle Advisory Committee, that's some of your biggest
30 subsistence users, you know, Upper Tanana Advisory
31 Committee, Delta Advisory Committee and Central Advisory
32 Committee, they're all part of this harvest plan, they
33 wrote it. And this is kind of what they're looking at.

34

35 You know, so you're right, in the big
36 picture it would be -- well, in the herd picture the
37 additional harvest would not cause the herd, let's say,
38 decline. It could, I guess, especially like I say this
39 year when the herd's sitting a little bit more
40 environmentally affected right now, you're not going to see
41 the growth rates that people want.

42

43 MR. FLEENER: Mr. Chair, what sort of an
44 equitable solution then do you see to answer some of the
45 questions that Nat has asked but to also protect herd
46 growth? I mean apparently there's a rift here that we need
47 to get across and we need to do something, maybe to combine
48 both proposals into something that's more equitable from
49 this Council's perspective.

50

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1 MR. GARDNER: Well, if I got to be the
2 dictator, I guess what I would like to see and really kind
3 of the authors of the harvest plan wanted to see was maybe
4 the first step or two when this harvest is being increased
5 is actually more baby steps than big steps, you know what I
6 mean? And I mean the harvest plan basically says, there's
7 no reason why this harvest can't increase quite rapidly,
8 the season's can't increase quite rapidly as the herd
9 increases, but basically it says let's start it slow, okay.

10
11 Now, let's see.....

12
13 CHAIRMAN NICHOLIA: Yeah, Craig, what if we
14 -- in this Proposal 38, that first harvest, that fall
15 season, how about if we put it up to -- it's 55, how about
16 if we move it 100 and then the winter season will close
17 when the combined following winter harvest quota of 150,
18 why not move that to 250; what would that do to you?

19
20 MR. GARDNER: Actually you're being too
21 conservative. You know, I think what you could do, what
22 I'm hoping would work is, is that I looked at herd movement
23 pattern, you know, distribution through the year, okay, and
24 how people can jump on them, basically, you know, I mean
25 they can be available. There could be this first year an
26 850 quota. And what I'd like to see is, like I said, I'm
27 more of a November hunt person just because I don't like to
28 see bulls shot that are still rutting. But if the Federal
29 user had that full November season, the -- well, the
30 Nelchina herd is there, too, which benefits some of the
31 southern road people, but the Fortymile herd for the last
32 10 years has always been accessible from the Taylor
33 Highway, always. Now, the last three years it's been
34 accessible from Central, you know, by November. I mean you
35 have to travel a bit further, you know, they're not
36 standing on the Steese yet but they are in Birch Creek and
37 they are in Harrison Creek, they are accessible, okay.
38 Now, that month's season people can get to these caribou on
39 Federal lands and the reason why I'm a little bit against
40 the March season is because it's after the fact. It's
41 harder to manage the quota after the fact.

42
43 You know, if I wanted to make sure there
44 was never more than 850 caribou shot, I would have to shut
45 down or play with the State's season possibly in February,
46 shut it down early to make sure that there was some left
47 over for the Federal season in March, which actually this
48 is -- it's a tough question to answer, that actually hurts
49 a lot of the Federal users. Especially like if you live in
50 Eagle. Federal land is a long ways away, it's tough to get

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1 to. They hunt the summit. So they want as much hunting as
2 they can get, okay, you know, and so they want that State
3 hunt open. You know, so that's why I've always been kind
4 of against that March season.

5
6 But like I said, if 850 quota, I think
7 right now is like 640 in the fall is what the harvest plan
8 is calling for, 210 in the wintertime, 25 percent cow; I
9 would think and like I said, just based on past history,
10 past ability of subsistence users and I mean Chuck's been
11 up there, Nat, you've been up there, Jim, you've been
12 hunting up there, that with the November season, with the
13 availability of the Fortymile herd, that the subsistence
14 users can take, easily can take more Fortymile caribou than
15 they've taken since the early 70s.

16
17 MR. JAMES: Mr. Chairman.

18
19 CHAIRMAN NICHOLIA: Davey.

20
21 MR. JAMES: Hey, Gardner. I just got two
22 questions here, I'm lost and I guess at the last three
23 meetings we had you here for at least an hour or well over
24 an hour discussing the Fortymile Caribou Herd, I think
25 sometime in the near future we should find a way to not
26 have you here so long, maybe some kind of workshop or
27 something to discuss this. But the one question I got, did
28 you say that you have an agreement with Canada or there is
29 no agreement with Canada in your Fortymile herd?

30
31 MR. GARDNER: Well, I guess it's the
32 handshake agreement. It's an informal agreement. There's
33 no state department or anything else involved in this,
34 right, but the Fortymile Caribou Harvest Plan has an
35 informal agreement with the Yukon and with that, Tr'ondek
36 Hwech'in, that the total quota of the Fortymile caribou
37 would be subdivided between Alaska and Yukon.

38
39 MR. JAMES: Yeah, the other question I got,
40 we're going back to like I said before in my opening
41 statement, catering to people again. We know, you know, as
42 users and managers that the caribou and the moose are all
43 rutting in October and there's just no use to shoot them
44 anymore. So then we're going to cater back to the people
45 again and we shoot caribou just for the horns because you
46 ain't going to do nothing with the meat, they're still
47 rutting and not tasting good or anything. So this proposal
48 is going back to October, why do we keep going back to
49 October when we know by the time November comes around the
50 moose meat will be good -- that caribou meat will be good

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1 to eat. And I think these questions need to be explained
2 to the proposer, who was writing the proposal, you know.

3
4 Because the other reasons that you have --
5 we've been given the opportunity already from October to
6 September, you know, freezers are full already. You know
7 you got king salmon, you got fish, you got -- whatever you
8 got in your freezers. So you know we need to give the
9 animal time to regroup back.

10
11 That's my comments. Thank you.

12
13 MR. GOOD: Mr. Chairman, I'll answer that
14 very briefly. The season was put forward to have a
15 placeholder there for us to work with. But, number 2,
16 there are two sexes of caribou and generally cows aren't a
17 problem to harvest at that time.

18
19 Mr. Chairman, I have a series of questions
20 here if I may.

21
22 CHAIRMAN NICHOLIA: Go ahead.

23
24 MR. GOOD: First we've been running a hunt
25 on the Nelchinas when they get over to the refuge area east
26 of Tok. Do you have any idea, Craig, how many caribou are
27 harvested there?

28
29 MR. GARDNER: Yeah, I guess the last two
30 years has been the only two years since like '91 where
31 there's a Federal hunt and not a State hunt. This year,
32 talking about -- well, Connie's here, she can maybe correct
33 me, but I just talked to Ed Merritt and he said he thinks
34 around 50 were taken this November season. Last year,
35 actually the season was opened kind of behind the migration
36 so I don't think hardly any were taken last year. But I
37 think around 50 were taken this year.

38
39 MR. GOOD: Well, my comment there would be
40 as far as the eastern goes, you know, you have the
41 potential for solving a lot of your harvest problems for
42 subsistence hunters right there. A subsistence hunter will
43 go to the closest place he can to get meat because he wants
44 meat and he needs to fill the freezer and freezers are not
45 full, particularly in this area of the Interior, we don't
46 have -- if you think you got a salmon problem out there,
47 well, we just don't have salmon, which Craig can tell you
48 is the case. So we're not talking a huge impact then if
49 we're harvesting 50 caribou on that Federal hunt on the
50 Nelchinas. And, in fact, that will take care of a pretty

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1 large portion of our Federal hunters right there.

2

3

4 The second thing is the spider web, you
5 know, is -- well, the Fortymile River, is a problem for
6 subsistence hunters. They have to be on the spider web and
7 so does that caribou for them to harvest anything so I
8 wonder how much real impact we'd have there. There are two
9 other areas, Yukon-Charley and then over by Eagle, what
10 would you see subsistence harvest as being in those two
11 areas?

11

12

13 MR. GARDNER: Yukon-Charley, actually the
14 harvest is quite low just because of access. I mean you
15 can get a boat down to the Yukon-Charley along the Yukon
16 but all the rest of it is pretty much airplane accessible
17 only. I think the fall harvest in Yukon-Charley is
18 actually almost entirely airplane people and it's less than
19 five. The winter travel into Yukon-Charley probably
20 happens more from the Central side than from the Eagle
21 side. But actually I didn't see any caribou harvested from
22 Yukon-Charley this winter.

22

23

24 The other Federal land out of Eagle, they
25 actually have to get O'Brien Creek is the next -- Columbia
26 Flats, O'Brien Creek is actually a fairly good snowmachine
27 ride across the summit for them, so they actually killed
28 around 10, 12 caribou this year but most of those caribou
29 were not on Federal land.

29

30

31 MR. GOOD: Yeah, and the point I'm making
32 here is, in drafting this, there was no limit put on there
33 because the number of hunters and the number of land itself
34 is a limiting factor immediately as is the availability of
35 the Nelchina herd, which is much closer. These people will
36 take the closest caribou they can, they don't want to go
37 further.

37

38

39 MR. GARDNER: Some of that's correct, Nat.
40 Fifty caribou was a nice gift to people in that area. I
41 mean probably kind of like in other places, moose hunting
42 was not very good around there. But actually they kill a
43 lot more than that and also they've shown the ability, like
44 I've said, in the past, to get caribou when they are
45 available. And in 1987, 1988 and 1992, actually there were
46 big kills of caribou along the Taylor Highway and in 1992
47 that happened on Federal land and in '89 it happened on
48 Federal land. I mean in November and in parts of the year
49 the Fortymile herd can be very much camped in the spider
50 web or the Fortymile River system and are actually quite
51 accessible. And like I said, they killed 190 caribou and

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1 that was primarily just residents from Tok with a few from
2 Tanacross, who knows, Chuck might have been there, but they
3 killed 190 caribou in just like four days. So, no, they
4 have a much greater ability to take caribou than just the
5 50 caribou indicates.

6
7 MR. GOOD: And if they don't and proves you
8 to be wrong, then what?

9
10 MR. GARDNER: That's the beauty of your
11 system, you're here every year, you know, and we can change
12 that. I think that's kind of what the authors of the
13 harvest plan were asking, is that, let's go this first
14 year, let's try it and if we're wrong let's correct it but
15 let's not be wrong in the other way. You know, let's not
16 basically take away the growth rate of the herd.

17
18 You know, Craig asked me what I would like
19 to see, I would like to see what a November season --
20 basically, you know, 30 days of no competition hunting, you
21 know, on a herd that has historically shown to be available
22 on Federal land during that time period can do for the
23 harvest for the subsistence user.

24
25 MR. FLEENER: Mr. Chair, what do you think
26 about that Nat?

27
28 MR. GOOD: Well, I think we have to hear
29 from everybody and then I think we ought to discuss the
30 items of flexibility that we have as a group here. But I
31 have some other questions here. Well, first I'd like to
32 make a point, the Fortymile team no longer exists at this
33 point, right?

34
35 MR. GARDNER: Correct. They stepped down
36 last December.

37
38 MR. GOOD: Right. Second, when this whole
39 thing started basically there was a promise made, stick
40 with us for five years and we'll have it.

41
42 MR. GARDNER: I think their promise was
43 that they would be in, yeah, for five years and they would
44 put forth recommendations, you know, for herd management
45 and then they'd step down with the idea, of course, that
46 their successes would be built upon the next group of
47 people that were working on decisions.

48
49 MR. GOOD: Okay. Next, you know, I asked
50 you this once before but this is just a matter of curiosity

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1 with me, have you worked at all with the Army? Because the
2 real concern and you've mentioned it already, the Fortymile
3 herd is moving south. And if they do once again, go from
4 Hundredmile by Mount Hayes over to Black Rapids, they'll be
5 crossing the biggest bombing range in the United States and
6 that could decimate that herd a lot faster than any
7 subsistence hunters.

8
9 MR. GARDNER: No, if they met a bomb, that
10 would be bad. But actually there's data on that because
11 the Delta herd lives right next to the bombing range and
12 they're actually on the bombing range quite often. And the
13 amazing thing about it is the Delta herd radio-collared --
14 you know, a lot of radio collars on the Delta herd and
15 they're not losing caribou due to the bombing range. So I
16 mean some how caribou and the bombing range and moose and
17 the bombing range seem to get along.

18
19 MR. GOOD: But that could be very different
20 when you're talking 200,000 caribou. And this group would
21 actually be crossing the range completely, no question
22 about going behind it or between them. So that's a concern
23 I have, anyway. We don't really have any way to accurately
24 estimate what a Federal harvest would be. Now, Chuck and I
25 did a phone survey that went through the different villages
26 from Eagle on south and picked up Tanacross and Northway
27 and so forth and there were several concerns expressed by
28 these people. Number 1 among them was the impact of the
29 outside hunters who they feel are much more efficient and
30 their ability to take game is so much higher than theirs
31 because they've got all the equipment, all the gear. And
32 we're already well aware of what the State has done with
33 the Nelchina herd and basically we can anticipate that this
34 fall there will be a lot of Anchorage hunters, hunters from
35 everywhere that used to hunt the Nelchina herd will now be
36 taking the Fortymile, and that the number that is on it is
37 relatively small. So there's going to be a very high
38 impact hunt. They're concerned about getting a real
39 opportunity to get meat. So how do we make sure that those
40 animals aren't simply harvested by the urban hunters? Now,
41 I think that's where we're getting back to setting a
42 Federal limit. If we set a Federal limit here, how will
43 that impact the limits that you have?

44
45 MR. GARDNER: Actually you hit on three
46 things. Okay, one, Nat, take you back -- I kind of didn't
47 think my answers through on the military site, but, you
48 know, we've been quite successful working with the military
49 and moving the military activities around caribou herd.
50 You know, we have the web site, we actually have an

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1 agreement with them. So I would think if there's 200,000
2 caribou we're going to know that. So we can basically
3 contact the military and begin a working agreement. It's
4 been quite successful actually. So I think that concern
5 can be hopefully a little bit limited.

6
7 Okay, the impact of outside hunters; no
8 doubt. The restrictions being put on the Nelchina harvest,
9 you know, is going to make an impact where people go for
10 caribou and the Fortymile herd is going to be their best
11 bet. The beauty of the system that we have that actually
12 protects the Federal user is going to be the quota system
13 and the registration permit. Now, I know Eagle is quite
14 concerned with the influence of outside hunters up in their
15 area and I would assume that probably all the different
16 villages are. Under the registration permit, one, that
17 basically there's a fall season and there's a winter season
18 and there will be a Federal season that is not overlapped
19 by any of the State seasons. And so the fall quota, even
20 if it's met, will have no influence in what can be taken in
21 November by the Federal hunter, none. You know, because
22 there's -- you know, basically that's a fall quota and it
23 will be managed for that.

24
25 Now, also under a registration permit,
26 there is and it says it right in the harvest plan that, you
27 know, the Board has pretty much told me to follow, that if
28 that herd at any point is vulnerable to excessive harvest I
29 shut it down. So I know the big concern is, let's say,
30 Chicken Trail, people that have much -- like you said, they
31 got a four-wheeler sitting available to them and you know
32 they have much better machines and they can get further
33 back. Now, if that herd stands on Chicken Trail, and we've
34 done this, I shut the Chicken Trail down. It's a temporary
35 closure. Okay. And under a discretionary permit --
36 discretionary authority of the permit I can do that, in
37 fact, the Game Board's told me to do that. And so there's
38 no reason for you guys to trust me to do that, but the
39 authority is there and I guess we have been successful now
40 to run, I think, close to 25 registration permit hunts in
41 the last eight years and we've only went over the quota
42 once. So we have the ability, basically in the Tok office
43 to run registration permits, and I think we can protect
44 that Federal harvest.

45
46 MR. GOOD: Where will these registration
47 permits be available?

48
49 MR. GARDNER: The registration permits for
50 the Central hunt will be basically available Central,

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1 Fairbanks, basically the Fish and Game offices across the
2 state so people have to go there. And also in Central.
3 Okay, so people there can just walk over to Crabb's Corner
4 and get one. The same with Eagle, they'll be at the Park
5 Service office and at the store. And for Tok, at the
6 office and the sporting goods store. And they'll be in
7 Delta. So they're going to actually be quite available,
8 more available than they were in the past.

9
10 MR. GOOD: I guess the question is more
11 like, what about out of area hunters, will they have to
12 come to the area to get a permit?

13
14 MR. GARDNER: No. They'll be able to get
15 permits now outside of area, like we'll have them available
16 in Anchorage but only at the Fish and Game office. So
17 they're still going to have to make a stop where it's not
18 as easy as going to a vendor but, no, they'll be able to
19 get a permit.

20
21 MR. GOOD: Did you have anything else,
22 Craig? Mr. Chairman, maybe you'd want to see if anybody
23 else would like to comment on this?

24
25 CHAIRMAN NICHOLIA: You done, Craig?

26
27 MR. GARDNER: Yeah, for now. Yeah.

28
29 CHAIRMAN NICHOLIA: Any more questions for
30 Craig? Thank you.

31
32 MR. GARDNER: Thank you.

33
34 CHAIRMAN NICHOLIA: Is there anybody else
35 in the audience that wants to comment on the Fortymile herd
36 concerning Proposal 38, 39 and 40?

37
38 MS. FOX: I'd like to follow Pete's
39 presentation.

40
41 MR. MIKE: Mr. Chair, I believe we're in
42 agency comments. I think we can have BLM approach the
43 bench and provide their comments to Proposal 38.

44
45 MR. DeMATTEO: Mr. Chair, maybe at this
46 time it would be appropriate for Staff to give you a brief
47 presentation on 38, 39 that reflects the analysis before
48 you get into comments that way you can be caught up to
49 speed before you go onto other agency comments.

50

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1 CHAIRMAN NICHOLIA: Go ahead, Pete.

2

3 MR. DeMATTEO: Okay. As Mr. Gardner did a
4 very good job on the breakdown on the biology situation of
5 the Fortymile herd, just to reiterate Proposal 38 again was
6 submitted by this Council and basically requests changes in
7 the season and harvest limit for caribou in 20(E) and
8 25(C), okay. And basically you're asking for an additional
9 57 days of opportunity from the existing season and you're
10 asking for one caribou which does match the State's
11 upcoming season. And also you're asking for no harvest
12 quota. The State's harvest quota would be 850 caribou
13 overall, what you're asking for on the Federal side there
14 to be no quota to adhere to.

15

16 Proposal 39 was submitted by the Upper
17 Tanana Fortymile Advisory Committee. Their proposal
18 requests, again, changes in the season and harvest limits
19 in the same subunits and they request an additional 27 days
20 of opportunity to harvest caribou. They changed the
21 harvest limit from one bull to one caribou. But they would
22 adopt the State's quota of 850 caribou which is opposite
23 from your proposal.

24

25 Those are the two proposals that you have
26 before. Forty, I'll leave for the end because that's
27 totally a different situation.

28

29 Again, you mentioned the quota and I think
30 you heard from Mr. Gardner the extenuating circumstances,
31 situations that it may cause if you have no quota. The
32 lands in 25 -- George, do you have a map for this area? I
33 think you also have a map in front of you on your table.
34 Basically the lands we're talking about here, if you look
35 at the map, is essentially this area here and below the
36 Steese highway and if Proposal 40 is adopted it also will
37 include a small area up here north of the Steese Highway
38 and that would be the western hunt. And if we could have
39 the other map. Then on the eastern side, basically as we
40 mentioned before you're talking about the Fortymile Wild
41 and Scenic River Corridor which is this skinny piece of
42 land. So the Federal harvest as you would propose the
43 quota above the 850 would have to adhere to that area.
44 Just so you know that.

45

46 If your proposal was adopted, the agencies
47 would have to come up with a separate Federal permit which
48 would be quite a challenge. It would also require an in-
49 season tracking system which would have to happen and we'd
50 have to share that with the State because the State, quite

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1 possibly, have to absorb any additional harvest on their
2 side.

3
4 Mr. Gardner pointed out that any additional
5 harvest above the 850 would probably not be severely
6 detrimental to the herd in the near future but it has other
7 effects that ripple in other areas as well that he well
8 pointed out, particularly on the Canada side. Canada has
9 their own management and objectives for their side and they
10 had hoped that the herd would grow to the point where it
11 expands to the other side of the border so they can open up
12 harvest for their people as well. Again, the analysis
13 supports your proposal simply because the few caribou that
14 you would take is not going to biologically impact the herd
15 to the point where it's going to shut them down. But I
16 think we're pretty much in agreement with the Department of
17 Fish and Game that, yes, from a biological analysis there
18 is no short-term detrimental impacts to the herd. Just so
19 you know that the other circumstances also need to be
20 considered as well.

21
22 And that's basically what I have for you.
23 Thank you.

24
25 CHAIRMAN NICHOLIA: Concerning Proposal 38,
26 it was submitted by us.....

27
28 MR. GOOD: Yeah, that was submitted by us.
29 Jim and I sat down with Pete and we just worked up
30 something so that we would have a placemaker in here to
31 work with. And it was biologically based, in that, there's
32 nothing that it would do to harm the herd. What we're
33 talking about is rate of growth here, that it could impact
34 the rate of growth of the herd depending on how many
35 caribou are taken and that's kind of a vague question as to
36 how many would even be taken here. I think that my primary
37 concern is that the subsistence hunters do harvest their
38 meat. I'm not talking about being able to go hunting, I'm
39 talking about actually getting meat to put on their tables
40 and in their freezers.

41
42 CHAIRMAN NICHOLIA: So you guys put this
43 proposal together to give more opportunity to the local
44 residents instead of having to compete in the open season
45 hunt?

46
47 MR. GOOD: Yeah, it is our very strong
48 belief that you will see this herd impacted by people from
49 all over the state. It's going to be the new target of
50 opportunity with the closing largely of the Nelchina hunt.

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1 All of those Nelchina hunters, State hunters will be, as
2 Craig stated, you know, heading for the Fortymile. This is
3 where they can get a tag and drive relatively close and
4 they can take their four-wheelers and other equipment or
5 even fly in and get caribou.

6
7 I wonder if I could call Craig back up here
8 again because Pete touched on something that I would like
9 to talk to Craig on here. This deals with the permit
10 system. My question would be, if we establish limits, you
11 know, some type of harvest limits on there, what does it
12 take to make it possible to have this joint permit? Now, I
13 recognize that the Nelchina is not a joint permit and that
14 it is not impossible for us to issue our own permits but
15 there are advantages to keeping them together as well.
16 Craig.

17
18 MR. GARDNER: I would think that as long as
19 there was a quota, you know, something that I can manage
20 for through the harvest plan, knowing what the Federal
21 quota is, knowing that, you know, knowing what the number
22 is and knowing that the hunts would be closed following
23 once that quota was reached, that we could continue a joint
24 permit because then we would have a number that, you know,
25 both sides would be managing under. That's what I expect.

26
27 MR. GOOD: Mr. Chairman, if there's nobody
28 else that would like to comment on this issue, I'd like to
29 make sure everybody has a chance, but if there is nobody
30 else I'm looking at the time up there and it's almost noon
31 and wondering if the two Craigs, Jim and Chuck and I might
32 get together to talk about this real quick and we could
33 either declare a break or go for lunch at this point?

34
35 CHAIRMAN NICHOLIA: I'll leave it up to the
36 Board, it looks like everybody's nodding so we'll just go
37 for a break and these guys could work it out on the lunch
38 break. What you got, Peggy?

39
40 MR. GOOD: Would it take very long, Peggy?
41 It would be nice to hear everybody on this issue and then
42 go from there?

43
44 CHAIRMAN NICHOLIA: Peggy, go ahead.

45
46 MS. FOX: Thank you, Mr. Chair and Council
47 members. I wanted to take the opportunity to address this
48 proposal, it is a very difficult one for the Council and
49 for the agencies.

50

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1 representatives are questioning the proposed deviation from
2 the harvest plan and argue for a cohesive unified approach
3 to management. This perspective does have merit and needs
4 to be heard and considered. But that's not our role in the
5 Office of Subsistence Management, and so you'll find us, at
6 times, in opposition with other Federal agencies and the
7 State, given our focus.

8
9 ANILCA doesn't require, I will say neat
10 packages, at times it can become very messy and we need to
11 work out other arrangements.

12
13 Proposal 38, if adopted by the Boar would
14 require the State modify its harvest plan because a quota
15 will not be compromised. As Craig has indicated, they will
16 adjust to try to adhere to the overall objectives of herd
17 growth. I do not believe that there is a threat to
18 delaying herd growth. I believe that we are still all
19 focused on the same objective and that is the recovery of
20 the herd. IT does require an adjustment to address the
21 Federal priority.

22
23 So, in other words, I guess what I'm trying
24 to say is that the Federal harvest would be preemptive and
25 the State will have to make adjustments with management of
26 the total numbers. I think that concludes my comments
27 unless there are questions.

28
29 CHAIRMAN NICHOLIA: Any questions for
30 Peggy? Taylor, you wanted to say something? Thank you,
31 Peggy.

32
33 MR. FOX: Thank you.

34
35 MR. BRELSFORD: Thank you very much, Mr.
36 Chairman. I'll have three points to make for the benefit
37 of the Council and in the service of the more transparent
38 and forthright dialogue and discussion, I first have to
39 register on the record my surprise at the fact that in
40 reviewing Staff work several weeks ago we had an agreement
41 from the Office of Subsistence Management that some options
42 would be provided to the Council. When we received the
43 written material 10 days ago, we realized that that
44 agreement had not been upheld. When I drew this to the
45 attention of management last week, Thursday, I was assured,
46 again, that this set of options for the consideration of
47 the Council would be offered today and yet I find now that
48 three times running, this opportunity for the agencies to
49 work together has not been followed through. I regret
50 needing to make this visible to the Council, but I think it

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1 is a matter of very strong concern as to how we will work
2 together in the five agencies to do our best work.

3
4 I'd like to turn to a second suggestion
5 from Ms. Fox's remarks and that is Proposal 38 would
6 provide for no priority for Federally-qualified subsistence
7 users as required by ANILCA. That is a bold statement. I
8 think it is perhaps a bit beyond the line. I think we were
9 convinced and the reason the BLM has had a lot of concern
10 about supporting and maintaining the plan is precisely
11 because the plan provides for effective opportunities for
12 the priority for Federally-qualified subsistence users. I
13 don't know how many times you heard this morning that the
14 entirety of the November season would be exclusive to the
15 Federally-qualified subsistence users, I hope you haven't
16 lost sight of that.

17
18 Craig.

19
20 MR. FLEENER: Mr. Chair, someone just asked
21 me who you were so you might want to let us know who you
22 are and who you work for.

23
24 MR. BRELSFORD: Thanks. Sorry. I'm Taylor
25 Brelsford. I'm speaking in my new capacity as the Staff
26 Committee representative for the Bureau of Land Management.
27 I've had occasion to meet and work with many of you over
28 the years as a former -- as an employee of the Office of
29 Subsistence Management. And as of about a month and a half
30 ago my responsibilities now have to do with ensuring that
31 the Federal land management agency concerns of the BLM are
32 represented fully in the Staff work and fairly before the
33 Council.

34
35 The third point that I'd like to make,
36 finally, is that I think some of the discussion, Nat has
37 initiated it, others have followed, on the idea of revising
38 Proposal 38 to stay with some sort of a quota in hopes of
39 continuing a joint hunt and some of these other benefits
40 that come from a plan, a measured systematic approach to
41 continuing to promote herd growth. I want to plead with
42 you to look at very closely at ways to stay as close as
43 possible to the management plan, to the herd plan.

44
45 I would like to then conclude by making
46 sure it is clear and accurate in your minds that the BLM
47 views represented on the latter pages of the Staff analysis
48 were wrongly characterized. The BLM did not support
49 Proposal 38 and instead proposed and urges a modification
50 that would expand the season, some of the expanded harvest

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1 opportunity makes sense but....

2

3 CHAIRMAN NICHOLIA: Excuse me, Taylor, we
4 already made little things earlier that the two Craigs and
5 the two Jims work together on this. Could you save this to
6 work together with these guys so we could -- like some
7 people want to go to lunch and stuff.

8

9 MR. BRELSFORD: Happy to do that. Thank
10 you.

11

12 CHAIRMAN NICHOLIA: I'm sorry to cut in but
13 could that be done? Is that good head nods from you guys.

14

15 (Council nodding affirmatively)

16

17 CHAIRMAN NICHOLIA: Okay.

18

19 MR. GOOD: One quick comment, though, I
20 really don't like to see the agencies arguing with each
21 other, I think that Peggy did a very good job of
22 summarizing the actual proposal. I think she did say that
23 we have some problems to deal with here. I don't think
24 you're that far off in terms of what you said, so, please,
25 let's not fight amongst ourselves here. I think we
26 understand where you're coming from Taylor.

27

28 CHAIRMAN NICHOLIA: So these two Jims and
29 these two Craigs are going to work together on this
30 proposal with Taylor or.....

31

32 MR. GOOD: And myself and Chuck.

33

34 CHAIRMAN NICHOLIA: Okay, and Chuck, just
35 have a little work group here.

36

37 MR. FLEENER: Whoever wants to join us.

38

39 MR. GOOD: We'll just stay here.

40

41 MR. FLEENER: Everybody that wants to leave
42 and go to lunch, the rest of you who want to stay and talk
43 with us we'll be up here.

44

45 CHAIRMAN NICHOLIA: Let's recess for lunch
46 and come back at 1:30 and reconvene.

47

48 MR. MIKE: Mr. Chair, just briefly for
49 clarification, Proposal 38 is still on the table, right,
50 and then we'll come back for agency comments. Thanks.

00042

1 (Off record)

2

3 (On record)

4

5 CHAIRMAN NICHOLIA: Let's everybody have
6 their seats and we'll call this meeting back to order.

7

8 MR. MIKE: Mr. Chair, I believe we're on
9 Proposal 38 and the Council went into a work session to
10 discuss the Fortymile Caribou Herd and has the Council made
11 a recommendation for the proposal? Pete, are you going to
12 present that?

13

14 MR. DeMATTEO: Mr. Chair, for the record,
15 before the lunch break the Council heard all the
16 presentations on Proposal 38, 39 and also from the
17 Department of Fish and Game you heard a presentation on the
18 current status of the Fortymile Caribou Herd. During the
19 lunch break we had a work session, all the key parties and
20 I believe the product of that work session was a revision
21 to your existing Proposal No. 38. Does the Council concur
22 with this?

23

24 MR. GOOD: Yes, we do.

25

26 CHAIRMAN NICHOLIA: Well, I'd like to hear
27 the revision since I was gone.

28

29 MR. DeMATTEO: Okay, hearing concurrence
30 from the Council I'll read the revision. The revision to
31 Proposal 38 is as follows: It increases the harvest limit
32 from one bull caribou to one caribou for Unit 25(C)
33 remainder, now, bear with me on the remainder part, we'll
34 get to that shortly. But it's Unit 25(C) remainder and the
35 quota for the -- the season you'd be adopting for the fall
36 would be August 10th to September 30th with a joint
37 State/Federal quota of 225 caribou. The winter season for
38 Unit 25(C) remainder would be November 1st through February
39 28th with a joint State/Federal quota of 210 caribou. The
40 210 caribou will be shared with Unit 20(E) of which 50 will
41 be reserved for a harvest objective for Federally-qualified
42 subsistence users. That's 25(C) remainder.

43

44 For 20(E), the revised season for the
45 proposal is August 10th through September 30th with a joint
46 State/Federal quota of 320 caribou for the fall season. For
47 the winter season, November 1st through February 28th with
48 a joint State/Federal quota of 210 caribou for the winter
49 season. The 210 caribou shall be shared with Unit 25(C)
50 which 50 will be reserved as a harvest objective for

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1 Federally-qualified subsistence users.

2

3 And that is the revised language for your
4 Proposal 38.

5

6 CHAIRMAN NICHOLIA: Everybody understands
7 that?

8

9 MR. GOOD: Mr. Chairman, I move that we
10 adopt this as the amendment to Proposal 38.

11

12 MR. FLEENER: Second.

13

14 MR. MILLER: Question.

15

16 CHAIRMAN NICHOLIA: Nat Good moved to adopt
17 the proposal, revisions to Proposal 38 -- question.....

18

19 MR. JAMES: Is this with the same dates of
20 October 21st through March 31st or are we just talking
21 about the quota?

22

23 MR. DeMATTEO: Mr. Chair, to answer Mr.
24 James question and, that is, during the work session
25 everyone seemed to agree that considering the quality of
26 the meat during October it would be best to go to a
27 November season and now what you're proposing is a November
28 1st through November 30th season, which, in a sense, is
29 open to Federally-qualified subsistence users.

30

31 CHAIRMAN NICHOLIA: That answers your
32 question Davey?

33

34 MR. JAMES: Yeah, thank you.

35

36 MR. FLEENER: Question.

37

38 MR. GOOD: Could I get Pete to readdress
39 that season?

40

41 MR. DeMATTEO: To clarify, the season would
42 go from November 1st through February 28th overall. But
43 you're talking about changes from the revised language to
44 the original proposal. The original proposal went from
45 August 20 through March 31st. In your revision you dropped
46 the March 1st through the 31st season, and you also dropped
47 the 10 day season in October and you're going with
48 essentially -- what is different from the State, is the
49 November season, is what I was getting across.

50

00044

1 CHAIRMAN NICHOLIA: Okay, Proposal 38, as
2 revised has been moved, seconded and question has been
3 called. All those in favor of the revised Proposal 38,
4 signify by saying aye.

5
6 IN UNISON: Aye.

7
8 CHAIRMAN NICHOLIA: Opposed, same sign.

9
10 (No opposing votes)

11
12 CHAIRMAN NICHOLIA: Proposal 38 as revised
13 is adopted.

14
15 MR. DeMATTEO: Mr. Chair, in keeping with
16 the program here now, the Council has to consider Proposal
17 39 that was submitted by the Upper Tanana Fortymile
18 Advisory Committee. And of course you supported your own
19 proposal with the revision but on the record you have to
20 decide whether you support 39 or not.

21
22 MR. GOOD: Mr. Chairman, I move that we
23 adopt Proposal 39, and this will be for purposes of
24 defeating it.

25
26 MR. FLEENER: Second.

27
28 CHAIRMAN NICHOLIA: Discussion.

29
30 MR. GOOD: Mr. Chairman, we've covered
31 everything in 38 and we've come to agreement on it, 39
32 becomes superfluous and therefore I ask for question.

33
34 CHAIRMAN NICHOLIA: It's been moved,
35 seconded, the question has been called. All those in favor
36 of Proposal 39 signify by saying aye.

37
38 MR. GOOD: Aye -- oh, no, I take that back.

39
40 (No aye votes)

41
42 CHAIRMAN NICHOLIA: All those opposed to
43 Proposal 39 signify by aye.

44
45 IN UNISON: Aye.

46
47 CHAIRMAN NICHOLIA: Proposal 39 fails.

48
49 MR. FLEENER: Let the record show that Nat
50 supported it.

00045

1 (Laughter)

2

3 MR. FLEENER: Mr. Chair, I move to adopt
4 Proposal 40.

5

6 MR. MILLER: Second.

7

8 MR. DeMATTEO: Mr. Chair, do you wish to
9 hear what 40 is all about, first?

10

11 MR. FLEENER: Yeah, we've brought on the
12 table for discussion, that's the usual procedure we haven't
13 been following to get it on the floor.

14

15 (Laughter)

16

17 CHAIRMAN NICHOLIA: Go ahead.

18

19 MR. DeMATTEO: Proposal 40 was submitted by
20 the Eastern Interior Council. And this proposal requests a
21 change in the area description for Unit 25(C) -- and if we
22 could have the map, George -- if you look at the map for
23 25(C), essentially the regulatory description -- the
24 current regulatory description for the Federal regulations
25 divides the subunit using the Steese Highway as a dividing
26 descriptor. So essentially right now we have the area
27 south and east of the Steese Highway, which is there and we
28 have the Federal lands, the BLM lands north and west of the
29 Steese Highway, which is here. The State changed that
30 descriptor, essentially because as the Fortymile Caribou
31 Herd is increasing in size and also its distribution to the
32 west, we need to put a regulatory buffer in between the two
33 herds, that is, the Fortymile Caribou and also the White
34 Mountain Caribou Herd which is -- I'm not sure of the
35 number but it's under 2,000 animals. So what the State
36 opted to go with is the Preacher/American Creek has a
37 regulatory descriptor for this area rather than using the
38 Steese Highway. So essentially what you would have here is
39 the area north and west and then instead of having the area
40 south and east, now we have the area as a remainder. So
41 the remainder is everything south and east of the
42 Preacher/American Creek area. So if you expanded this area
43 that is to the south of the Steese Highway to also include
44 a small area, well, I guess a relatively small area to
45 north of the highway.

46

47 Staff recommends that you adopt this
48 regulatory change as a protection -- as a regulatory buffer
49 protection for the Steese White Mountain Herd. And that's
50 essentially it in a nutshell. The other thing you should

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1 consider is that the Board of Game last year also upped the
2 harvest quota for this White Mountain Herd, from 30 to 100
3 caribou. It would certainly save me a whole lot of
4 paperwork if you were to revise your proposal right now to
5 request that the Federal Board do the same, up the harvest
6 quota from 30 to up to 100, but that is your choice, of
7 course. The Board of Game adopted this last year which
8 makes the State regulations more liberal than the Federal
9 regulations for the area north and west of the Steese
10 Highway.

11
12 That's it.

13
14 CHAIRMAN NICHOLIA: So Pete you're saying
15 that instead of 20 bulls here you want it to be 100?

16
17 MR. DeMATTEO: What I'm saying, Mr. Chair,
18 is that I recommend that you revise your existing proposal
19 to also request that the Board do a regulatory change for
20 the harvest limit for the area north and west of the Steese
21 Highway from 30 bulls up to 100 bulls and that would match
22 the harvest quota of the State.

23
24 CHAIRMAN NICHOLIA: So in reality you're
25 just aligning the Federal deal with the State?

26
27 MR. DeMATTEO: Correct.

28
29 CHAIRMAN NICHOLIA: Craig.

30
31 MR. FLEENER: Mr. Chair, could we get the
32 State guys up here so we could get the State perspective on
33 the rest of these proposals? Thank you State guy.

34
35 MR. HAYNES: Mr. Chairman, I'll make two
36 comments. I'll comment on this proposal if you like.

37
38 CHAIRMAN NICHOLIA: Terry state your name.

39
40 MR. HAYNES: Terry Haynes, Department of
41 Fish and Game, State Federal Subsistence Liaison team
42 member. I will comment on this proposal and then I want to
43 make a more general statement for your benefit.

44
45 The comments that the Department submitted
46 on the original proposal really focused on the part of the
47 proposal that's not really the key issue. Getting this
48 boundary adjustment in place is really what's important so
49 that when you see our written comments on Page 70 where we
50 do not support this proposal, we'll be making modifications

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1 in our final set of comments to the Federal Board where we
2 do support this proposal now because it does address an
3 important issue and because the other concerns that we have
4 are being addressed in Proposals 38 and 39.

5
6 The other comment that I want to make is a
7 more general one, Mr. Chairman. You will not see
8 Department Staff here regularly for this Council meeting.
9 As much as we want to continue supporting and participating
10 in the Council process, for the time being our Commissioner
11 has directed Department Staff to cut down our participation
12 in Federal Subsistence Management and regulatory
13 activities. These activities are taking an increasing
14 amount of time of Department Staff and there are some
15 funding issues to be worked out with the Federal
16 Subsistence Program so that we can have adequate
17 compensation for devoting an increasing amount of
18 Department Staff time to this very important Federal
19 Subsistence Management process.

20
21 MR. FLEENER: We've been looking for
22 compensation, too, so don't feel too bad.

23
24 (Laughter)

25
26 MR. HAYNES: And I understand that. So our
27 being here, temporarily, is not how we would like to be
28 operating. I am very concerned about what our absence from
29 part of this meeting means and it's not because I don't
30 want to be here it's because that is the directive that has
31 gone out to Department Staff. We will not have any Staff
32 at all at some of the Regional Council meetings, so the
33 fact that we've been able to participate in part of this
34 meeting and we will try and come back and be available to
35 you should questions come up, we simply have to cut down on
36 our participation in the process for the time being.

37
38 MR. FLEENER: Mr. Chair, I'd like to ask
39 Terry a question. How are we supposed to address the rest
40 of the proposals, especially if there are changes like with
41 Proposal 40? We're going to go through the rest of the
42 proposals and they say do not support, how are we to know
43 that indeed that that's changed and you do now support?
44 Are you going to submit some sort of a memo to us or is
45 that also not allowed?

46
47 MR. HAYNES: Mr. Chairman, if we're not
48 here to provide with additional comments, you'll have to go
49 with what are provided for you in the book.

50

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1 MR. FLEENER: Well, then Mr. Chair, I'd
2 like to let Terry know that, of course, we appreciate his
3 participation and that I personally am pretty unhappy with
4 the direction that Frank has taken on this. I realize if
5 you guys have had an agreement and you're not getting the
6 money you're supposed to then you got to make a stand, but
7 we're certainly not going to be able to function like we
8 need to without staff's input. And it's been very
9 beneficial in the past and I know it's only going to hurt
10 us in the long-run. And if you could let him know I'm that
11 I'm pretty unhappy about it, maybe it will do nothing, but
12 just if you could let him know, give him a ring when you
13 get back to the office and tell him I'm pretty unhappy
14 about it.

15
16 CHAIRMAN NICHOLIA: And another thing,
17 Terry, I wanted to mention, that is, I was going to mention
18 it in Anchorage at that meeting but I didn't feel like
19 sticking my neck out without the other two Council Chairs
20 with me. This split between, what Frank just did now, is
21 compromising both management agencies to successfully
22 manage limited resources for the increasing amount of users
23 of those resources. And what I see you guys doing here is
24 splitting. If it comes down to money, you know, money
25 should not be the issue here, it should be the issue of
26 managing cooperatively. That's what's got to be done.
27 Now, we've worked so hard together through the years and to
28 see this split now it's only going to hurt the resource
29 worse and it's going to hurt the users more, and we're
30 already hurting. So you relay that message from me to
31 Frank.

32
33 MR. HAYNES: Thank you, Mr. Chairman. I
34 share your concerns. I've been involved in this process
35 from Day 1 and we've made this -- the Department has made
36 this transition over the years from not being very
37 cooperative, in my opinion, to recognizing the importance
38 of cooperative management planning efforts, the Fortymile
39 Caribou plan is an excellent example of that, and also
40 working very closely with the Regional Councils. So I'm
41 personally disappointed that I'm not able to participate
42 fully in this meeting because I understand what it means to
43 our involvement in the regulatory process. I will pass
44 your comments on and Craig's comments on to the
45 Commissioner's office, and we appreciate that support you
46 have for our continued participation. Hopefully we can get
47 back to full speed in the very near future.

48
49 MR. GOOD: Mr. Chairman, I would like to
50 note that we are meeting in Fairbanks so the expense is

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1 greatly reduced so I would hope that you would be able to
2 attend this meeting.

3
4 MR. HAYNES: Mr. Chairman, that's why we
5 will be here off and on because the meeting is in town and
6 doesn't require travel expenses.

7
8 MR. GOOD: Well, Mr. Chairman, we currently
9 have a motion on the floor. I believe Fish and Game has
10 indicated they actually support this, that they have no
11 real problems with it. I would like to take in Pete
12 DeMatteo's suggestion here and therefore, I move to amend
13 that motion to include alignment with the Steese White
14 Mountain Caribou Herd harvest, align it with the State,
15 move it from 30 to 100.

16
17 MR. FLEENER: I consider that a good
18 second, and we can just amend the original proposal and
19 second.....

20
21 MR. GOOD: That was a motion to.....

22
23 MR. FLEENER: Well, what I'm trying to do
24 is get away from having to vote on it and vote on the first
25 one, since I made the original motion and you seconded it,
26 didn't you?

27
28 MR. GOOD: Yes.

29
30 MR. FLEENER: So I think that we can bypass
31 that, yes, it's friendly.

32
33 MR. WILDE: I must be missing something
34 here. I keep hearing that this herd is way less and you
35 don't even know how small it is and we're going to up the
36 quota and we're going to shoot any cow or bull. Am I
37 missing something here?

38
39 MR. DeMATTEO: Mr. Chair, I would recommend
40 that you reflect that question to Fish and Game and maybe
41 they could shed some light as to why the Board of Game
42 changed the from 30 up to 100 caribou.

43
44 MR. WILDE: I think we brought this up at
45 Tanana and I never got much of an answer there either and
46 now it's getting worse.

47
48 MR. GOOD: Mr. Chairman, what we're looking
49 at is a State Board of Game regulations and that would have
50 to have been in place since last year, that had to be

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1 something that was enacted by the Board of Game last year
2 -- yes, and the Board of Game won't be meeting on the
3 Interior again until next spring, a year from now. But
4 they did this over a year ago. What we're looking at here
5 is just coming into alignment with what the State has.

6
7 MR. FLEENER: But that doesn't answer his
8 question, if it's a problem of population crises or
9 whatever, why are we upping it? So maybe if Craig can come
10 up, it looks like he's pow-wow-ing back there now. Oh,
11 Craig.

12
13 (Laughter)

14
15 MR. GARDNER: Now, you're going to stretch
16 my knowledge here on the herd. But the proposal from the
17 State on the White Mountain Herd came from the Fairbanks
18 office here. And it came -- the first reason was because
19 it's very much under utilized, I guess, you know, they've
20 had long seasons or seasons in the past and, you know,
21 maybe very few animals are ever shot. And so the first
22 step was just to extend the season, you know, to give
23 people a lot more opportunity to get out there.

24
25 The upping the quota, Ruth was trying to
26 explain to me what she knew from the BLM side but to tell
27 you the truth, I don't really understand what the herd is
28 doing right now so I can't really answer that.

29
30 CHAIRMAN NICHOLIA: Craig, this is
31 concerning the White Mountain Herd, right, do you know for
32 sure that herd is declining or is this on the -- because we
33 just heard Jim there and he said it's declining. And
34 answer this question for me, if the herd's declining and if
35 the Board upped the ante from 30 to 100 last year, what's
36 the rationale for that?

37
38 MR. GARDNER: Yeah, Gerald, I guess,
39 personally I don't know the trend of this herd. I mean we
40 can find out fairly quick. I think, Ruth, knows more about
41 it because Jim Heragus from her office does some of the
42 monitoring. But maybe Ruth can take that question.

43
44 MS. GRONQUIST: I tried to talk to Jim
45 before I came to this meeting but couldn't get ahold of
46 him.

47
48 CHAIRMAN NICHOLIA: Ruth, could you state
49 your name.

50

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1 MS. GRONQUIST: I'm sorry, Ruth Gronquist
2 with BLM. There was a fairly concentrated effort to find
3 out what that population is doing. They've been looking at
4 it and have a general idea. I don't think they have a real
5 good idea right now if it's a declining trend but they
6 think that there might be fewer caribou in that herd than
7 they once thought. But they didn't have very good census
8 data. I can't answer the questions of why the quota was
9 raised except that it is a remote herd and it's difficult
10 to get to. It has been harvested below what Fish and Game
11 has felt it could be harvested. I don't think they've ever
12 come anywhere near to getting 30 caribou in the winter,
13 usually it's more like five, six, maybe as few as two. I
14 think there was one year in the last 10 where they maybe
15 saw 11 harvested out of there in the winter. But some of
16 the more specific questions, I think we'd have to talk to
17 the Fairbanks regional staff or Jim Heragus from our
18 office.

19
20 CHAIRMAN NICHOLIA: From hearing that
21 concern on Proposal 40, I agree with moving the boundary
22 west -- northwest, but I don't agree with raising the
23 harvest limit from 30 to 100 without having concrete data
24 right here about the number of animals that we're dealing
25 with. I'm very reluctant to increase that after hearing
26 this. I was trying to compare it with the Fortymile but I
27 made a mistake there.

28
29 MR. GARDNER: Yeah, I know the way Pete
30 wants to do it, I don't know if it could be possible but we
31 could get the information for you, a quick phone call or
32 whatever over to the office and you can come back and deal
33 with it if you'd like.

34
35 MR. DeMATTEO: Mr. Chairman, as Craig
36 Gardner mentioned, one option you have is to defer this
37 until Staff can collect more information. The area you're
38 talking about -- or the herd you're talking about is not
39 under the management of Ruth nor Craig Gardner, so they
40 don't have sufficient information. That's not part of
41 their job. If you can hold on this and defer it, Staff can
42 make some phone calls and see what we can dig up for you.

43
44 MR. GOOD: Mr. Chairman, I'd like to have
45 one question answered at this point, that is, if the State
46 sets a harvest goal of 100, and we have one of 30, when 30
47 animals are taken out of there, is our season over or does
48 it have to be 30 Federal permits filled?

49
50 MR. DeMATTEO: I believe -- and I hope this

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1 -- the Bureau of Land Management would have more
2 information on that, I believe it's a joint State/Federal
3 permit, and they're shaking their head yes. So in other
4 words, when 30 -- as of now when 30 permits are filled,
5 then it's over. But there is no such thing as filling 30
6 Federal permits. So if you filled 30 permits as being a
7 Federally-qualified subsistence user, the season would
8 still remain open as there is potentially up to 70 more out
9 there. Does that make sense?

10
11 MR. GOOD: Right. So they'd still be able
12 to hunt on the regular State permit, up to 100.

13
14 MR. DeMATTEO: There is no regular State
15 permit, it's a joint Federal/State permit.

16
17 MR. FLEENER: So it doesn't matter what we
18 do, it's going to be 100 no matter what?

19
20 MR. DeMATTEO: That is correct. It's going
21 to proceed anyways.

22
23 MR. FLEENER: Well, why don't we table this
24 until we get more information. But I don't even know if we
25 need any information. If we have no -- if we align with
26 them it doesn't matter, if we don't align it doesn't matter
27 because it will stay open until the 100 are met.

28
29 MR. DeMATTEO: Mr. Chair, let me point out
30 that that 100 is up to 100, which means that the people who
31 manage that hunt can use that as a sliding scale as they
32 need just to accommodate the herd.

33
34 CHAIRMAN NICHOLIA: But concerning the
35 population of the herd, I'm still reluctant to raise it.

36
37 MR. FLEENER: Well, Mr. Chair, I think I'd
38 like to withdraw my second for supporting that original
39 motion and I think we can clear Proposal 40 by supporting
40 the boundary part of it.

41
42 CHAIRMAN NICHOLIA: Okay.

43
44 MR. FLEENER: And then if we want to get
45 more information on the second part, I think we should
46 separate it out.

47
48 MR. GOOD: To clarify, we'll withdraw the
49 amendment to the original motion.

50

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1 MR. FLEENER: Yes.

2

3 MR. GOOD: And then we can go ahead and get
4 the business taken care of and do this later if it's
5 necessary.

6

7 CHAIRMAN NICHOLIA: Who moved, you -- Nat
8 Good moved, second by Craig to accept a northeast boundary
9 but not to increase the harvest from 30 to 100. All those
10 in favor signify by saying aye.

11

12 IN UNISON: Aye.

13

14 CHAIRMAN NICHOLIA: All those opposed, same
15 sign.

16

17 (No opposing votes)

18

19 CHAIRMAN NICHOLIA: We'll defer the 30 to
20 100 for further analysis -- Staff will bring us further
21 analysis later.

22

23 MR. DeMATTEO: Mr. Chair, just for the
24 record because later on Staff has to read the transcripts
25 and it's no easy job, what you did basically was you
26 adopted -- or you're supporting your original proposal
27 without any amendment. And a couple of months from now
28 I'll be reading this and I'll thank myself for saying this
29 on the record. So as it is you're deferring action on your
30 amendment until later until you have more information.

31

32 MS. HILDEBRAND: The amendment was
33 withdrawn.

34

35 MR. FLEENER: It's true the amendment was
36 withdrawn but we still would like more information as to
37 why the State raised the quota from 30 to 100 with no
38 biological evidence for that.

39

40 Mr. Chair, I move to adopt Proposal 36.

41

42 MR. GOOD: Second.

43

44 CHAIRMAN NICHOLIA: Proposal 36 moved to
45 support. Discussion.

46

47 MR. MIKE: Mr. Chair, I'll introduce the
48 proposal. Proposal 36 is to establish a brown season and
49 harvest limit in Unit 25 and I believe George is going to
50 do the Staff analysis presentation.

1 MR. SHERROD: Thank you, Mr. Chair.
2 Proposal 36 is a proposal you guys drafted last fall at
3 Tanana. When we drafted it -- or you directed the Staff to
4 draft it, I should say, it was to establish a season. It
5 then came to light that we lacked a C&T determination for
6 brown bear in what is known as the remainder of Unit 25.
7 The analysis has been broken into two parts, 36a which
8 deals with the C&T determination and 36b which deals with
9 the request for a season. If you vote down 36a, then
10 there's no need to take any action on Proposal 36b.

11
12 Prior to 1997, the Federal regulations did
13 not recognize a subsistence use of brown bear in Unit 25.
14 In spring of '97, the Federal Subsistence Board adopted a
15 customary and traditional use determination for brown bear
16 in the unit, however, season was not established until
17 regulatory year '99/2000. The current Unit 25 brown bear
18 customary and use determination is 25(D) residents of
19 25(D), 25 remainder which would be the other subunits, no
20 Federal open season. The proposed customary and
21 traditional use determination Unit 25(D), residents of Unit
22 25(D), 25 remainder would be residents of Unit 25, the
23 communities of Eagle and Eagle Village.

24
25 Demographic data is presented for these
26 communities in question on Page 8. And as you see we're
27 talking about a total population of roughly 1,700
28 individuals. Table 2 on Page 9 shows the existing
29 customary and traditional use determinations for these
30 communities. All of the communities in question, with the
31 exception of Eagle and Eagle Village have a prescribed
32 customary and traditional use determination in Unit 25 by
33 the status of a no determination for black bear, caribou,
34 moose and sheep and some of the subunits, Eagle Village and
35 Eagle qualify. I'll note that Eagle and Eagle Village,
36 there has yet to be a customary and traditional use
37 determination made for Unit 20(E) that they're in so that
38 they basically have fallen through the cracks. It's not
39 that they don't have use of the resources, there's never
40 been any research done to establish a customary and
41 traditional use determination for these communities.

42
43 As most of these communities already have a
44 customary and traditional use determination for some
45 portion of Unit 25, many of the eight factors have only
46 been briefly dealt with in the analysis. In drafting the
47 analysis and looking at harvest data, the question arose
48 about the community of Circle Hot Springs. Within the
49 harvest data record, there are no indication of Circle Hot
50 Springs actually harvesting resources, however, in going

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1 back through the harvest data base it became apparent that
2 there were more moose harvested in one year by residents of
3 Central than there are people in Central. So I have to
4 assume that people in Circle Hot Springs probably have a PO
5 box in Central and therefore the harvest ticket data base
6 is a little bit misleading, in that, maybe people in Circle
7 Hot Springs really do take the resource.

8
9 The proposed conclusion is to support the
10 proposal and the proposed regulation would read, brown
11 bear, Unit 25(D), residents of Unit 25(D), Unit 25
12 remainder would be residents of Unit 25, Eagle and Eagle
13 Village and again the inclusion of Eagle and Eagle Village
14 has to do with their proximity to the border, the eastern
15 border of Unit 25.

16
17 MR. GOOD: Mr. Chairman.

18
19 CHAIRMAN NICHOLIA: Go ahead, Nat.

20
21 MR. GOOD: The effect of this proposal then
22 would be to limit access, Federal access to these villages?

23
24 MR. SHERROD: No. Currently instead of
25 having a no determination, we have a no subsistence use.
26 In other words, no subsistence user can harvest brown bear
27 in Unit 25 remainder, so it's a little different than like
28 the black bear where we have a no determination. So this
29 would be establishing a threshold of communities capable of
30 harvesting the resource in their area.

31
32 MR. GOOD: I guess my question is, couldn't
33 we open this up so that any Federal subsistence person
34 could take it, are we limiting it by opening it to just a
35 restricted number of communities?

36
37 MR. SHERROD: I know of no case where we've
38 gone from a no subsistence use to a no determination. I'm
39 not saying that can't be done but I'm not aware of any time
40 that the Federal Board has done that. Brown bear is unique
41 and in some cases, as with a dall sheep, in that, the
42 State, in certain units had determined that there was no
43 subsistence use of the resource and so we're trying -- and
44 this proposal is requesting reversing that determination
45 and saying there is a subsistence use of the resource. As
46 I say, prior to '97 there were -- the Federal regulations
47 did not recognize any subsistence use of brown bear in Unit
48 25. As I say, you pose a good question and I know that
49 sort of the thought in the past of this group is to open it
50 up as wide as possible. I'm not sure how proposing -- you,

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1 know, how the Board would be receptive to going to a no
2 determination.

3

4 MR. FLEENER: But what the heck, uh?

5

6 (Laughter)

7

8 MR. FLEENER: Mr. Chair, I'd like to ask a
9 question. The only reason it's a problem is because it was
10 misidentified as a no subsistence use species, not because
11 there's any other known problem that you can think of? It
12 was misidentified or maybe you don't want to say yes to
13 that, but it was identified as a no subsistence use?

14

15 MR. SHERROD: When the Federal program
16 adopted the State's regulations, it was identified in State
17 regulations as not having a subsistence use, that's
18 correct.

19

20 MR. FLEENER: So I don't think it should be
21 a problem, Nat, to go with what you're saying because, you
22 know, I believe there's been subsistence use of brown bear
23 going on for a long time and just because someone failed to
24 document it, it doesn't mean it hasn't happened.

25

26 MR. GOOD: Well, it's just that I prefer
27 the no determination because I view the other approach to
28 be more limiting on a predator and I think Craig can speak
29 real well to the problems that he has in his area.

30

31 CHAIRMAN NICHOLIA: So I'm almost kind of
32 lost here, we're trying to create an opportunity for people
33 to harvest a brown bear as a subsistence use?

34

35 MR. FLEENER: Correct.

36

37 CHAIRMAN NICHOLIA: And then we're creating
38 -- at the same time, as this goes by, we're creating a C&T
39 use for this, in the same move, are we?

40

41 MR. SHERROD: We're trying to create --
42 yes, recognize subsistence use of the resource. And I have
43 to add that this could be the first step, even though I
44 know the idea of going to a no determination would open to
45 anybody, anyone in the future could apply to be included in
46 this. I think the Board is going to look heavily at the
47 data before you, and right now the only data you have in
48 front of you is data specific to these communities that was
49 identified in there. If next year someone else wants to be
50 included then they can apply and then we can go through the

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1 process again or even at the point if when we, next fall,
2 when we take up drafting new proposals, if it's the view of
3 this group that maybe a proposal should be drafted
4 expanding, looking at all potential users and we could
5 revisit that again next March, but I would say that the
6 Board would feel a lot more comfortable going with what's
7 in front of you right now at this point in time and we'll
8 just try to rectify -- I guess it would be my short-
9 sightedness when I did this analysis.

10
11 MR. FLEENER: Mr. Chair, I don't have a
12 problem going with the no determination but is there a
13 biological reason that we should not go to a no
14 determination?

15
16 MR. SHERROD: The policy of the Board and
17 the way that the program has evolved is that C&T
18 determination are not tied to biological issues. In other
19 words, you look at the resource and say, did someone use it
20 for subsistence and if so, who used it for subsistence and
21 then you have to deal with, are there enough to go around
22 so the .804 process and whatever, but that's been held
23 distinct from customary and traditional use determinations.
24 We have determinations, for example, in which there is no
25 ability to harvest resources. They simply will not
26 withstand, you know, the pressure. So I think we have to
27 keep the two as separate issues.

28
29 MR. FLEENER: Okay, keeping the two as
30 separate issues, is there a biological problem with opening
31 the bear season up for potentially additional harvest if
32 there would be any?

33
34 MR. SHERROD: That's the subject of 36b.

35
36 MR. FLEENER: Oh, okay. Yeah, that's true,
37 yes, you're right. Well, I don't think we actually
38 separated 36a and b out, so I think we can discuss --
39 because we just put 36 on the table, so if you want to
40 delve into that I don't think it will be a problem.

41
42 MR. SHERROD: Okay. Well, in a nutshell,
43 no, there's not a biological issue. The harvest guidelines
44 that the State has established for brown bear have not been
45 met in these units so currently there is not an issue. The
46 season proposed is slightly more liberal than the existing
47 State season but there does not appear to be a biological
48 concern with establishing a Federal subsistence season in
49 the remainder of Unit 25. In 25(D), for example, it's a
50 year-round season right now with a bear a year.

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1 MR. FLEENER: Thank you, George.

2

3 MR. GOOD: Mr. Chairman, looking under
4 written public comments.....

5

6 MR. FLEENER: What Page?

7

8 MR. GOOD: Make it Page 4 and again on Page
9 2 -- well, anyway, let's look at Page 4 and I think you'll
10 find that the Upper Tanana Advisory Committee, Mike Cronk
11 has written, for example, Mike Cronk is from Northway; he
12 writes in support of the proposal with the amendment that
13 all rural residents be made eligible to have C&T and thus
14 harvest bears. So you're talking about some of the other
15 communities in the area. Mike is on the Upper Tanana, he
16 is the Chairman, I believe, of it, he's from Northway
17 himself and basically what he was asking for is no
18 determination. He does the same thing on both 36a and 36b.
19 If we pass these, I would really like to take note of his
20 comments here and that we would like to see this happen in
21 the future.

22

23 MR. FLEENER: Mr. Chair, I'd like to ask
24 you Nat, do you think it would be easier to get this
25 proposal adopted if we ignored the idea of a no
26 determination or do you think that there wouldn't be --
27 well, how do you think the Board would handle it?

28

29 MR. GOOD: Mr. Chairman, I think I'd go
30 along with what George said, that they have all the data
31 here to back taking action this far and that this would at
32 least open the door to a season and maybe next year or
33 whatever we might be able to go further with this to no
34 determination. I don't know, we could try no determination
35 but I don't know how they would react either.

36

37 CHAIRMAN NICHOLIA: Is there any public
38 comment concerning Proposal 36 from anyone?

39

40 MR. MIKE: Mr. Chair, maybe we can ask for
41 agency comments and then public comments.

42

43 MR. FLEENER: They left.

44

45 MR. MIKE: They have all left so, okay.

46

47 MR. GARDNER: Mr. Chair, Craig Gardner,
48 Fish and Game.

49

50 MR. FLEENER: He's not from 25 is he.

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1 MR. GARDNER: I called over and talked to
2 the caribou biologist over in the Fairbanks office here and
3 he basically said what Jim Wilde just said, that the White
4 Mountain Herd's actually declined. They did a census this
5 summer and the State's also going to change their proposal,
6 I would assume next Board cycle and drop it back down and I
7 asked him what number did he think was appropriate for the
8 White Mountains right now and he said 30.

9
10 MR. FLEENER: Well, that was previous
11 discussion on caribou, thank you, we're talking about brown
12 bears now. I didn't -- you're not interested in brown
13 bears in Unit 25, are you?
14 he said

15
16 MR. GARDNER: I know about as much about
17 brown bears in 25 as I did caribou in the White Mountains.

18
19 MR. FLEENER: All right, but thank you for
20 the update.

21
22 MR. MIKE: Mr. Chair, like Nat Good was
23 saying, there's one public comment received on this
24 proposal and that was submitted by Mike Cronk on behalf of
25 the Upper Tanana Fortymile Game Board and he basically
26 supported the proposal with an amendment that all rural
27 residents be eligible to have C&T in thus harvest brown
28 bears.

29
30 MR. FLEENER: Mr. Chair, if somebody would
31 be kind enough to read the ADF&G comments since they are no
32 longer with us, that would be good. I don't know if you
33 want to do it, Donald, or what, but somebody needs to
34 represent those poor people.

35
36 MR. MIKE: Mr. Chair, is there an ADF&G
37 representative out there that can address this, if not, I
38 can just go ahead and read it off the book?

39
40 The ADF&G comments, basically comments were
41 deferred. The Federal Board must initially determine if
42 there are customary and traditional uses of brown bear in
43 Units 25(A), (B) and (C) before a Federal subsistence brown
44 bear season can be established in these subunits. If
45 sufficient efforts were presented to support a positive C&T
46 determination, the Department would likely support the
47 proposed September 1 to May 31st season which is consistent
48 with the current State's season of Unit 25(B) and (C) and
49 11 days longer than the current State season in Unit 25(A),
50 the harvest reporting requirements that would apply to this

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1 hunt should be specified to ensure that information
2 necessary for management and to evaluate the potential
3 effects of this proposed regulation would be available.
4 The Department defers comments on the proposed brown bear
5 per regulatory year harvest limit in these subunits until
6 we receive the C&T analysis and can assess the number of
7 rural residents that would potentially be eligible for
8 these proposed hunts.

9
10 MR. FLEENER: Mr. Chair, we have harvest
11 reporting requirements already in place, maybe not for
12 these areas, brown bears have to be sealed, is that
13 something that has to be adopted in every new place or
14 isn't that kind of like a statewide policy that brown bears
15 be sealed accept in brown bear management areas? So would
16 we have to -- it says here, that this ADF&G comments,
17 harvest reporting requirements should be specified to
18 ensure information necessary for management. Do you think
19 that there's a reason to specify them or don't they
20 automatically kick in? Maybe you could come to the mike,
21 Craig, since you're sort of rubbing your chin.

22
23 MR. GARDNER: Craig Gardner. You're right,
24 Craig, I mean in every area of the state other than the
25 brown bear management area, bears have to be sealed and so
26 I would suspect that -- well, they would, they'd have to be
27 sealed whether they're shot on either Federal or State.

28
29 MR. FLEENER: Okay. And maybe the
30 discussion can say that we talked about that but I don't
31 know we would have to actually specify harvest reporting
32 requirements if they're already in place. What do you
33 think, George?

34
35 MR. SHERROD: You wouldn't have to And in
36 the analysis there are appendices listing the sort of
37 general brown bear harvesting provisions that are in our
38 regulations and they would apply here.

39
40 MR. FLEENER: Call for the question.

41
42 CHAIRMAN NICHOLIA: Peggy, you have
43 something?

44
45 MS. FOX: I was trying to figure out when
46 -- Peggy Fox, Office of Subsistence Management. I was
47 trying to figure out when I might offer comments, it was
48 unclear to me. So I apologize for signaling after you
49 asked for the question.

50

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1 At any rate, I wanted to reiterate the
2 point George was trying to make about customary and
3 traditional use determinations. We call them positive
4 customary and traditional use determinations because
5 they're based on information that clearly identifies
6 residents of certain communities or areas as being
7 qualified subsistence users. So, you know, when you move
8 ahead in considering a no determination, which we have
9 interpreted to mean that all rural residents in the state
10 are eligible, there is no information to support that,
11 therefore, the Board could not support that according to
12 .805(c) because it's not based on substantial evidence.
13 However, what he is recommending, based on the research
14 that he has done, is supportable based on substantial
15 evidence. That's why the Board, as a practice, if there
16 isn't enough time, in some cases, to analyze broader areas
17 than one unit, because that's the way the proposal was
18 written, the Board looks at a couple of options if the
19 Council has reservations. You could defer and ask George
20 to do a wider amount of research to look at adjoining
21 areas, you know, to make sure that you were being inclusive
22 and not denying subsistence opportunity once the season is
23 established or you could simply go ahead with this, and the
24 Board has done both, it's supported the Council in both
25 directions and recommend the C&T determination that George
26 is proposing and then wait and see if people want to ask
27 that it be expanded. So those are a couple of directions
28 you could go.

29
30 But I just wanted to let you know that I
31 don't think the Board could support an all rural resident
32 finding because the information is not there to support it.

33
34 Thank you.

35
36 MR. GOOD: Peggy, at this point we're
37 supporting what is in the book and we're not asking for no
38 determination, with the basis that this is what's supported
39 by the data at this -- does that seem to be the best way to
40 go and perhaps work towards no determination at a later
41 date? We've at least opened a season this way?

42
43 MS. FOX: Absolutely. I think moving ahead
44 with what is proposed in the Staff analysis gets the season
45 open. It establishes a C&T and if it needs to be revised
46 in the future, we can do that in the future but otherwise
47 there is no Federal hunt.

48
49 Thank you.

50

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1 CHAIRMAN NICHOLIA: It's been moved and
2 seconded for both of them, right?

3
4 MR. GOOD: Well, it depends, no pass (a),
5 this is (a), right?

6
7 MR. FLEENER: This is actually (a) and (b).

8
9 MR. GOOD: Oh, yeah, we have to have both,
10 let's have it (a) and (b).

11
12 CHAIRMAN NICHOLIA: It's been moved,
13 seconded, the question's been called. All those in favor
14 of 36(a) and (b) as revised?

15
16 MR. FLEENER: As proposed.

17
18 MR. GOOD: As proposed.

19
20 CHAIRMAN NICHOLIA: As proposed, signify by
21 saying aye.

22
23 IN UNISON: Aye.

24
25 CHAIRMAN NICHOLIA: Those opposed, same
26 sign.

27
28 (No opposing votes)

29
30 CHAIRMAN NICHOLIA: Okay.

31
32 MR. MIKE: Mr. Chair, we're into Proposal
33 37. Proposal 37 is to revise area descriptions, seasons
34 and permit requirements for caribou in Unit 20(F) and this
35 was proposed by the Eastern Interior Regional Advisory
36 Council.

37
38 MR. FLEENER: Mr. Chair, I move to adopt
39 Proposal 37.

40
41 MR. GOOD: Second.

42
43 CHAIRMAN NICHOLIA: George.

44
45 MR. SHERROD: Proposal 37 is another
46 proposal that you directed the Staff to draft at the Tanana
47 meeting. Proposal 37 would align the existing Federal
48 seasons and unit descriptions with those adopted by the
49 Board of Game last March, a year ago. So in essence, there
50 is no sort of net effect except to potentially clean up our

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1 regulations.

2

3 The caribou herd is capable of withstanding
4 the pressure. It has grown in size, three to four times
5 since the mid-80s. Most of the area is difficult to access
6 and between 1995 and 2000, there have been no caribou
7 reported harvested in the area. Additionally, the cleaning
8 up of the description, the language in the descriptions
9 would identify an area in which we currently have no
10 Federal land and would eliminate that season to prevent
11 individuals from mistakenly trying to hunt in the area.
12 The proposed regulation would read, Unit 20(F), north of
13 the Yukon River, this area up in here, to have a season of
14 August 10th through March 31st. Unit 20(F) east of the
15 Dalton Highway and south of the Yukon River, east and
16 south, there's a little bit of Federal public land over
17 there, part of the Yukon Flats National Wildlife Preserve
18 would have one caribou, however, during the November 1 to
19 March 31 season a State registration permit would be
20 required, the season would be August 10th to September 20th
21 and November 1 to March 31st. And then it would explicitly
22 identify in our regulations that Unit 20(F), south of the
23 Yukon River and west of the Dalton Highway Management
24 Corridor, which is this area down in there, that there
25 would be no Federal open season. The rationale behind that
26 is there are no Federal lands down there to hold a season
27 on.

28

29 MR. GOOD: The effect of this is to align
30 State and Federal regulations and bring everything into
31 alignment?

32

33 MR. SHERROD: Right. To align to an
34 existing more liberal State regulation and clean up the
35 area description so they're easy to find on the ground and
36 as I say, make sure that people realize where we don't have
37 lands we don't have seasons.

38

39 MR. GOOD: Question.

40

41 CHAIRMAN NICHOLIA: It's been moved and
42 second, question has been called. All those in favor of
43 Proposal 37 signify by saying aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN NICHOLIA: All those opposed, same
48 sign.

49

50 (No opposing votes)

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1 CHAIRMAN NICHOLIA: Okay.

2

3 MR. MIKE: Mr. Chair, I believe we've
4 skipped a step here, agency comments or public comments.
5 But anyway, the State supports Proposal 37 and there were
6 no written public comments.

7

8 MR. FLEENER: Yeah, Mr. Chair, we received
9 notification by Mr. Haynes that the State wouldn't be
10 making comments because they won't be here so I think we
11 can dispense with what -- unless you want to read each time
12 what they have to say, we might as well just skip over that
13 if they don't want to send anybody.

14

15 CHAIRMAN NICHOLIA: Craig.

16

17 MR. FLEENER: Well, I was wonder if -- I
18 was reading over Proposals 41 and 42 and it looks like the
19 State supports this and the Staff Committee supports this.
20 I'm wondering if we can move 41 and 42 for unanimous
21 consent?

22

23 CHAIRMAN NICHOLIA: Any objections to
24 Fleener's move for 41 and 42?

25

26 (Council nodding negatively)

27

28 MR. MIKE: Mr. Chair, just for the record,
29 I can just briefly introduce the proposals, 41 and 42.
30 Proposal 41 is to revise seasons and harvest limits for
31 moose in Unit 12 and Proposal 42 is the revised description
32 of the Fairbanks Management Area in Unit 20.

33

34 MR. DeMATTEO: Mr. Chair, you might want to
35 state on the record, ask if anyone in the room or from the
36 public wishes to make any comments on the proposal at this
37 time before you move forward.

38

39 CHAIRMAN NICHOLIA: Is there anyone that
40 wants to comment on Proposals 41 or 42? George.

41

42 MR. SHERROD: I'd just like to point out
43 that in Proposal 41, I think it's important that you
44 recognize that this is a reduction in the Federal season.
45 It eliminates a spike-fork season. I would also like to
46 add that during the years that this season has been in
47 place, there have been no animals reported harvested on
48 Federal lands. So even though it does reduce the season
49 and some opportunity it does so in response to biological
50 concerns for the resource, these are both your proposals,

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1 but again as I say, there is no indication that a
2 Federally-qualified subsistence harvester has been in the
3 past -- or has in the past taken advantage of this season.

4
5 MR. MIKE: Mr. Chair, for Proposal 41 there
6 was one written public comment and it was in support of the
7 proposal by the Upper Tanana Advisory Committee. And
8 Proposal 42, there were no written public comments. Thank
9 you.

10
11 CHAIRMAN NICHOLIA: Hearing no objections,
12 then we'll move on to the next proposal.

13
14 MR. MIKE: Mr. Chair, before you move on,
15 did the Council have unanimous consent on Proposal 41 and
16 42?

17
18 CHAIRMAN NICHOLIA: (Nods affirmatively)

19
20 MR. MIKE: Okay, thank you. Proposal 43 is
21 Unit 25(D) west for moose and it provides for harvest by
22 other residents within Unit 10. This proposal was
23 submitted by the Yukon Flats National Wildlife Refuge.

24
25 MR. FLEENER: Mr. Chair, I move to adopt
26 Proposal 43.

27
28 MR. GOOD: Second.

29
30 CHAIRMAN NICHOLIA: Discussion.

31
32 MR. GOOD: And question.

33
34 MR. SHERROD: Thank you, Mr. Chair.
35 Proposal 43 would change the current customary and
36 traditional use determination for 25(D) from residents of
37 Beaver, Birch Creek and Stevens Village to all residents of
38 Unit 25(D). There's at least one individual that lives on
39 a Native allotment in Unit 25(D) and because he is not a
40 member of these communities he is currently unable to take
41 advantage of hunting either on Federal lands or the Federal
42 seasons. It would also lift the current 60 limit of the
43 number of Federal permits that can be issued for Unit
44 25(D), however, in terms of the permit it should be noted
45 that the State currently allocates permits under the Tier
46 II system. So in fact, there is no 60 permit cap, it
47 varies through years and I forget what the exact total has
48 been this year. Let's see, currently as many as 185 moose
49 permits can be issued under State regulation. Last year
50 135 permits were provided -- were issued. So the raising

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1 of the cap is really not going to provide a flood gate for
2 individuals to get in there. So in recap, it would allow
3 let's say an individual living within the unit on a Native
4 allotment to participate in the Federal moose hunt in the
5 area and to hunt on Federal lands under the State hunt.

6
7 CHAIRMAN NICHOLIA: George, there may be
8 other people in 25(D) west that do utilize moose as a
9 subsistence resource and your recommendation would include
10 all those people, wouldn't it?

11
12 MR. SHERROD: All the individuals living
13 within the unit and to the best of our knowledge that's
14 only one individual, one household. We do have a
15 representative -- well, actually we have a couple of
16 represents from the Yukon Flats National Wildlife Refuge
17 and they might be able to shed a little bit of insight on
18 this because it is their proposal.

19
20 MR. FLEENER: Mr. Chair, while Ted's
21 moseying up to the table there, I just like to say that I
22 know of at least a couple people. There's only one that
23 lives within the unit but there are at least two that I
24 know of that hunt in the unit but don't live in one of the
25 communities and the permits are issued in communities and
26 so these people are left out. Or they have to go to the
27 community to try to get a permit and what happens is they
28 end up -- if they go to Birch Creek, they end up taking one
29 of Birch Creek's permits which they don't want to have to
30 do because then they're, you know, getting in the way of
31 the harvest of the people from Birch Creek. So this sort
32 of takes care of that problem.

33
34 MR. HEUER: Mr. Chairman, my name is Ted
35 Heuer, I'm the refuge manager of the Yukon Flats. I'm
36 basically here to answer questions if you have any. But
37 Craig pretty well summed it up. We have at least one
38 individual who does not feel comfortable coming into one of
39 the villages to ask for a permit. And this proposal was
40 put forward to basically address his need, there may be
41 other individuals out there in the same situation and it
42 would basically apply to anybody in 25(D) west.

43
44 MR. FLEENER: Question.

45
46 CHAIRMAN NICHOLIA: I just have one
47 question here, is that, would this one individual be
48 infringing on these three village plan, Beaver, Stevens and
49 Circle that Dewey Schwalenberg and them has been working on
50 so hard, would it like infringe?

00067

1 MR. HEUER: The question was, would he be
2 infringing on the moose management plan?

3
4 CHAIRMAN NICHOLIA: Yeah, like Stevens
5 Village has been working on this and do they agree to
6 include this one person in there?

7
8 MR. HEUER: It wouldn't affect the total
9 number of moose harvested the way we envision it happening.
10 The season would still be closed when 60 moose are
11 harvested. So theoretically, if this individual gets a
12 permit it is going to -- you know, it could impact somebody
13 living in one of the villages. But as far as the number of
14 permits issued, it won't affect somebody getting a permit
15 in one of the villages.

16
17 CHAIRMAN NICHOLIA: Thank you. It's been
18 moved and seconded and question has been called for
19 Proposal 43. All those in favor of Proposal 43 signify by
20 saying aye.

21
22 IN UNISON: Aye.

23
24 CHAIRMAN NICHOLIA: All those opposed, same
25 sign.

26
27 (No opposing votes)

28
29 CHAIRMAN NICHOLIA: Proposal 43 passes.

30
31 MR. MIKE: Mr. Chair, Proposal 44 is to
32 revise season harvest limits for lynx in Unit 12 and 20(E).

33
34 MR. FLEENER: Mr. Chair, I move to adopt
35 Proposal 44 right after a five minute bathroom break.

36
37
38 CHAIRMAN NICHOLIA: We'll take a five
39 minute break.

40
41 MR. GOOD: I'll second the first part of
42 that motion.

43
44 MR. MIKE: Mr. Chair, just a matter for the
45 record here, we received some public comments from the
46 Denali SRC Commission and Wrangell-St. Elias National Park
47 Subsistence Resource Commission. I forgot to state this
48 earlier but these are official comments made by the SRC so
49 when the appropriate proposal comes up, I'll present their
50 comments. Thank you. And the proposals that the Council

00068

1 is passing, if they can state on the record that the
2 Council either supports or opposes the proposal. Thank
3 you, Mr. Chair.

4
5 (Off record)

6
7 (On record)

8
9 CHAIRMAN NICHOLIA: Proposal 44 has been
10 moved and seconded. Discussion.

11
12 MR. DeMATTEO: Mr. Chair, Proposal 44, the
13 analysis incorporates two proposals, Proposal 12 and
14 Proposal 44. Proposal 12 would change the trapping season
15 for lynx in Unit 6, 7, 11 and 15. This action is initiated
16 by the Office of Subsistence Management in response to a
17 similar action by the Alaska Department of Fish and Game.
18 Proposal 44 was submitted by the Eastern Interior Regional
19 Council. It would extend the lynx trapping season from
20 February 28th to March 15th in Units 12 and 20(E). If you
21 look in your book on Page 111, it's the first page of the
22 analysis, under discussion, you'll see there that existing
23 regulations for the proposals read as follows:

24
25 You have the lynx trapping seasons for Unit
26 12 and 20, then under that you have a special action WS-00-
27 07. The Federal Subsistence Board, earlier this year,
28 passed regulations on a special action for Units 6, 7, 11,
29 13 and 15, but that action was only good for this
30 regulatory year. So to make those regulations permanent it
31 has to go through Board action in May to change this
32 regulation permanently. The proposed regulation would read
33 as you see below there at the bottom. In some areas it
34 would make the regulations more restrictive because of
35 declining hare populations, subsequently declining lynx
36 populations and some areas it extends the opportunity
37 because of increasing lynx populations. In areas where you
38 have declining hare population, also tends to be some areas
39 where you have extensive road system and with that and
40 extensive harvesting due to trappers, this could also add
41 to detrimental harvest on the lynx population in those
42 areas.

43
44 These changes reduce trapping seasons in
45 areas where lynx populations declined. Declines are
46 anticipated in Units 6, 7 and 15 and increased trapping
47 opportunities where lynx populations are increasing,
48 particularly Units 11 and 13 and Units 20(E). The only
49 true expansion of harvest opportunities for this proposal
50 would occur in the Wrangell-St. Elias National Park lands

00069

1 within Units 11 and 12 since these changes have already
2 occurred in the State regulations.

3
4 The Federal Subsistence Board has
5 previously acknowledged the validity of State strategy for
6 setting seasons on lynx and have regularly made annual
7 adjustments in the Federal seasons to maintain consistency
8 with State seasons.

9
10 The conclusion is to modify the proposal to
11 support all the harvest limits and changes, but add a
12 statewide policy that lynx harvest trapping regulations
13 could be adjusted by the Office of Subsistence Management
14 through the use of ADF&G harvest tracking, management
15 strategy in cooperation with ADF&G and after consultation
16 with the appropriate Federal land managers and agencies as
17 supported by the appropriate Staff analysis. This
18 procedure would negate the need for subsequent Federal
19 Subsistence Board action. As the populations decline for
20 the hare and lynx, there would be a need for in-season
21 changes. We could do in-season special action requests to
22 the Board, but that is only good for that year again. By
23 doing this, this would allow better in-season changes
24 without going through a lot of cumbersome paperwork.

25
26 And that is all.

27
28 CHAIRMAN NICHOLIA: Any public comments on
29 Proposal 44.

30
31 MR. MIKE: Mr. Chair, the Denali SRC
32 provided comments on Proposal 12 and the Council members
33 have a copy of their recommendations. Proposal 12, by the
34 Denali SRC is in support of the proposal. The Denali
35 Commission unanimously supported the preliminary conclusion
36 of the analysis for reasons stated in the justification.

37
38 The Wrangell-St. Elias Subsistence Resource
39 Commission supports Proposal 12 on biological merit. The
40 SRC does not agree that it is always beneficial to align
41 the Federal season and the State seasons.

42
43 And there was one public comment by the
44 Upper Tanana Advisory Committee in support of Proposal 44.

45
46 Thank you.

47
48 MR. FLEENER: Mr. Chair, I got a question
49 for Pete. I see here in Fish and Game's comments that
50 there is a concern that the Federal Board may have to

00070

1 realign their seasons from year to year. Would the -- if
2 we adopted this with Staff recommendations would that take
3 care of that problem that Fish and Game has brought up?

4
5 MR. DeMATTEO: Correct, Mr. Chair. If I
6 understand this correctly, this would allow for Federal
7 managers to make the changes without going through the
8 Board. And this could be done in conjunction with the
9 Alaska Department of Fish and Game rather than going
10 through the usual emergency order on the State side or
11 going through the special action on the Federal side.

12
13 MR. FLEENER: Mr. Chair, then I'd like to
14 amend my original motion to adopt this to modify the
15 proposal to support all harvest limits and season changes,
16 adding a statewide policy that lynx harvest trapping
17 regulations could be adjusted by Office of Subsistence
18 Management through the use of ADF&G harvest tracking
19 management strategy and so on.

20
21 CHAIRMAN NICHOLIA: Your second left.

22
23 MR. FLEENER: Then I'll ask for a second to
24 second.

25
26 MR. MILLER: Yeah, I second it.

27
28 CHAIRMAN NICHOLIA: Discussion on Proposal
29 44.

30
31 MR. MILLER: Question.

32
33 CHAIRMAN NICHOLIA: It's been moved,
34 adopted [sic], to go with Staff analysis -- Staff
35 recommendation. All those in support of -- all those in
36 favor of Proposal 44 signify by saying aye.

37
38 IN UNISON: Aye.

39
40 CHAIRMAN NICHOLIA: All those opposed, same
41 sign.

42
43 (No opposing votes)

44
45 CHAIRMAN NICHOLIA: Proposal 44 passes.

46
47 MR. DeMATTEO: Mr. Chair, to clarify
48 things, I think I'll read into the record what the Staff
49 recommendation is, would that be all right?

50

00071

1 CHAIRMAN NICHOLIA: Go ahead.

2

3 MR. DeMATTEO: The Staff recommendation
4 which you just supported was to modify the proposal to
5 support all harvest limit and season changes as in the
6 proposal within the analysis but add a statewide policy
7 that lynx harvest trapping regulations could be adjusted by
8 the Office of Subsistence Management through use of the
9 Alaska Department Fish and Game's harvest tracking
10 management strategy in coordination with ADF&G, and after
11 consultation with the appropriate Federal land manag -- and
12 agencies and appropriate Staff analysis. This procedure
13 would negate the need for subsequent Federal Subsistence
14 Board action. And that's what you supported?

15

16 CHAIRMAN NICHOLIA: (Nods affirmatively)

17

18 MR. DeMATTEO: Okay.

19

20 MR. MIKE: Mr. Chair, we're at Proposal 7.
21 This is a proposal to shorten season for caribou in Unit 13
22 and it's submitted by Wayne Crowson of Delta Junction.

23

24 MR. FLEENER: Mr. Chair, I move to adopt
25 Proposal 7.

26

27 MR. MILLER: Second.

28

29 MR. DeMATTEO: Mr. Chair, Proposal 7 was
30 submitted by Wayne Crowson of Delta Junction. Mr. Crowson
31 requests that Unit 13 caribou seasons be reduced
32 eliminating the winter season which is October 21st through
33 March 31. The remaining season would include only the
34 period from August 10 through September 30th. The Nelchina
35 Caribou Herd population has continued to decline since 1996
36 from a high of 50,000 in '96 to the current estimate of
37 29,600 animals as reported by the Department of Fish and
38 Game. The proponent's rationale for this proposal request
39 was to eliminate the shooting of pregnant cows and thus
40 reduce the decline of the herd. The proponent has stated
41 that given a shorter season, subsistence hunters would be
42 able to adequately access Federal lands to complete their
43 harvest prior to the rut. Furthermore, he states that the
44 bull harvest -- bulls harvested in the fall following the
45 rut are unfit for human consumption providing additional
46 logic for closing the season for both bulls and cows
47 following the August/September rut.

48

49 The State's management objective for the
50 Nelchina herd is 35 to 40,000 caribou. In '97, the post-

00072

1 calving surveys counted 34,900 caribou yielding a post-rut
2 estimate of 31,800. This was a significant decrease for
3 the previous years estimate of 44,000. Subsequent post-rut
4 estimates are 38,500 in '98, 31,399 and 29,602 as you can
5 see it's a continued decline. The 1997 decrease was
6 thought to be preliminary primarily due to winter mortality
7 and reduced calf production. The decreases that have
8 occurred over the past few years have been attributed to
9 poor summer forage conditions as well as increased calf
10 mortality by wolves. During most years 38 to 40 calves per
11 100 cows have been observed during the October surveys.
12 The recent observed bull to cow ratio is 25 bulls to 100
13 cows. This is a decline of 30 bulls per 100 cows observed
14 over last year, well below the ADF&G guidelines of 40 bulls
15 per 100 cows. Based on a combination of low calf
16 recruitment and high mortality observed recently, the herd
17 is predicted to continue to decline unless management
18 strategies dealing with the harvest rates are adjusted. In
19 October of '99, Department of Fish and Game issued an
20 emergency closure of the Tier II hunt for Nelchina caribou,
21 Unit 13. The State's harvest quota for Nelchina caribou
22 herd was 500 cows and 1,500 bulls for the 1999/2000 season.
23 The reported harvest was 1,422 bulls, 589 cows and six
24 unknown for a total harvest of 2,017. The number of State
25 Tier II permits was reduced from 6,000 permits during the
26 1999/2000 season to 2000 permits for the 2000/2001 season.
27 The harvest limit was limited to one bull. As of late
28 November 2000, about 700 bulls had been harvested. On the
29 Federal side as far as the harvest, the 1999/2000 harvest
30 of caribou in Unit 13 was 389 caribou. An additional 32
31 bulls from the Nelchina herd were harvested during the
32 Federal season in Unit 12. The '89/99 Federal harvest
33 totaled 431 caribou from Units 12 and 13 of which 187 were
34 cows.

35
36 If you look on Page 128 of the analysis at the top,
37 there's Table 2, there's a table there that shows you
38 distribution of the Federal harvest for Unit 13 ranging
39 from '97 through the end of 2000, '99/2000 regulatory year.
40 According to this table, 65 percent of the total Federal
41 harvest occurs during the proposed closed season which is
42 October through March. So on a preference basis it appears
43 that Federal users harvest 65 percent of their take -- of
44 the total Federal take during the proposed closed season.

45
46 Elimination of the season would most likely
47 reduce Federal harvest significantly. In addition, many
48 subsistence hunters prefer to hunt later in the season to
49 avoid encountering crowded conditions and often some
50 Federal users preferred to harvest by snowmachine when the

00073

1 snow conditions are adequate.

2

3 The preliminary conclusion is to modify to
4 the proposal to make the harvest limit for bulls only but
5 keep the existing season. The Federal subsistence harvest
6 generally accounts from four to six percent of the annual
7 harvest quota, however, during the past few years it has
8 increased from 13 to 16 percent and elimination of the cow
9 harvest would provide some reduction to the herd's decline.

10

11 And that's all I have for you.

12

13 CHAIRMAN NICHOLIA: I'm speaking for Nat
14 here, it's what he told me, is that, we adopt this proposal
15 with the Staff recommendation because in the fall time when
16 the bulls are rutting they're not in good of condition and
17 it'd be better to hunt them from October 21 to March 1st.

18

19 MR. FLEENER: Mr. Chair, I'd like to amend
20 my motion to reflect supporting Staff recommendation if
21 it's all right with the second.

22

23 MR. MILLER: (Nods affirmatively)

24

25 MR. FLEENER: He's nodding yes. I don't
26 know if Wayne Crowson, I don't know if his intent was to
27 still allow people to have a cow harvest in August through
28 September, I wish someone from the State was here to
29 comment but once again they're not allowed to be here and
30 that really is hurting our ability to effectively analyze
31 the proposal here. But -- yeah, I don't know -- never
32 mind.

33

34 I know the State supports the proposal as
35 it was written. I wonder if -- does anybody know how the
36 State would have reacted to changing it to two bulls? In
37 their comments it says that they're interested in promoting
38 the growth of the herd. Are they only interested in that
39 in a limited increase of the herd because if you can still
40 shoot cows in August through September, you're still
41 killing cows. A dead cow is a dead cow. So I'm wondering
42 if they would have been supportive of a bull only reason.

43

44 CHAIRMAN NICHOLIA: Craig, since they're
45 not here, I'd still go with what Nat told me is that we
46 would go with Staff recommendation. Are there any public
47 comments for Proposal 7?

48

49 MR. MIKE: Mr. Chair, the Denali SRC
50 opposed Proposal 7 and they're justification was the local

00074

1 rural residents of Cantwell have a very limited opportunity
2 to hunt in Unit 13 under the State's Tier II program due to
3 the complexities of the State system. Local subsistence
4 hunters would have a limited biological impact upon the
5 caribou population. There is a limited amount of Federal
6 lands in Unit 13. Need to reduce non-subsistence hunters
7 from Federal lands before reducing local rural subsistence
8 hunters opportunities.

9
10 The Wrangell-St. Elias opposes Proposal 7.
11 This proposal, because -- the SRC opposes this proposal
12 because implementing the proposal will not likely have a
13 positive effect on the herd but will have a negative effect
14 on subsistence users since most of the caribou are taken by
15 Federal subsistence users and are taken in October 21
16 through March 31 season.

17
18 MR. FLEENER: Mr. Chair, I'd like to ask
19 Pete if he things that the amended proposal would address
20 the concerns of those comments right there?

21
22 MR. DeMATTEO: Normally, Nat would pick
23 this one up and run with it because he worked so closely
24 with it. I guess for the sake of everyone here, I should
25 point that in the State regulations, the harvest limit is
26 one bull. Under the Federal regulations it's two caribou.
27 But the proposal changes it to two bulls because we're
28 eliminating cows, that's the Staff recommendation, so it
29 would be two bulls.

30
31 MR. FLEENER: Right. But the way the
32 proposal was originally written, you eliminate an entire
33 hunting season.....

34
35 MR. DeMATTEO: Correct.

36
37 MR. FLEENER:which is probably what
38 they were -- I'm wondering if that's what the SRCs were
39 commenting on when they said they were opposed to it
40 because we're closing down a season that really limits the
41 possibility.....

42
43 MR. DeMATTEO: That is correct. The SRCs
44 comments on the original proposal, it's impossible that
45 they saw the Staff analysis at their meeting.

46
47 MR. FLEENER: Thank you.

48
49 MR. MIKE: Mr. Chair, we had two written
50 public comments. Don Quarberg of Delta Junction wrote in

00075

1 support of Proposal 7 stating that the Nelchina Caribou
2 Herd is in trouble and the pregnant females need to be
3 protected.

4
5 Mike Cronk on behalf of the Upper Tanana
6 Fortymile Advisory Committee writes in support of Proposal
7 7 with the amendment that State and Federal game
8 departments be allowed to verify the bag and sex limits.
9 The Advisory Committee prefers a one bull caribou bag
10 limit.

11
12 MR. DeMATTEO: Mr. Chair, I need to correct
13 something. I just told you a few minutes ago that the SRC
14 had knowledge of the Staff analysis at their meeting. I'm
15 receiving wisdom from the back of the room that knows
16 better, that, yes, they did read the Staff analysis and
17 they're comments are based on the Staff analysis.

18
19 MR. FLEENER: Mr. Chair, hey, Donald, do
20 you think you could read those two letters in opposition
21 again? I wanted to hear them and I don't see them in my
22 pile of stuff.

23
24 MR. MIKE: Mr. Chair, Proposal 7 for
25 Wrangell-St. Elias Subsistence Resource Commission. The
26 SRC opposes this proposal because implementing the proposal
27 will not likely have a positive effect on the herd but will
28 have a negative effect on subsistence users since most of
29 the caribou are taken by Federal subsistence users and are
30 taken in October 21 through March 31.

31
32 MR. FLEENER: Okay, it sounds like they may
33 not have been privy to the information because in the
34 amended proposal we're leaving that season open. So that
35 group may not have been privy to that information.

36
37 MR. DeMATTEO: You may wish to ask the Park
38 Service, maybe the staff that is here attended that
39 meeting?

40
41 MR. SUMMERS: Clarence Summers, National
42 Park Service. I attended the Wrangell-St. Elias
43 Subsistence Resource Commission meeting and they had the
44 opportunity -- they had the Staff analysis at that meeting
45 to consider in their final decision. As I understand it,
46 they decided to reject both the original proposal and the
47 Staff recommendation based on the fact that a very small
48 portion of Unit 13 is within Wrangell-St. Elias National
49 Park. And their feeling was that if the season was --
50 let's say if the winter season was eliminated and that's

00076

1 proposed in the original proposal, that that would prevent
2 subsistence oppor -- the current subsistence opportunity,
3 that would lessen the opportunity that currently exists and
4 that would be detrimental to subsistence users.

5
6 The second part of their recommendation
7 dealt with the recommendation of the Staff Committee and
8 that scenario. There was a recommendation to change from
9 two caribou to two bulls and that would -- that was also
10 considered but the feeling was that that would also prevent
11 subsistence users from the current situation that exists,
12 that the recommendation would limit their current
13 opportunity and so they were -- they had the opportunity to
14 consider both recommendations but they decided to reject
15 those recommendations.

16
17 But I think a large part of it has to do
18 with the area within the park. Unit 13 affects a very
19 small -- Unit 13 occurs in a very small portion of
20 Wrangell-St. Elias. It's adjacent to, I think the Tok
21 cutoff road and so the Commissions recommendation was to
22 keep the current season in place and the current harvest
23 opportunities in place.

24
25 MR. FLEENER: Mr. Chair, I have a question
26 for Clarence, what were their comments as regarding the
27 declining caribou population? They didn't think that the
28 Federal land in their area should be part of helping
29 maintain or to grow the population or they didn't think
30 that it would have any impact on it?

31
32 MR. SUMMERS: Like I said, their view was
33 impacts within Wrangell-St. Elias National Park. They
34 realized the current situation, they're very familiar with
35 at least the decline of the caribou herd in that area. But
36 in their view, the feeling was to keep the status quo, no
37 change.

38
39 MR. FLEENER: Any ideas as to what sort of
40 language was used as to why we should continue a cow
41 harvest if the population is declining so rapidly?

42
43 MR. SUMMERS: No, that wasn't discussed to
44 my knowledge.

45
46 CHAIRMAN NICHOLIA: It would seem that they
47 wanted to keep on hunting these caribou but it would also
48 seem, too, that they're not taking any precautionary
49 measures to protect this caribou. So it seems to me that
50 it's up to us to make this decision whether to accept the

00077

1 Staff recommendation and not whether Denali National Park
2 SRC opposes it or whether Wrangell-St. Elias opposes it.
3 It seems to me that we have to come to the conclusion or
4 recommend to the Federal Board that we go with the Staff
5 recommendation for the protection of the resource. And
6 then even though if it's a limited ground that we're
7 covering in Unit 13, it's showing our intention to protect
8 the resource for the subsistence users and not to continue
9 harvesting cows because we're going to have to take a stand
10 somewhere on this. You know, if we're going to keep on
11 harvesting cows because every time you harvest a cow you're
12 killing five or seven caribou right there. And I agree
13 with the Staff to modify it to two bulls and keep the
14 winter season open because nobody wants to eat rotted out
15 meat.

16
17 Those are just my comments.

18
19 MR. SUMMERS: Just one last bit of
20 information. There currently is a closure for the Mentasta
21 caribou in this area and so there is limited opportunities
22 and that was something else that was considered when this
23 decision was made.

24
25 CHAIRMAN NICHOLIA: Hollis.

26
27 MR. TWITCHELL: Hello, I'm Hollis Twitchell
28 with Denali National Park. I just came from the Commission
29 just yesterday and they took quite a bit of time going over
30 the analysis and discussing it. In the aspect of the cow
31 hunt they spent some time discussing the paragraph on Page
32 128 in the analysis where it is projected that with the
33 average Federal harvest of 145 cows, a 65 percent reduction
34 would result in the protection of approximately 94 cows per
35 year. Considering at the most recent post-rut cow/calf
36 ratio was 20 calves per 100 cows, the 94 cows protected by
37 this action would result in an average of 19 calves per
38 year added to the overall population.

39
40 They didn't feel.....

41
42 MR. FLEENER: Is that 19 per 100 or 19
43 total for entire population of 20,000 or whatever the
44 population is?

45
46 MR. TWITCHELL: The analysis says it's an
47 average of 19 calves per year added to the overall
48 population.

49
50 MR. FLEENER: So that's 19 added to the

00078

1 entire herd?

2

3 MR. TWITCHELL: So their perception that,
4 first of all, that there is such a limited amount of land
5 available in Unit 13 for the take of caribou that there's
6 not a lot of harvest from the subsistence users themselves
7 on the caribou population and that looking at this, that
8 the potential number of new calves added to it didn't seem
9 to be significant by closing down the cow hunt. So it was
10 a combination of this information and looking at the amount
11 of pressure that's going on in hunting elsewhere on other
12 lands in Unit 13 that they came out with the justification
13 they did. And that was, they felt that as local rural
14 residents in the Cantwell area, they've been in a very
15 limited situation under the State's Tier II permits. About
16 the only people in Cantwell that have been getting Tier II
17 permits are the elderly individuals in the community. So
18 they haven't had a very good success rate in that
19 particular system in getting permits.

20

21 They believe that as local rural residents
22 their take has really had a relatively limited biological
23 impact on the population of the Nelchina herd as a whole.
24 There's not only a limited amount of lands in Unit 13 that
25 are open to the Federal hunt but there's a limited amount
26 of time in which the caribou are on those lands, in
27 particularly in the Denali area, the Nelchina herd is
28 generally in the Denali area just in the late winter
29 months. They're not present in the Denali Park areas in
30 the fall-time.

31

32 MR. FLEENER: Mr. Chair, I got a question
33 for Hollis. Do you know if there are enough bulls coming
34 into the area to meet that 145 cow loss? Is there enough
35 replacement caribou to meet the local needs?

36

37 MR. TWITCHELL: Well, the portion of the
38 Nelchina herd that comes in there is known as the Cantwell
39 group, and I don't have the biological information on what
40 that group's numbers are or the composition or the sex
41 ratios for that. I just know that the time that that
42 group, the Nelchina herd is in the Denali Park area is
43 limited and often very driven by snowfall in the rest of
44 the range.

45

46 MR. FLEENER: But we can assume if there is
47 cows there there are bulls there. So if they're able to
48 shoot 145 cows, there's -- even if there's only 30 bulls
49 per 100 cows, there's probably a good chance -- per 100
50 cows I mean, there's probably a good change that there are

00079

1 bulls there that can meet their needs.

2

3 MR. TWITCHELL: I don't know how to respond
4 to that. All I can say is this is the discussions that
5 they had and these are the results of those discussions.

6

7 MR. FLEENER: Well, is there anybody in the
8 house that has the -- and maybe we went over it and I
9 missed it, but does anybody have the number, the breakdown,
10 bulls per 100 cows, the numbers of caribou that actually go
11 into this area? And something, too, that I wanted to point
12 out, the second paragraph here on Page 128, it says, with
13 an average Federal harvest of 145 cows, a 65 percent
14 reduction would result in the protection of approximate 94
15 cows per year, considering that post-rut cow/calf ratio is
16 20 calves per 100 cows, 94 cows protected would result in
17 an average of 19 calves. That's not necessarily the case,
18 we need to make sure that -- I don't know what the
19 pregnancy ratios are but we can't just automatically assume
20 that because the cow/calf ratio is 20 percent, that if 80
21 percent of these cows have calves, you know, there's an
22 addition of 80 calves to the population. So this -- if
23 you're just going with historic numbers, you're saying 20
24 percent but it starts out with -- if it's 80 calves, you're
25 starting out with 80 more calves and of course there's
26 mortality and other things that are happening. But we just
27 need to point out that if you put more calves on the ground
28 there's a good chance that more will survive and so we
29 can't automatically assume that 80 percent are going to be
30 killed each year.

31

32 I just wanted to point that out. But I
33 wish we had more information on this. It would be nice to
34 know the overall population into the area. Because if it's
35 only 145 cows moseying into the area then we are limiting
36 subsistence hunting. If there's 4,000 animals coming into
37 the area then, you know, we're focusing the subsistence
38 hunt but I don't think we're really limiting it because
39 there's still an opportunity to take two caribou, and
40 that's two larger caribou and so there's a little bit more
41 meat. But it's pretty hard to say when we don't have any
42 numbers so it would be nice to know what these numbers
43 actually are.

44

45 MR. DeMATTEO: Mr. Chair, addressing Mr.
46 Fleener's concerns, the analysis written from the focus of
47 Unit 13, which is much of a larger area. The biological
48 section is more global than what the Park Service has
49 concerns of, it also encompasses the BLM lands along the
50 Richardson Highway and the Denali Highway and then the

00080

1 lower part of the Richardson Highway. The C&T for that
2 area is also for residents of Cantwell. The C&T for 13(B)
3 is residents of Units 11 and 12 along the Nabesna Road,
4 Unit 13 residents of Unit 20(D) except Ft. Greely and the
5 residents of Chickaloon. So it's important you also take
6 into consideration that it's not just Park Service lands
7 we're talking about, it's also BLM lands in Unit 13. That
8 is why it was a much more larger area and the information
9 that we got from the Department of Fish and Game
10 encompasses, not just for that area, Staff will look into
11 this and attempt to revise this to address your concerns.
12

13 But the harvest information does address
14 the Federal lands, the harvest on Federal lands.
15

16 MR. FLEENER: Is there, in the stuff here,
17 in these pages, the annual decrease in the caribou
18 population?
19

20 MR. DeMATTEO: Overall, but not just for
21 that area.
22

23 MR. FLEENER: What page is that on?
24

25 MR. DeMATTEO: The decrease is on Page 126,
26 third paragraph under the biological background section.
27 It talks about overall herd numbers and then the following
28 paragraph gets into more subcomponents of the population.
29

30 MR. FLEENER: So in about a four year time
31 period we see a drop in the population from about 35,000 to
32 about 29 and a half thousand and has it been predicted that
33 it's going to continue in this pattern or does anybody know
34 that?
35

36 MR. DeMATTEO: Off hand, I don't know.
37 That's not covered in the analysis. Before -- your
38 concerns about -- talking about the 19 calves within the
39 population I would -- I strongly suspect that that was from
40 population modeling that Department of Fish and Game did
41 and I think we should put something in here that reflects
42 that.
43

44 MR. FLEENER: Well, what it's basically
45 saying is that we have 20 percent survival throughout the
46 year.
47

48 MR. DeMATTEO: Uh-huh.
49

50 MR. FLEENER: And so what they're saying is

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1 there's going to be 19 calves added, which is 20 percent of
2 '94 but it doesn't -- it really doesn't say, well, there's
3 80 or 75 calves being put into the population, you know, of
4 course you're going to be subtracting for predation but
5 we're starting with a larger -- we are actually adding more
6 than just 19 to the population so there's -- they may not
7 survive the entire year but there's a good chance -- or
8 there is a chance that more than 19 could be surviving and
9 that's the only thing I wanted to point out.

10
11 I don't like the idea of just focusing on
12 the negativity by saying, well, only 19 are going to
13 survive. Because the whole goal -- or one of the major
14 goals in managing these ungulates is increasing calf
15 survival and one of the ways of doing that is by increasing
16 the output. And so that's all. But nobody knows if
17 there's a predicted trend for -- predicted downward trend
18 for the population, uh?

19
20 MR. DeMATTEO: The population -- the
21 existing population modeling the factors in -- all the
22 concerning factors, including predation shows that there
23 should be continued predation under the current harvest
24 guidelines and that is what precipitates this reduction in
25 harvest in these proposals.

26
27 MR. FLEENER: Well, with only a 20 percent
28 survival of calves, if a lot of that is attributed to
29 predation or probably all of it is attributed -- or a large
30 percentage is probably attributed to predation, I think
31 that I would tend to want to continue to protect the cows
32 so we can get as many more calves out there as possible.
33 If the survival rate was 35 percent, you know, I might be
34 willing to say it's okay to shoot some cows but with calf
35 survival so low, you know, if we're not going to be doing
36 anything to keep the predator numbers down then we got to
37 do something to get the calf numbers up.

38
39 CHAIRMAN NICHOLIA: Yeah, I feel we're kind
40 of dragging on this, we either vote it up or vote it down
41 but I still recommend that we go with the proposal with the
42 Staff recommendation, if there's a question.

43
44 MR. FLEENER: Question.

45
46 CHAIRMAN NICHOLIA: It's been moved and
47 seconded and question has been called. All those in favor
48 of Proposal 7 with the Staff recommendation signify by
49 saying aye.

50

00082

1 IN UNISON: Aye.

2

3 CHAIRMAN NICHOLIA: Opposed, same sign.

4

5 MR. JAMES: Aye.

6

7 CHAIRMAN NICHOLIA: Okay, it still passes.

8

9 MR. JAMES: You know, with that thoroughly
10 examined by the Denali Commission and the St. Elias
11 National Park, I see that they truly went through this.
12 And the peak level, they already hit the peak level and now
13 it's staying at the level, they are not giving them the
14 opportunity to hunt even more with the overcrowding of
15 hunters from Anchorage and Fairbanks going down there. So
16 this will give them a little more opportunity to hunt in
17 that area there, to get their subsistence needs. And after
18 reading this -- I just got this booklet today and after
19 reading the information they provided there, that's the
20 same as the Fortymile Caribou Herd, they hit their peak and
21 now they're going to go farther up and get more or they're
22 going to decline. And I think the information is there and
23 they did their work there and so that's the way I'll leave
24 it.

25

26 Thank you.

27

28 MR. MIKE: Mr. Chair, we're up to Proposal
29 48. Proposal 48 is to revise the C&T use determination for
30 sheep in Unit 11.

31

32 MR. SHERROD: Mr. Chair, Proposal 48
33 requests.....

34

35 CHAIRMAN NICHOLIA: Whoa.

36

37 MR. FLEENER: Mr. Chair, I move to adopt
38 Proposal 48.

39

40 MR. MILLER: Second.

41

42 CHAIRMAN NICHOLIA: It's open for
43 discussion, go ahead, George.

44

45 MR. SHERROD: Sorry about that Mr. Chair.
46 Proposal 48 requests a change in the dall sheep C&T
47 determination for Units 11 and 12, to add the village of
48 Chickaloon. We really don't have a map that shows the
49 entire area so I pieced two of them up together and if
50 you've got your Region 9 map in front of you, you'll see

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1 that the village of Chickaloon sets roughly in this portion
2 of Unit 13(D) and that if you slide this map over to that
3 map it gives you some sort of relationship of Unit 12 and
4 Unit 11. The Unit 11 C&T is broken down into two parts,
5 that north of the Sanford River, which is roughly there and
6 then that component south of the Sanford River.

7
8 The reason you are dealing with the
9 proposal is that it affects Unit 12, which is in the
10 Eastern Interior and residents of Unit -- the Eastern
11 Interior has C&T for portions of Unit 11. The existing
12 customary and traditional determinations are found on Page
13 136 and as I point out, in Unit 11, Healy Lake is in, Dot
14 Lake is in and residents of Unit 12 and Unit 12, we've got
15 residents of Unit 12, Dot Lake and Healy Lake and, of
16 course, the residents of Unit 12 include Tanacross, Tok,
17 Tetlin, Northway, Nabesna and Chisana.

18
19 Currently Chickaloon has a customary and
20 traditional use determination in Unit 11 for caribou,
21 moose, wolf, grouse and ptarmigan and in Unit 12 for moose
22 and wolf. It's important to note that Chickaloon is not a
23 resident zone community of Wrangell-St. Elias National Park
24 so in the event they were granted C&T, they would still
25 have to -- individuals would have to obtain a 1344 permit
26 or the community would have to petition the Park to be
27 included as a resident zone community.

28
29 Chickaloon traditionally was a Dena'ina
30 community. It was displaced, the Dena'ina residents moved
31 out and the Ahtna moved in and today the indigenous
32 inhabitants of the area are predominately Ahtna. If you
33 look at Table 2 on Page 140, you will see that residents of
34 Chickaloon, based on a study done in 1982 did, in fact, use
35 sheep, although in that year no individual was reporting
36 harvesting sheep. Table 3 on Page 142 shows the
37 distribution of sheep harvest by residents of Chickaloon
38 and as we see we have one sheep reported harvested in Unit
39 11, four in Unit 12, however, the bulk of the harvest
40 occurs in Units 13 and 14.

41
42 In reviewing the information, the
43 preliminary conclusion is to oppose the proposal and the
44 justification for opposing the request is that the level of
45 sheep harvest in Unit 11 and 12 by residents of Chickaloon
46 does not warrant a positive customary and traditional use
47 determination for sheep in those units.

48
49 CHAIRMAN NICHOLIA: Just one question,
50 George, is Chickaloon close to Anchorage and is it in a

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1 rural area?

2

3 MR. SHERROD: Chickaloon is a rural
4 community and, again, as I say, if you look at the Region 9
5 map it gives you a better idea of how it's situated. It's
6 slightly to the north and east of Palmer and Sutton, it's
7 in 14(A). Actually it's in 13(D) just close to 14(A).

8

9 MR. FLEENER: Mr. Chair, I have a question
10 for George, this is Chickaloon which is in the Southcentral
11 region.

12

13 MR. SHERROD: Right.

14

15 MR. FLEENER: And we're determining whether
16 or not they should have a C&T in Unit 11, which is also in
17 Southcentral.

18

19 MR. SHERROD: And 12.

20

21 MR. FLEENER: But it only says Unit 11
22 sheep here, proposed regulation, Unit 11 sheep.

23

24 MR. MILLER: Mr. Chair, maybe I can shed a
25 little light on this. At Wrangell-St. Elias SRC meeting,
26 we had a member of the Chickaloon Village Council attend
27 that meeting and even the Village Council opposed this.
28 The person that wrote it up has no family ties or has no
29 kinship to Chickaloon. He's a guide, a hunting guide and
30 this was just kind of his way of trying to get in on sheep
31 hunting in Wrangell. So the SRC opposed it and my
32 recommendation is for this board to do the same.

33

34 MR. FLEENER: I'd still like to finish my
35 question with George, though, are we involved because it
36 says Unit 11, north of Sanford River residents in Unit 12?

37

38 MR. SHERROD: No, it's Unit 11 and 12. If
39 you look at the top of Page 137, which is a continuation of
40 proposed regulation, you will see that they are requesting
41 for Unit 12, as well as all of Unit 11 and as I say,
42 currently residents of the Interior have C&T for Unit 11
43 and, of course, Unit 12 is in the Interior.

44

45 Any time in the past when a C&T change has
46 been requested for an area in which a Regional Council has
47 representatives who have C&T for that area then it comes
48 before them. So that's why in many cases we deal with
49 issues from the Western Interior where C&T is granted to
50 residents of the Eastern Interior.

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1 MR. FLEENER: Okay, thank you.

2

3 CHAIRMAN NICHOLIA: Are there any public
4 comments for Proposal 48?

5

6 MR. MIKE: Mr. Chair, just for the record,
7 the Wrangell-St. Elias SRC for Proposal 48 for Unit 11
8 revised C&T determinations for sheep, they opposed the
9 proposal based on testimony from the Chickaloon Village
10 Council representatives that the proponent does not have
11 kinship ties, extensive history to the village of
12 Chickaloon and is not an adequate person to request C&T for
13 the village.

14

15 There were three written public comments
16 received. Stephen Simmons, Director of Forestry, Chickaloon
17 Village opposes Proposal 48. He believes that the revision
18 of the applicable C&T determination to include the
19 community of Chickaloon would adversely affect the
20 harvesting of sheep for subsistence residents in Units 11
21 and 12.

22

23 Don Quarberg of Delta Junction wrote in
24 opposition of Proposal 48, stating that the eligibility
25 criteria for C&T uses are flawed and therefore used
26 inappropriately by subsistence hunters.

27

28 Mike Cronk on behalf of the Upper Tanana
29 Fortymile Advisory Committee writes in favor of this
30 proposal.

31

32 Thank you, Mr. Chair.

33

34 MR. FLEENER: Question.

35

36 CHAIRMAN NICHOLIA: The proposal has been
37 moved, seconded and question's been called. All those in
38 favor of Proposal 48 signify by saying aye.

39

40 (No aye votes)

41

42 CHAIRMAN NICHOLIA: All those opposed, same
43 sign.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN NICHOLIA: Proposal 48 fails.

48

49 MR. SHERROD: Mr. Chair, even though on
50 your book there's an indication that Proposal 25 and 34

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1 should be taken up at this time, they actually do affect
2 Western Interior and should probably be postponed and dealt
3 with Thursday at your joint meeting.

4

5 MR. FLEENER: Mr. Chair, I move that we
6 postpone those until we meet with Western Interior.

7

8 MR. MILLER: Second.

9

10 MR. MILLER: Question.

11

12 CHAIRMAN NICHOLIA: It's been moved and
13 seconded to move Proposal 25 and 34 to the joint meeting
14 with Western Interior. All those in favor signify by
15 saying aye.

16

17 IN UNISON: Aye.

18

19 CHAIRMAN NICHOLIA: Opposed, same sign.

20

21 (No opposing votes)

22

23 MR. MIKE: Mr. Chair, I believe on our
24 agenda we're on Item No. C where it states Regional State
25 and Wildlife Proposals. I don't know if we have any
26 representatives from the State to address this issue.

27

28 MR. FLEENER: Well, there's nobody left
29 here from the State is there? Well, I guess I can comment
30 a little bit on this because I've been working with the
31 Yukon Flats Fish and Game Advisory Committee, I'm not on
32 the committee but I'm on this moose management planning
33 committee. And what's happened is the advisory committee
34 is sick and tired of the low moose population and wants to
35 see something done about it so they put together a moose
36 management planning committee which is made up of members
37 from almost all the villages in the Flats. I think one
38 community is not represented and there's a representative
39 from the State Fish and Game and Fish and Wildlife Service,
40 and there have been invitations sent out to other people to
41 participate but no one else has participated as far as I
42 know.

43

44 Anyways, we've had one meeting so far and
45 we talked about -- we basically brainstormed on what we
46 thought the problems were and we talked a lot about how to
47 address those problems. So we're basically at step one and
48 one of the things we decided to do is do some public
49 service announcements on protecting the cow population,
50 increasing predator harvests. And I guess another thing we

00087

1 talked about is trying to see if we could get some State
2 and Federal funds to support some sort of a study and
3 others -- there's several studies needed. I hate to
4 mention the word, study, because what the heck does that
5 mean? A study is nothing unless you're going to do
6 something with the information. And so we've talked about
7 trying to do a wolf population study to see how many moose
8 they're eating. We talked about a lot of things.

9
10 It's been pretty successful so far. The
11 first meeting we had was really successful. We came to an
12 agreement that we were going to work together and we are
13 working together and the only other person that's here that
14 can talk about who was at the meeting is Paul Williams,
15 he's the representative from Beaver, and I don't know if he
16 has any comments on it or not. But I think the committee's
17 resolved to work together. The first meeting was a good
18 meeting. We have another planned and plan to meet again
19 and to go from there. But like I said, it's the beginning
20 steps and so far we're all in agreement that the moose
21 population is in some sort of trouble and we need to do
22 something about it.

23
24 But I don't know if Paul wants to come up
25 and say anything, if not, he doesn't have to.

26
27 MR. WILLIAMS: Early days when our
28 forefathers, they spoke, they don't use this kind of thing,
29 they stood up and they spoke loud.

30
31 I represent Beaver on the moose planning,
32 and like he said, you know, when you're going to do a
33 study, you know, you're going to do with what you learn and
34 how much -- you know, my idea is to identify the people
35 that could make these things possible once we agree on what
36 we want to do. Like he said, we identified a lot of
37 things. And a lot of the elders, you know, going back,
38 they identify moose by different names, you know, like male
39 and female and their year, their age and the time of the
40 year, especially for caribou. I hear a lot of talk about
41 caribou. In the old days they told me, you don't shoot
42 this kind of caribou at this time of the year, because this
43 is how they keep their health and their numbers, so that
44 kind of idea of traditional knowledge still stands.
45 Because this is kind of a new way for management, using
46 different language to talk about it. And so, you know,
47 this is all kind of new to me, but I go back to my old
48 Athabaskan language which I can speak very fluently, I
49 would say a lot more things, more complicated things, but
50 things that would seem easy.

00088

1 You know, listening here to you guys
2 talking, it's hard for me to understand because I'm
3 thinking in the Athabaskan way and then I got to interpret
4 that into the English and it's kind of confusing. When I
5 go back to listening to the elders, you know, I was born in
6 1936 and I remember from 1940 they had a meeting and the
7 elders talked about who was going to do what about our food
8 situation, there was no Safeway, you know and even back in
9 the 40s and 50s, if I think about going to Fairbanks, I
10 might as well think about going to the moon because that's
11 how impossible it was. There was no money. We don't know
12 candy or canned food or anything like that, everything was
13 dried apples and dried peaches and stuff like that and you
14 mix that with rice and that's our food. You know, we
15 usually eat biscuits and really crave that, you know, but
16 mostly we eat just meat and fish and that's how we lived
17 out in the woods in them days.

18
19 So going back and thinking about that thing
20 of using traditional knowledge into what we're trying to do
21 would help because it took us thousands and thousands of
22 years to figure out how are we going to save this, you
23 know, and by identifying different -- the different male
24 and female of an animal, I think would go a long ways, but,
25 you know, I don't know how we're going to do that these
26 days, you know, because we got high-powered skiff and nice
27 rifles and stuff like that, you know, it's hard to talk to
28 people and stuff like that, I don't know how we're going to
29 do it.

30
31 I just thought I'd bring this up because I
32 hear a lot of traditional knowledge but nobody knows what
33 it is. Thanks.

34
35 MR. FLEENER: Mr. Chair, that's basically
36 the only update I can think of unless there's any other
37 comments, if not that's all I have.

38
39 MR. JAMES: Mr. Chairman. Craig, the moose
40 management meeting you had, do you have the minutes of
41 that?

42
43 MR. FLEENER: Well, not Terry Haynes, but
44 Randy, what the heck is his last name, Randy Brown.....

45
46 MR. SHERROD: Rogers.

47
48 MR. FLEENER: That's it, Brown is somebody
49 else, never mind. Randy Rogers is typing those up and he
50 should have those done, I think, today or tomorrow. And as

00089

1 soon as they're done I'll get you a copy.

2

3 MR. JAMES: Thank you. Just to clarify on
4 that, you know, the process on this moose management plan.
5 I had an opportunity last year to attend the Western
6 Conference -- Western Regional Advisory meeting in Aniak,
7 and one of the -- just for information purposes, at that
8 meeting there, there was a lot of disagreement between that
9 group that got formed over in Koyukuk and I urge you to
10 watch out, to be careful that you don't get families
11 against families or brothers or fathers against fathers in
12 these moose management plans and to take you time and to
13 plan this out carefully and look at the -- what's going to
14 happen if you have a 15,000 moose herd or 10,000 or a
15 thousand or -- maybe the people don't want it. Do a
16 survey, a real intense survey, you know. One person can't
17 just speak for the whole community, make sure you get
18 everybody involved because you're getting into a real
19 delicate where I've seen the State pits people against
20 people.

21

22 Even though we have a low moose population,
23 my position always is that, you know, bringing in another
24 species that left, you know, especially species that got
25 contaminated, the food. My other issue always is the
26 muskrats, they're gone now and that was one of our diets,
27 now, you want us to change our diets and change it over to
28 buffalos. Just for your information, thank you.

29

30 MR. FLEENER: Davey brings up a good point
31 and I'll close with this and, that is, it's been already
32 brought up by several members of the planning committee
33 that they don't want to see tremendous growth in the moose
34 population but they want to see growth and they don't want
35 to see 15 -- like the State has, I forget what their
36 numbers are, 15 to 20,000 moose in the Yukon Flats. Most
37 people that I've talked to don't want to see that either
38 because that's going to mean we're going to see 15 to
39 20,000 hunters from other places coming to get those moose.
40 And so we want to see increases so that we can meet our
41 local needs but that's -- we have discussed that issue.
42 Thanks, Davey.

43

44 CHAIRMAN NICHOLIA: I could pretty much
45 comment as far as the brothers against brothers and stuff,
46 because it involves money and it involves mostly sport
47 hunters and we really do not support sport hunting and we
48 really do not support hunting for just the horns. You
49 know, the people in our region are already hurting from the
50 fish, especially in the Tanana area. There's a lot of

00090

1 people that wish they had fish right now but they don't.
2 It's good that we get fish from other areas but we'd like
3 to get our own fish. And it's just the same thing that
4 goes for the moose in our area, too, we live right on a
5 major highway system [sic] like the Yukon and Tanana River,
6 you know, there's a lot of people that talk about going out
7 and guiding and getting six-pack licenses and I see the
8 split in that already. But it's a big business that's
9 against subsistence nowadays and it's spreading. It's good
10 to see for some that it's spreading but for the actual
11 subsistence user and the actual resource, it's not going to
12 be able to sustain this increase of sport and this increase
13 of use.

14
15 And like I said when I first got on this Council,
16 you're going to have to determine the actual -- what the
17 actual resource could sustain and the actual need of the
18 subsistence user and compare it against the want of the
19 sports hunter. There's going to have to be a fine line
20 drawn somewhere along the line, otherwise what are we going
21 to be managing after we kill off the moose and after we
22 kill off the fish and stuff, mice?

23
24 Let's just move on.

25
26 MR. MIKE: Mr. Chair, we just addressed the
27 wildlife issues. Mr. Fleener stated the status of the
28 Yukon Flats planning committee meeting held in Fort Yukon,
29 and I guess Crag Gardner is gone and he won't be able to
30 present his update on the management and harvest plans for
31 the Fortymile Caribou Herd so, I guess the next item is the
32 Regional Council member reports and Chair's report if you
33 would like to present a Chair's report. But maybe you can
34 just report on your activities with the Federal Subsistence
35 Board and the fisheries meeting.

36
37 CHAIRMAN NICHOLIA: Chair's report, uh.
38 Well, sometime in October Bob Schulz from Wrangell-St.
39 Elias or is it Yukon-Charley -- Yukon.....

40
41 MR. FLEENER: Kanuti.

42
43 CHAIRMAN NICHOLIA:Kanuti, called me
44 up and asked me to open up a hunt because there was a deal
45 where the caribou could sustain the extra harvest and I
46 gave him the okay for a one day hunt, that was in October,
47 I think. And that's concerning the Kanuti National Refuge.

48
49 The Chair's meeting in Anchorage that we
50 had down there in late November, early December is -- Bill

00091

1 Thomas is the Chair of all the Chairs, and it seems that --
2 he told us that it seems that the subsistence program,
3 overall, is at it's -- I don't really think it is, but this
4 was his point of view and I kind of see it in a little
5 light but not really, is that, it's kind of getting away
6 from the RACs as in involvement at all levels, at all
7 levels, not just the recommendation. But why he said that
8 is because we are the back-bone of this program. And to be
9 informed -- I mean to just have meetings two times a year
10 is not really including us, we have to be informed or even
11 by teleconferences, of certain situations that come up.
12 Sometimes it could happen but the way I see it, the
13 management of -- two management bodies for the same
14 resources and same users and the way the State is splitting
15 away or trying to split away from the Federal, in my book
16 they are, is that, we're not going to help the resource and
17 we're not going to help the subsistence users. What Bill
18 Thomas says, he seen this split in December, early
19 December, and that when this happens, we have to be more
20 involved as Regional Advisory Councils, we have to be more
21 involved at an upper -- at the uppermost level that we
22 could. That's just one comment from the Chair's meeting.

23
24 And another thing that happened after the
25 resource monitoring meeting, is that, Ron Sam got down from
26 working with Willie Goodwin and Dan O'Hara to work with the
27 Federal Board and all the Chairs voted me in there to work
28 with them and I went down there and it was pretty -- the
29 resource monitoring it was -- I don't know how to put it,
30 but we agreed to most of the Yukon question but we were
31 arguing about pike the last day, but we dropped the Innoko
32 plan and took on Yukon Flats and another little area. That
33 was for the resource monitoring.

34
35 And at the same time I signed or Craig got
36 voted in for the determining subsistence use amounts work
37 task force -- task force protocol for determining
38 subsistence uses for rural communities. I really pushed
39 for him to be on that because I know he's very
40 knowledgeable in that and we wanted to put our best people
41 in there, all these protocols, there's about five of them.
42 One for the Yukon, one for the statewide fisheries, one for
43 wildlife, one for State and Feds to work together and
44 another statewide fisheries one and one protocol, just the
45 mother of all protocols.

46
47 And for the customary and trade task force,
48 the assigned person that I reassigned is Chuck Miller, so
49 he will be on that task force. Other than that, I'll fill
50 you in later if I come up with anything else.

00092

1 MR. MIKE: Mr. Chair, we're in a point that
2 we are into Regional Council exchange on meetings and
3 information on subsistence issues affecting the region so
4 if we have any State local Fish and Game Advisory Committee
5 meetings coming up, I don't know if that's appropriate to
6 bring it up right now.

7
8 CHAIRMAN NICHOLIA: Yeah, I sit on the
9 Tanana/Rampart/Manley Advisory Committee and we kind of got
10 talking after the State had their fisheries deal, we fought
11 against a lot for like household amounts and the dog issue
12 and Area M and Yukon and the Bering Sea, is that, it's a
13 good thing that a lot of us showed at that Board of Fish
14 meeting. We didn't get what we wanted and yet we didn't
15 have all those restrictions put on us. The way it went for
16 the Yukon area is it's not -- mesh size -- restrict mesh
17 size or determine how much a household uses because some
18 households use -- some households provides for a lot of
19 other households in my area. All along it went pretty good
20 for Tanana/Rampart/Manley, what we dealt with.

21
22 MR. MIKE: Mr. Chair, we got on our agenda,
23 tribal and village meetings and Subsistence Resource
24 Commission meetings. As a coordinator for the Eastern
25 Interior Council, I had planned on attending the Wrangell-
26 St. Elias SRC meeting but due to other commitments I
27 couldn't attend but I'm planning on attending future
28 commission meetings for the Wrangell-St. Elias Commission.

29
30 If there are any tribal or village council
31 members out there that would like to speak on upcoming
32 meetings we can bring it up right now or we can call for a
33 recess and reconvene tomorrow morning.

34
35 CHAIRMAN NICHOLIA: So moved, Donald, we'll
36 reconvene tomorrow morning at 9:00.

37
38 MR. FLEENER: 9:00 be good.

39
40 (PROCEEDINGS TO BE CONTINUED)

41 * * * * *

C E R T I F I C A T E

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

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

10
11 THAT the foregoing pages numbered 02 through 92 contain a
12 full, true and correct Transcript of the EASTERN INTERIOR
13 FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME
14 I, taken electronically by Salena Hile on the 6th day of March
15 2001, beginning at the hour of 9:45 o'clock a.m. in Fairbanks,
16 Alaska;

17
18 THAT the transcript is a true and correct transcript
19 requested to be transcribed and thereafter transcribed by under
20 my direction and reduced to print to the best of our knowledge
21 and ability;

22
23 THAT I am not an employee, attorney, or party interested
24 in any way in this action.

25
26 DATED at Anchorage, Alaska, this 18th day of March 2001.

27
28
29
30
31
32
33

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