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FEDERAL SUBSISTENCE REGIONAL COUNCIL MEETING

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EASTERN INTERIOR

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Lake Lucille Lodge

12

Wasilla, Alaska

13

October 16, 2003

14

8:30 o'clock a.m.

15

16

17 COUNCIL MEMBERS PRESENT:

18

19

EASTERN INTERIOR

20

Gerald Nicholia, Chair

21

Andrew Bassich

22

Sue Entsminger

23

Allen J. Stevens

24

Virgil Umphenour

25

Larry Williams

26

Philip Titus

27

28 Regional Council Coordinator, Donald Mike

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P R O C E E D I N G S

(Wasilla, Alaska - 10/16/2003)

Due to Non-Speaker Usage, as requested by OSM Staff,  
there are missing portions of this meeting

CHAIRMAN NICHOLIA: I'll call this  
meeting to order, Eastern Interior. And Donald Mike is  
there any housekeeping or anything?

MR. MIKE: Mr. Chair. Donald Mike,  
Council coordinator. There'll be some additions to the  
agenda and proposals that the Eastern Interior may wish  
to re-visit but when we review the agenda we'll discuss  
those. Another thing I want to remind the Council of is  
you have a lot of meeting materials and we have mail out  
boxes for Council members so we can just mail your  
information, meeting materials back to your villages.

Thank you, Mr. Chair.

I'll do a roll call. Philip Titus.

MR. TITUS: Here

MR. MIKE: Andrew Bassich.

MR. BASSICH: Here.

MR. MIKE: Allen Stevens.

MR. STEVENS: Here.

MR. MIKE: Sue Entsminger.

MS. ENTSMINGER: Here.

MR. MIKE: Jim Wilde. Jim Wilde couldn't  
make it he had other commitments.

Trisha Waggoner. I got a call from  
Trisha Waggoner she couldn't be available for these  
meetings due to work and she wasn't able to take time off  
to attend this meeting.

Gerald Nicholia.

CHAIRMAN NICHOLIA: Here.

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1 MR. MIKE: Larry Williams. Larry  
2 Williams couldn't make it also he had family emergency  
3 back in Venetie so he had to cancel out at the last  
4 minute.

5  
6 Virgil Umphenour.

7  
8 MR. UMPHENOUR: Here.

9  
10 MR. MIKE: Mr. Chair, you have six  
11 members present and three absent and you have a quorum.

12  
13 CHAIRMAN NICHOLIA: Yeah, introduction of  
14 Council members.

15  
16 Okay, I am Gerald Nicholia from Tanana.

17  
18 Start out with Jeep.

19  
20 MR. TITUS: Philip Titus, Minto.

21  
22 MR. UMPHENOUR: Virgil Umphenour, North  
23 Pole.

24  
25 MR. STEVENS: Jay Stevens, Stevens  
26 Village.

27  
28 MS. ENTSMINGER: Sue Entsminger, Mentasta  
29 Pass.

30  
31 MR. BASSICH: Andy Bassich, Eagle.

32  
33 CHAIRMAN NICHOLIA: Donald Mike is our  
34 coordinator.

35  
36 MR. TWITCHELL: Hollis Twitchell, Denali  
37 National Park.

38  
39 MR. HOLDER: Russ Holder, Fish and  
40 Wildlife Service Fairbanks, Yukon River Salmon  
41 Management.

42  
43 MS. BROWN: Melinda Brown, Yukon Flats  
44 Nation Wildlife Refuge.

45  
46 MS. ELKIN: Kim Elkin.

47  
48 MS. MCSWEENY: Ingrid McSweeny, Bureau of  
49 Land Management.

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1 MS. CELLARIUS: Barbara Cellarius,  
2 Wrangell-St. Elias National Parks Subsistence  
3 Coordinator.

4  
5 MR. BERG: Good Morning. Jerry Berg. I  
6 work in OSM and I am the fish biologist for the Yukon  
7 River.

8  
9 CHAIRMAN NICHOLIA: I'm sure all my  
10 Council members reviewed the Council meeting agenda with  
11 the few exceptions that we deferred, Proposal 7 and 6  
12 fisheries proposals, we can include that on our agenda.  
13 It doesn't say that we have to approve it or anything but  
14 I'd sure like to approve and have the agenda approved  
15 with the additions of 6 and 7. Something else Donald.

16  
17 MR. MIKE: (Microphone off)

18  
19 REPORTER: Donald, your microphone.

20  
21 MR. MIKE: (Microphone off)

22  
23 CHAIRMAN NICHOLIA: Donald, your mike.

24  
25 MR. MIKE: And under agency reports, BLM,  
26 statewide Fortymile Caribou Herd (microphone not on)

27  
28 CHAIRMAN NICHOLIA: So the additions to  
29 the agenda, is there anybody -- I'll entertain a motion,  
30 with second and question so we have an agenda.

31  
32 MR. UMPHENOUR: Could I have  
33 clarification, I didn't get that proposal number under  
34 C&T, I didn't hear it or understand.

35  
36 CHAIRMAN NICHOLIA: I was confused  
37 yesterday and I voted kind of the wrong way. I got mixed  
38 up with Jerry Berg and what Lester was telling me and a  
39 couple other people.

40  
41 MR. UMPHENOUR: Which number was it?

42  
43 MR. MIKE: (Answers but microphone off)

44  
45 MR. UMPHENOUR: Thank you. And one thing  
46 some of the proposals we went over yesterday, like our  
47 two proposals to the Board of Fisheries and the Tri-  
48 Council meeting, I'd like to revisit those so that we --  
49 are we planning on doing that, they have Board of  
50 Fisheries proposals on the agenda but that's what I'd

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1 like to know.

2

3 MR. MIKE: Thank you, Mr. Chair. Yes we  
4 do have that on our agenda its VII, letter F, is Alaska  
5 Board of Fisheries proposals AYK Region deferred  
6 proposals so it might be a good time right now to add  
7 those particular proposals if you wish to do so.

8

9 Mr. Chair.

10

11 MR. UMPHENOUR: The two proposals are our  
12 RAC submitted plus, I'll have to look them up, plus  
13 Proposal 132.

14

15 CHAIRMAN NICHOLIA: A motion to approve  
16 the agenda.

17

18 MS. ENTSMINGER: I make a motion to  
19 approve the agenda.

20

21 MR. UMPHENOUR: Second.

22

23 MR. TITUS: Question.

24

25 CHAIRMAN NICHOLIA: Question has been  
26 called all those in favor signify by saying aye.

27

28 IN UNISON: Aye.

29

30 CHAIRMAN NICHOLIA: All those opposed,  
31 same sign.

32

33 (No opposing votes)

34

35 CHAIRMAN NICHOLIA: Agenda motion is  
36 approved. I read through the minutes last night and  
37 there were just a couple of typographical errors and  
38 pretty much what happened was pretty much got it down  
39 what happened except a few names and few explanations,  
40 but I'd like you guys to entertain a motion to get these  
41 minutes approved.

42

43 MR. UMPHENOUR: Move to approve the  
44 minutes from the March 25, 26 meeting.

45

46 MR. TITUS: Second.

47

48 CHAIRMAN NICHOLIA: Discussion.

49

50 MR. UMPHENOUR: Yes. There was -- I was

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1 noticing in one of the letters that we had gotten back  
2 about thermal otolith marking, and we had requested that  
3 all hatchery fish be thermal otolith marked and it said  
4 in the letter that we would have to request a  
5 presentation from the Department of Fish and Game from  
6 the hatchery to give us a report on that. Because to me  
7 that's still a very big concern and I know that a lot of  
8 those hatcheries thermal otolith marked fish and I do  
9 know that fish from the dytact hatchery in Juneau have  
10 been caught in the Bering Sea by-catch.

11

12 CHAIRMAN NICHOLIA: Any further  
13 discussion.

14

15 (No comment)

16

17 MR. TITUS: Question.

18

19 CHAIRMAN NICHOLIA: Question has been  
20 called, all those in favor of approving the March 26, 27,  
21 2003 minutes signify by saying aye.

22

23 IN UNISON: Aye.

24

25 CHAIRMAN NICHOLIA: All those opposed,  
26 same sign.

27

28 (No opposing votes)

29

30 CHAIRMAN NICHOLIA: Chairs report. May  
31 meeting, the only thing that they deferred on us is the  
32 support of Proposal 27. And that was to include the  
33 residents, I believe Dot Lake, they wanted more  
34 information. And that's about it.

35

36 Go ahead Donald.

37

38 MR. MIKE: Yeah, the proposal you're  
39 referring to is deferred Proposal 47, I believe, and it  
40 has to do with C&T use of moose in Unit 20(E) and we'll  
41 have an update provided to you later on in the day.

42

43 Thank you, Mr. Chair.

44

45 CHAIRMAN NICHOLIA: The annual report  
46 response, I'm not very happy with it because I want more  
47 information feedback because we deliberated a long time  
48 on this request for hatchery stuff and this other  
49 requests that we had. We requested age length study and  
50 that wasn't done, and we thoroughly and very, very

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1 strongly asked for that age length study, you know, to  
2 follow along with the proposals that we put forward and  
3 without that study we never had enough ammo as you say as  
4 the Tri-Council meeting or other meetings to have put  
5 forward our proposals. And so next time we ask for these  
6 kind of studies I want you Department people to look  
7 seriously at our request. If we don't have these studies  
8 or anything it's just going more -- some more beating  
9 around the bush and all the time we spent on that stuff,  
10 it's just not worth it.

11

12 I'll go through my report first. And  
13 then another thing is that when we request something I  
14 want a response right away because I don't want to wait  
15 for like six months to hear about it or three months or  
16 two months. You could either tell me you could do it or  
17 you can't do it, because we expected that. I kind of  
18 expected that at these meetings to have that, especially  
19 at the CFC meeting when I heard about it that wasn't done  
20 at this time like, hurting, you know, kind of, you know,  
21 why do a proposal if we don't get no assistance or help  
22 from the Departments.

23

24 Donald you could fill me in on the  
25 correspondence received and sent.

26

27 MR. MIKE: Thank you, Mr. Chair. The  
28 correspondence sent and received starts on Page 31 in  
29 your Eastern Interior Council book.

30

31 We had a letter sent out to Mr. Biuret  
32 Kessler from the Nenana Native Council expressing our  
33 gratitude for hosting our meeting in Nenana.

34

35 And we sent a letter out to Mr. Mason  
36 Reed in support of the Stanley Caribou Herd trying to get  
37 the population back up.

38

39 We sent another letter to Ms. Selena  
40 Produska (ph) First Chief of Beaver Tribal Council  
41 basically saying that we postponed our meeting in Beaver  
42 due to issues that came up and rescheduling our meeting  
43 to another location.

44

45 Those basically are the letters that were  
46 sent and received and we also have the annual report that  
47 was issued by the Eastern Interior Council and received  
48 the .805 letter from the Federal Subsistence Board.

49

50 Thank you Mr. Chair.

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1                   CHAIRMAN NICHOLIA: Yeah, thank you,  
2 Donald. I received a letter from the Denali National  
3 Park Subsistence Resource Commission to reappoint Paul  
4 Starr to the Subsistence Resource Commission of Denali  
5 and we'll handle that later. And what was that other  
6 letter I got -- I actually received another letter, kind  
7 of like more of a thank you letter, I can't remember it  
8 right now.

9  
10                   This is where we go into Council members  
11 report, sharing our concerns and topics.

12  
13                   And I'll start out with Jeep.

14  
15                   MR. TITUS: None right now, Mr. Chairman.

16  
17  
18                   MR. UMPHENOUR: I don't really have  
19 anything right now because everything I am concerned with  
20 is on the agenda.

21  
22                   MR. STEVENS: I'd have to say the same  
23 with me.

24  
25                   MR. BASSICH: I think about the only  
26 concern I have, I'm not really sure if we're going to be  
27 addressing it, is at some point in time during our  
28 discussions I'd like to discuss quality of escapement of  
29 king salmon and fall chum mainstem.

30  
31                   Thank you Mr. Chairman.

32  
33                   CHAIRMAN NICHOLIA: Yeah, Andy that is  
34 just about what I was looking at. A couple of proposals  
35 and a couple of things that we faced at the Tri-Council  
36 meetings I'd like to have that discussed but I didn't  
37 want to bring those issues back up. It's a personal  
38 reasonable opportunity, like what Virgil said, I think  
39 we'll have that dealt with too. And then Donald would we  
40 have any kind of, like those cheatsheets that you had,  
41 that we'll going by that for these proposal reviews and  
42 stuff?

43  
44                   MR. MIKE: MR. Chair. We can go with  
45 that cheatsheet that was giving to you in the Tri-Council  
46 meeting or you can follow the format in our agenda. The  
47 cheatsheet you were given during our Tri-Council meeting  
48 seems to work very well for you, I would encourage you to  
49 use that cheatsheet.

50

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1                   When is a proper time to have Jerry or  
2 other Staff address your concerns you were talking about  
3 in the annual report. At a later time we can bring up  
4 .805c letter to address Unit 20(E) moose.

5  
6                   Thank you, Mr. Chair.

7  
8                   CHAIRMAN NICHOLIA: We'll just go right  
9 into proposals. And I got to ask this first, Jerry Berg,  
10 you going to be bouncing around between here and Western?

11  
12                   MR. Berg: Yes, a little bit Mr. Chair.  
13 But I'll certainly be here for any questions and  
14 presentations that I need to for your Council. I'll be  
15 here primarily and then once issues the that I'll be  
16 covering are finished here I'll probably be going to the  
17 Western Interior Council meeting.

18  
19                   Thank you.

20  
21                   CHAIRMAN NICHOLIA: Okay, thank you. Pat  
22 do you want to get up to the microphone, do you have  
23 something?

24  
25                   MS. PETRIVELLI: Good morning, Mr. Chair.

26  
27                   CHAIRMAN NICHOLIA: Your name for Nate.

28  
29                   MS. PETRIVELLI: My name is Pat  
30 Petrivelli and I am the anthropologist for the Eastern  
31 Interior team. I am going to start with Proposal 19 and  
32 it begins on Page 43, the analysis begins on Page 43 of  
33 your green meeting book.

34  
35                   Proposal 19, was submitted be the Paxson  
36 Fish and Game Advisory Committee, and it requests a  
37 positive customary and traditional use determination for  
38 salmon on the Upper Copper River District for residents  
39 of the Paxson area.

40  
41                   (Equipment Malfunction)

42  
43                   CHAIRMAN NICHOLIA: Fish to one fish that  
44 would be a deal but that would be something we could do,  
45 but I don't really want to stick my foot in their  
46 business.

47  
48                   MS. ENTSMINGER: Well, Mr. Chairman,  
49 again, I'd like to reiterate that all the way to Dot  
50 Lake, Tok and all the Upper Tanana villages, down to Unit

00010

1 12 boundary and the Nabesna Road people all utilize the  
2 Copper River. And, I mean its actually one -- It's just  
3 one of thoughts that's just a little more stronger.

4

5 CHAIRMAN NICHOLIA: I doubt, I was there  
6 when me, Chuck Miller, Craig Fleener, a whole bunch of us  
7 dealt with that. For awhile it was like a punching  
8 match, I mean to get Dot Lake and Tok in there and stuff  
9 too.

10

11 MS. ENTSMINGER: But its done.

12

13 CHAIRMAN NICHOLIA: Yeah. And I just  
14 don't want to back down that avenue, that's.....

15

16 MS. ENTSMINGER: Government works slow,  
17 it was eight years.

18

19 CHAIRMAN NICHOLIA: But I'd rather just  
20 defer these two -- these Proposals both 21 and 22 back to  
21 the home region.

22

23 MS. ENTSMINGER: Mr. Chair. If I could  
24 just -- if you guys want to table them and I feel  
25 strongly about them and I want to look at these two  
26 proposals, if I feel real strongly I want to bring it  
27 back up. If we could do that later on in the meeting I'd  
28 appreciate it.

29

30 MR. BASSICH: So Moved.

31

32 MS. ENTSMINGER: Second.

33

34 CHAIRMAN NICHOLIA: It's been moved to  
35 table 21 and 22 for later, Discussion. I want it be  
36 noted that my points of dealing with the Southcentral be  
37 noted that I wanted to defer back to the home region.  
38 But it's been moved, seconded, question to be defer -- to  
39 table these 21 and 22 proposal. All those in favor  
40 signify be saying aye.

41

42 IN UNISON: Aye.

43

44 CHAIRMAN NICHOLIA: All those opposed,  
45 same sign.

46

47 (No opposing votes)

48

49 CHAIRMAN NICHOLIA: Okay I believe we are  
50 going to take up proposal -- fisheries Proposal 6 and 7

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1 that allows Birch Creek, and Jerry Berg.

2

3 MR. BERG: Thank you, Mr. Chairman. The  
4 analysis for this proposal is going to be found back in  
5 your tan colored book that you were using the past couple  
6 of days. Under Tab B you'll find the analysis starts on  
7 Page 53.

8

9 MS. ENTSMINGER: 50.

10

11 MR. BERG: 53.

12

13 And as you remember this proposal was  
14 deferred since it primarily deals with the Eastern  
15 Interior Region. Fisheries Proposals 6 and 7 are almost  
16 identical proposals, they were submitted by Craig Fleener  
17 and Davey James and since they were so similar in nature  
18 we analyzed them together. Both proposals request that  
19 existing regulations restricting gillnet mesh size in  
20 Birch Creek be modified from a current annual restriction  
21 to a seasonal restriction. The proponents suggest that  
22 these changes would increase a subsistence opportunity  
23 for harvesting sheefish and other resident fish species  
24 throughout the year while protecting spawning salmon.

25

26 Currently the regulations restrict gill  
27 net mesh size in Birch Creek to three inch stretch mesh  
28 throughout the year. The proposed change would only  
29 apply for the timeframe from June 15th to either  
30 September 5th or September 15th. Proposal 6 suggested  
31 that we go to September 5th and then Proposal 7 suggested  
32 September 15th.

33

34 In other words it would allow the use of  
35 any gillnet, basically from the fall September 5th or  
36 15th all the way through June 15th, so it would open it  
37 up during the winter time. It's currently restricted to  
38 three inch mesh only during the winter -- fall and  
39 winter.

40

41 This three inch mesh, gillnet mesh  
42 restriction was put into place in 2001 basically to allow  
43 some subsistence fishing while also protecting spawning  
44 chinook and chum salmon.

45

46 Prior to 2001 Birch Creek had been closed  
47 to subsistence fishing since the 1970's in order to  
48 protect fish stocks from the potential influx of  
49 subsistence fishermen when access was open through the  
50 Dalton and Steese Highways. Birch Creek has a number of

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1 resident fish species present in addition to the chum and  
2 chinook salmon, the target species for harvest, if this  
3 proposal were adopted, would most likely would be  
4 northern pike and sheefish. The primary subsistence  
5 users in this area reside in Birch Creek village which is  
6 in the lower Birch Creek area and the town of Central in  
7 the upper Birch Creek area, both have small populations  
8 approximately 200 people combined. Obviously salmon can  
9 also be caught by subsistence fishermen targeting other  
10 non-salmon species with the three inch gillnet mesh  
11 incidentally during the summer months.

12

13                   However since 2000 BLM has been  
14 monitoring subsistence activities in Birch Creek from  
15 June through September and have found little subsistence  
16 fishing during the summer months. Adopting this proposal  
17 would result in subsistence users benefiting from  
18 increased subsistence opportunity during the fall,  
19 winter, and spring time when salmon are not present.

20

21                   Currently year-round gill net mesh size  
22 restrictions were put in place to protect the spawning  
23 salmon. By adopting this proposal the same purpose can  
24 be accomplished by continuing with the mesh size  
25 restriction during the time period when adult salmon are  
26 actually present in Birch Creek during the summer months.  
27 Such an approach would provide protection for adult  
28 chinook salmon for three months while eliminating an  
29 unnecessary gear restriction on subsistence users for the  
30 other nine months on the year. Keeping the gillnet mesh  
31 restriction in place through September 15th would ensure  
32 that most spawning salmon -- most salmon spawning has  
33 been concluded. The use of the larger mesh net outside  
34 the spawning season would allow more effective harvest of  
35 larger fish such as sheefish.

36

37                   The Alaska Board of Fisheries will also  
38 review a proposal submitted by the Yukon Flats Advisory  
39 Committee this coming January to increase the mesh size  
40 regulation in Birch Creek.

41

42                   Mr. Chair, the preliminary conclusion is  
43 to support this proposal which would leave the existing  
44 three inch gillnet mesh restriction in place. The  
45 recommendation is to support Proposal 6 which would leave  
46 it in place from June 15th through September 15th.

47

48                   We also recommend that you take no action  
49 on Proposal 7 since an action on Proposal 6 would cover  
50 Proposal 7.

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1                   That's all I have I'd be happy to try to  
2 answer any questions at this time. Thank you, Mr. Chair.

3

4

5                   CHAIRMAN NICHOLIA: Jerry, we'll save the  
6 questions for our discussion. ADF&G.

7

8                   MR. HAYNES: Mr. Chairman. My name's  
9 Terry Haynes with the Department of Fish and Game. The  
10 Departments comments are on Page 61 of the book. We  
11 basically recommend deferring action on these proposals  
12 since, as Jerry pointed out, the Board of Fisheries will  
13 be evaluating a similar proposal at it's January 2004  
14 meeting, Proposal 159.

15

16                   CHAIRMAN NICHOLIA: Thank you, Terry. I  
17 think we will take action on these proposals.

18

19                   I know when we first put it in there it  
20 was to conserve salmon stocks when we first introduced  
21 and supported this proposal to the Federal Subsistence  
22 Board. And all these guys are asking is to be allowed to  
23 fish with bigger mesh size to catch other species when  
24 salmon are not present. So I will support this proposal.

25

26

27                   Is there any tribal governments or other  
28 agencies that want to speak. Go ahead.

29

30                   MS. MCSWEENY: My name is Ingrid  
31 McSweeny, I'm with the Bureau of Land Management. The  
32 BLM does support Proposal 6. We feel that because of the  
33 low population numbers in the area, that this proposal  
34 will have minimal impact on the non-salmon species and  
35 should have no impact on the salmon species in Birch  
36 Creek.

37

38                   CHAIRMAN NICHOLIA: Thank you. Anybody  
39 else what to say anything to this proposal.

40

41                   (No comment)

42

43                   CHAIRMAN NICHOLIA: Okay, then going on  
44 to Fish and Game LAC comments, where did that come from  
45 Donald?

46

47                   MR. MIKE: Mr. Chair, it's just an  
48 opportunity for local advisory committees to provide  
49 comments on Federal Subsistence proposals. It's another  
50 opportunity for public comments.

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1 CHAIRMAN NICHOLIA: I know, Tanana  
2 Rampart Advisory, I don't think I have nothing to say to  
3 this effect but it's out of our home region. What do you  
4 say Jay.

5  
6 MR. STEVENS: I agree with the proposal.

7  
8 CHAIRMAN NICHOLIA: Summary of written  
9 public comments. Donald.

10  
11 MR. MIKE: Thank you Mr. Chair. We did  
12 not receive any written public comments that I know of.

13  
14 Thank you Mr. Chair. Unless we have  
15 public in the audience that wish to comment on this  
16 particular proposal.

17  
18 CHAIRMAN NICHOLIA: Bring it on.  
19 Who is that Donald.

20  
21 MR. MIKE: I did not identify any  
22 particular public, so if there is any public out there  
23 that wish to comment on this proposal they can do so at  
24 this time.

25  
26 Thank you, Mr. Chair.

27  
28 CHAIRMAN NICHOLIA: Is there any public  
29 testimony, that anybody want to give.

30  
31 (No comment)

32  
33 CHAIRMAN NICHOLIA: Okay. We can move  
34 into Council deliberations, recommendation and  
35 justification.

36  
37 MR. UMPHENOUR: Move to adopt Proposal 6.

38  
39  
40 MS. ENTSMINGER: Second.

41  
42 CHAIRMAN NICHOLIA: Its been moved by  
43 Virgil, second by Sue. Discussion.

44  
45 MR. TITUS: Are we going to do six and  
46 seven or just six.

47  
48 CHAIRMAN NICHOLIA: I think we'll just  
49 deal with six. Andy.

50

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1 MR. BASSICH: Thank you, Mr. Chairman. I  
2 was just wondering if there's any evidence of any fall  
3 chum that come up into this drainage late in the season  
4 that might be adversely impacted by the timing of.....

5  
6 CHAIRMAN NICHOLIA: Andy, I think it was  
7 just mainly for chinook. When we did do this  
8 introduction of this -- I mean when we did introduce this  
9 proposal -- when Ft. Yukon, Beaver or Birch Creek did  
10 this, it was mainly for chinook salmon I believe at that  
11 time, and I don't think they will be heavily impacted by  
12 fall chum. I don't think really goes up to Birch Creek  
13 area. If I am correct, anybody in here that could.....

14  
15 MR. ANDERSEN: Fred Andersen, National  
16 Park Service. Mr. Chairman, no, there's no fall chums in  
17 the Birch Creek drainage. Few Kings, few summer chums  
18 largely resident species.

19  
20 Thank you.

21  
22 MR. BASSICH: With that information I  
23 would be in support of this proposal.

24  
25 MR. STEVENS: Yeah, I was wondering,  
26 Jerry, between six and seven. Six has a date of  
27 September 15th and seven, Proposal 07 has a date of  
28 September 5th. Is there any reason why we are going with  
29 the Proposal 6 instead of Proposal 7, is there a  
30 difference in those 10 days there?

31  
32 MR. BERG: Yeah, Mr. Chair. Mr. Stevens,  
33 yeah I guess it would just provide a little bit,  
34 additional 10 days protection for spawning salmon. We  
35 have very little data on spawning salmon in Birch Creek.  
36 And as Fred said there are a few chum salmon that have  
37 been seen in the Birch Creek but most likely they are  
38 strays. What's most likely is chinook salmon and they're  
39 probably done spawning by that time but that additional  
40 10 days would just provide a little bit of extra  
41 protection I guess. So there isn't a lot of  
42 justification to go with either date, you just give them  
43 a little bit more -- it's just a little bit more  
44 conservative to go with the 15th date then the 5th.

45  
46 Thank you, Mr. Chair.

47  
48 MR. STEVENS: Thank you.

49  
50 CHAIRMAN NICHOLIA: Donald.

00016

1 MR. MIKE: Thank you, Mr. Chair. I just  
2 want to clarify Mr. Umphenour's motion, is to move to  
3 adopt as recommended by Staff.

4

5 MR. UMPHENOUR: (Nods affirmatively)

6

7 CHAIRMAN NICHOLIA: His motion was to  
8 move to adopt Proposal 6 and its been seconded and we're  
9 in discussion. We're not even dealing with Proposal 7  
10 yet.

11

12 MR. UMPHENOUR: I think on this one there  
13 was no difference in the Staff recommendation over the  
14 proposal.

15

16 MS. ENTSMINGER: I recommend that we  
17 never do what we did yesterday. We always take a  
18 proposal in the affirmative, and then deal with the  
19 Staff's recommendation.

20 CHAIRMAN NICHOLIA: Well Sue, Sue this is  
21 not a vote yes and it means no deal.

22

23 MS. ENTSMINGER: I know. I'm just saying  
24 we should never do that again.

25

26 CHAIRMAN NICHOLIA: We're not doing it  
27 right here.

28

29 MS. ENTSMINGER: I know.

30

31 CHAIRMAN NICHOLIA: It's been moved,  
32 second, discussed.

33

34 MR. TITUS: Question.

35

36 CHAIRMAN NICHOLIA: Jeep wait. It's been  
37 moved, second and discussed for Proposal 6. All those in  
38 favor signify by saying aye.

39

40 IN UNISON: Aye.

41

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

44

45 (No opposing votes)

46

47 CHAIRMAN NICHOLIA: Okay. Concerning  
48 Proposal 7 since we already dealt with Proposal 6 we just  
49 take no action. Okay. Then that means we move on to that  
50 other issue that we were dealing with. That's where I,

00017

1 not the Council members, yesterday voted wrong because I  
2 was very confused that -- I voted wrong to exclude eggs  
3 where I voted to include it. That was one of those yes  
4 for no and no for yes votes.

5

6 MS. ENTSMINGER: What proposal number was  
7 it?

8

9 CHAIRMAN NICHOLIA: That was Proposal No.  
10 -- Page 133. 133 on Tab.....

11

12 MS. ENTSMINGER: B.

13

14 CHAIRMAN NICHOLIA: I know you guys  
15 voted, I think Virg -- but I was all confused on that  
16 part where -- we had too much confusion going on there.  
17 That was the part of -- it's very hard to deal with one  
18 Council where you have a language barrier and another  
19 Council, the Western Interior is easy to deal with, but  
20 when you have so much people that are sitting there and  
21 trying to do something with it I got very confused and I  
22 believe I voted for -- voted against for what I was  
23 trying to do in this proposal.

24

25 And I want to revisit it again if it's  
26 all right with you guys.

27

28 MR. MIKE: Mr. Chair, at this time I'd  
29 like to -- if its okay with the Chair to request a recess  
30 I need to work out the parliamentary procedures to get  
31 this back on the table through reconsideration.

32

33 Thank you, Mr. Chair.

34

35 CHAIRMAN NICHOLIA: Yeah, I don't know  
36 how to really go about this, but we've been fighting, the  
37 Tanana Rampart Manley Advisory Committee has really been  
38 fighting, fighting to remove the eggs out of this  
39 customary and traditional use determination. I was kind  
40 of -- got emotional there, that's what made me kind of  
41 get confused. That's the first time that ever happened  
42 on my part and I take the whole blame on that.

43

44 But just because there was once a roe  
45 fishery around Tanana and that kind of -- the down river  
46 people says that it kind of ruined the fisheries for  
47 summer chum or fall chum but that's the reason I wanted  
48 to take the eggs out, and I really want to make this  
49 point taken that I want to let the Board know, the other  
50 three Councils know that I voted wrong on this proposal

00018

1 because of confusion.

2

3 And if that's all we can do right now  
4 then I suggest that we move on to those two proposals  
5 that we tabled.

6

7 MS. ENTSMINGER: Mr. Chairman.

8

9 CHAIRMAN NICHOLIA: Sue.

10

11 MS. ENTSMINGER: I think all he needs is  
12 a motion to reconsider. So I make a motion we reconsider  
13 Proposal 3 customary and trade.

14

15 MR. MIKE: Mr. Chair. Through  
16 parliamentary procedures I believe to have it  
17 reconsidered I think it's a person that would have to  
18 move to reconsider the proposal, would be on the  
19 prevailing side of the vote that we had yesterday; if  
20 that is correct.

21

22 MR. UMPHENOUR: Move to reconsider  
23 Proposal 3.

24

25 MR. BASSICH: Second it.

26

27 CHAIRMAN NICHOLIA: Discussion.

28

29 The reason why I want to reconsider is  
30 just the explanations that I explained just a little bit  
31 earlier, you know. And if there's any further discussion  
32 I'd like to hear it now.

33

34 MR. TITUS: This big hang up, is this  
35 about removing the word eggs, is that my understanding?

36

37 CHAIRMAN NICHOLIA: Yes, Philip.

38

39 MR. TITUS: And I didn't get an answer on  
40 my question yesterday about you guys being able to tell  
41 the difference between eggs and fish head so maybe they  
42 still don't know with all the degrees they got.

43

44 (Laughter)

45

46 CHAIRMAN NICHOLIA: Yesterday we --  
47 there's one way that eggs could get by and that's in  
48 whole fish. As I stated yesterday we don't sell whole  
49 fish to each other, we give whole fish to each other.  
50 The only whole fish that is bought out of that region is

00019

1 to Virgil Umphenour, and I think he knows that. And we  
2 don't sell whole fish to each other in Tanana area, it's  
3 just there and if we don't want to take care of it we  
4 just -- like Lester he just gives it away, gives it to  
5 anybody that needs it even, Stan Zurey, Pat Moore does  
6 that. I don't think -- we wanted to take eggs out of  
7 there because of that lucrative roe fishery that we had  
8 around there at one point in time. And if only eggs  
9 that's going to get by us that's in whole fish that's  
10 unprocessed. That's the only reason that -- that's one  
11 tool that was always brought up from the YK area, that's  
12 always blaming the Eastern Interior area.

13

14 I don't like that, and to keep the  
15 working relationship going that we have, I believe that  
16 we should vote on this to take eggs out of -- vote for  
17 this proposal to exclude eggs in the customary and  
18 traditional means of this.

19

20 Yeah, go ahead.

21

22 MR. BASSICH: Thank you, Mr. Chairman. I  
23 was kind of on the same topic. I'm wondering has there  
24 ever been a definition put to substantial monetary gain?  
25 I am not sure the exact wording of how they hope to  
26 restrict large scale sales of roe. I haven't seen it  
27 written anywhere what they're defining as a large  
28 monetary gain, anywhere in regulation. And I'm just  
29 wondering if I could be brought up to speed on when that  
30 wording was put in, what the intent was there.

31

32 CHAIRMAN NICHOLIA: Virg.

33

34 MR. UMPHENOUR: Okay, what it used to say  
35 is it said that people could engage in customary trade so  
36 long as it didn't constitute a substantial commercial  
37 enterprise, I think.

38

39 MR. STEVENS: Significant.

40

41 MR. UMPHENOUR: Significant commercial  
42 enterprise, that's what the language used to be. And  
43 then our RAC, our recommendation to the Federal  
44 Subsistence Board was to eliminate that language and then  
45 to put in the language that says that customary trade  
46 between a rural resident and others, what it is in here  
47 now basically except we didn't have the eggs part in  
48 there, the Federal Subsistence Board put the eggs part in  
49 there.

50

00020

1                   And so what this proposal basically is,  
2 is basically, and I could be wrong, but maybe some of the  
3 Staff could correct me, but this proposal would make our  
4 recommendation that we passed that went forward to the  
5 Federal Subsistence Board when we address this issue that  
6 would basically be the same language, would it not?  
7

8                   MS. ENTSMINGER: I don't want this  
9 meeting to go long and drawn out, but I think we're out  
10 of order because I believe Virgil couldn't make that  
11 motion, somebody on the yes side had to make that motion,  
12 am I correct?  
13

14                   MR. MIKE: It's the person that makes the  
15 motion would have to be on the prevailing side of the  
16 motion that was passed yesterday.  
17

18                   MR. UMPHENOUR: Okay. But when we did  
19 this we did it Council by Council so one Council may have  
20 approved a proposal where as another Council didn't, and  
21 our Council approved this. I voted on the prevailing  
22 side I think, I voted for the proposal which was a no  
23 vote, because the Staff recommended against the proposal  
24 so I think I was on the prevailing side.  
25

26                   MR. STEVENS: I was on the prevailing  
27 side, too, with a no. I voted no which was a yes.  
28

29                   CHAIRMAN NICHOLIA: Lets move on here.  
30 Lets move on. Come on.  
31

32                   MS. ENTSMINGER: Okay, I'm sorry.  
33

34                   MR. STEVENS: Sorry, Mr. Chairman.  
35

36                   MR. UMPHENOUR: Okay, if I may Mr. Chair.  
37 What this proposal would do is make the -- if this  
38 proposal were to pass, it would be the same  
39 recommendation that we gave to the Federal Subsistence  
40 Board when we addressed this issue, our proposal to the  
41 Federal Subsistence Board, they added eggs in there but  
42 other then that they passed what we recommended, which  
43 we're the only RAC that did that. I mean none of the  
44 other RACs even came close to what they finally passed,  
45 this is what they passed.  
46

47                   CHAIRMAN NICHOLIA: So it's been moved,  
48 second. Discussion.  
49

50                   MR. STEVENS: Question.

00021

1                   CHAIRMAN NICHOLIA: Well, wait we have  
2 one more.

3  
4                   MR. BASSICH: I don't want to take any  
5 more of the Councils time on this. But maybe in a  
6 resource, maybe someone could bring me up to speed on  
7 what substantial means in these regulations? What will  
8 dictate when a person has a substantial profit making  
9 enterprise taking place here. I don't see it clearly  
10 defined in my mind, so with that call question.

11  
12                   CHAIRMAN NICHOLIA: I could answer that  
13 is substantial enterprise is that lucrative fish roe to  
14 where it really impacted fall chum, summer chum or fall  
15 chum that time, I don't know 1986/1987, that's what were  
16 trying to avoid here in our region.

17  
18                   MR. BERG: Mr. Chair.

19  
20                   CHAIRMAN NICHOLIA: Jerry.

21  
22                   MR. BERG: Yes, Mr. Chair. I would like  
23 to try to go back a little bit. Virgil's right I don't  
24 have the exact language that your Council submitted.  
25 When we were in Circle Hot Springs we worked in a evening  
26 session and we worked out some language submitted by your  
27 Eastern Interior Council. I think that Virgil's correct  
28 that the proposed regulation in front of you is very  
29 similar to what the Eastern Interior Council submitted,  
30 they did not have eggs in their -- in your Council's  
31 recommendation that went to the Federal Board.

32  
33                   To address some of Andy's concerns or  
34 questions I guess, is the term significant commercial  
35 enterprise was in there and that's way the Federal Board  
36 wanted to address the issues because they didn't feel  
37 like it was enforceable to say, well, what is a  
38 significant commercial enterprise that's why it was  
39 brought up and so that language was taken out last  
40 January and it was replaced with the language that you  
41 see in your book. So that Section 27 C 13, the one at  
42 the very bottom deals with trying to prevent large scale  
43 operations from occurring. There's no sale to or  
44 purchase by fisheries businesses.

45  
46                   And so that portion, that paragraph under  
47 13 is meant to prohibit any large scale operations.

48  
49                   So the proposal in front of you as  
50 submitted by YRDFA would delete eggs. The reason that

00022

1 you see the recommendation from our office, is we feel  
2 that by leaving in their parts, fish or their parts, we  
3 feel like eggs would still be legal to be sold even if  
4 you delete the wording of eggs, under their parts, it  
5 would just make it more vague. So we recommended that  
6 eggs be left in there.

7

8 Now it's another matter if like what.....

9

10 CHAIRMAN NICHOLIA: Jerry.

11

12 MR. BERG: .....Gerald was saying.....

13

14 CHAIRMAN NICHOLIA: Jerry.

15

16 MR. BERG: .....if we exclude eggs.

17

18 CHAIRMAN NICHOLIA: Jerry, Jerry, Jerry,  
19 that's enough, enough, enough.

20

21 It's been moved, second, discussion and  
22 question has been called. All those in favor of Proposal  
23 FP04-3 to remove eggs or their eggs in all parts 11, 12  
24 and 13 and the rest of it, signify by saying aye.

25

26 IN UNISON: Aye.

27

28 CHAIRMAN NICHOLIA: All opposed same  
29 sign.

30

31 (No opposing votes)

32

33 CHAIRMAN NICHOLIA: Okay. Okay, now lets  
34 get back to the other deal that we tabled.

35

36 MR. BERG: Mr. Chairman.

37

38 CHAIRMAN NICHOLIA: Jerry.

39

40 MR. BERG: I believe the motion on the  
41 floor was to reconsider the proposal and then I think you  
42 would have to have another motion to actually vote on the  
43 proposal again. Just as a point of order.

44

45 MR. UMPHENOUR: Then what we need to do  
46 is vote on the reconsideration first.

47

48 CHAIRMAN NICHOLIA: Okay.

49

50 MR. UMPHENOUR: So someone needs to call

00023

1 the question on that.

2

3 MS. ENTSMINGER: Question.

4

5 CHAIRMAN NICHOLIA: All those in favor  
6 signify by saying aye.

7

8 IN UNISON: Aye.

9

10 CHAIRMAN NICHOLIA: Okay.

11

12 MR. UMPHENOUR: Move to adopt Proposal  
13 FP04-3.

14

15 MR. BASSICH: Second.

16

17 CHAIRMAN NICHOLIA: It's been moved,  
18 second. Discussion.

19

20 MR. TITUS: Question.

21

22 MR. UMPHENOUR: I reference my previous  
23 remarks.

24

25 MS. ENTSMINGER: Question.

26

27 CHAIRMAN NICHOLIA: Okay, question has  
28 been called. All those in favor of Proposal 04-3 signify  
29 by saying aye.

30

31 IN UNISON: Aye.

32

33 CHAIRMAN NICHOLIA: All those opposed,  
34 same sign.

35

36 (No opposing votes)

37

38 CHAIRMAN NICHOLIA: Okay. We'll go --  
39 its almost 10 o'clock, we started at 8:30, you want a  
40 little break?

41

42 (Council nods affirmatively)

43

44 CHAIRMAN NICHOLIA: Okay, yeah we'll be  
45 back at five after.

46

47 (Off record)

48

49 (On record)

50

00024

1 CHAIRMAN NICHOLIA: Okay. We are all  
2 here except our fearless leader, Jeep. Go ahead Sue.

3  
4 MS. ENTSMINGER: Thank you, Mr. Chair. I  
5 just want to bring up 21 and 22. I had the opportunity  
6 to talk to some of the Staff at break. We found out that  
7 Southcentral has already met on these two proposals and  
8 they support both of them. And I also explained to  
9 Gerald that there are issues in his region that would be  
10 very similar. You're fishing in down river in Western  
11 Interior and you take up something that affects your  
12 region and you'll want to take it up. And this is one of  
13 those examples on the southern side of Eastern Interior.

14  
15 I would like to make a motion that we  
16 adopt what Southcentral did on 21 and 22, to support.

17  
18 CHAIRMAN NICHOLIA: Okay. Discussion. I  
19 believe she wanted to say something.

20  
21 MS. CELLARIUS: I can say something if  
22 you'd like an explanation of what the proposal (away from  
23 microphone)

24  
25 CHAIRMAN NICHOLIA: Could you come to the  
26 microphone.

27  
28 MS. CELLARIUS: .....on behalf of the  
29 proponent of the proposal.

30  
31 CHAIRMAN NICHOLIA: You want to hear it?

32  
33 (Council nods affirmatively)

34  
35 CHAIRMAN NICHOLIA: Yeah, it wouldn't  
36 hurt to hear it.

37  
38 MS. CELLARIUS: Mr. Chair. Members of  
39 the Council. My name is Barbara Cellarius, I am the  
40 subsistence coordinator for Wrangell-St. Elias National  
41 Park. I also staff the Wrangell-St. Elias Subsistence  
42 Resource Commission which submitted these two proposals.

43  
44 The first proposal would affect those  
45 communities that have C&T for the Upper Copper River. So  
46 that would include the Alaska Highway communities that  
47 are part of Eastern Interior Region and it would allow  
48 the accumulation of subsistence harvest and State sport  
49 harvest and this would be the most significant species  
50 that would be affected is chinook salmon. So subsistence

00025

1 users would be able to take additional chinook salmon.

2

3

4 On the second proposal, Proposal No. 22  
5 concerns the way that harvest is reported for village  
6 fishwheels. And it simplifies the harvest reporting, it  
7 removes the requirement for a separate harvest assessment  
8 plan that would have to be approved by the Federal Board  
9 or the State. There would simply be a form, that when  
10 you got the permit you would get the harvest form --  
11 harvest report form. So it removes some paperwork.

11

12

CHAIRMAN NICHOLIA: Virg.

13

14

15 MR. UMPHENOUR: That's on their  
16 community fishwheels, down there, right?

16

17

MS. CELLARIUS: Yes.

18

19

20 MR. UMPHENOUR: The sport -- so what the  
21 other proposal would do, would allow people that lived  
22 there to catch more king salmon than what's allowed under  
23 sport regulations which I think is two a year there; is  
24 that not correct?

24

25

26 MS. CELLARIUS: Actually, Pat would  
27 probably be the fisheries person that would know better.  
28 I am not an expert on the details of this proposal but  
29 right now under State regulations there is an allowance  
30 of for the accumulation of sport harvest and state  
31 subsistence harvest. This, in a sense, would allow an  
32 equivalent kind of accumulation for the State sport  
33 harvest and the Federal subsistence harvest and there  
34 might be some OSM Staff who know more about the details  
35 of this proposal than I do. I sort of know the general  
36 outline.

36

37

38 I don't know if Terry knows any more  
39 about the State.....

39

40

41 MR. UMPHENOUR: Okay. I could be wrong,  
42 but I think with that with that one proposal, I think 20  
43 would do, is on the king salmon.....

43

44

MS. ENTSMINGER: Proposal No. 21.

45

46

47 MR. UMPHENOUR: Or 21. On the king  
48 salmon in the Gulkana Drainage I believe there is an  
49 annual bag limit for king salmon under the State  
50 sportfish regulations of just two fish a year. And so  
51 what this proposal would do would allow the people in the

00026

1 area with the positive C&T, then they would not be bound  
2 by that they would get -- basically what they would get  
3 to do is subsistence fish under State regulations and  
4 Federal regulations both and then the bag limit would not  
5 be the sportfish bag limit but the subsistence bag limit.  
6

7

8 MS. PETRIVELLI: No. Well, whatever the  
9 limit is for the sportfish on the Gulkana would be the  
10 same.

11

12 MS. ENTSMINGER: I don't think.....

13

14 MS. PETRIVELLI: Okay. What it says is  
15 there's -- you could have a limit in the Upper Copper  
16 River subdistrict and then you can get whatever it says  
17 under there for chinook, the limit, and I think what is  
18 it?

19

20 MS. CELLARIUS: You can have five.....

21

22 MS. PETRIVELLI: It's no more than five  
23 chinook by dip net and no more than five chinook by rod  
24 and reel in the Upper Copper River District so you have  
25 that five chinook limit there. And then in the Gulkana  
26 River there's the two, what it says is now you can get  
27 both of those, before you could not. When you finished  
28 your subsistence fishing you weren't allowed to go and  
29 fish for chinook in the Gulkana.

30

31 Because we have no subsistence fishing  
32 for salmon in the Gulkana River, so we do not have any  
33 subsistence regulations for the Gulkana River.

34

35 State users could get their limits and  
36 then also go sportfishing, but under our regulations it  
37 said once you got -- whatever you got under your limit,  
38 we can't accumulate harvest between the two different  
39 limits and now this proposal says yes you can. So you  
40 could get the five under the Upper Copper River and two  
41 under the Gulkana, so you could get seven chinook with  
42 those limits, but it doesn't say you can get five from  
43 the Gulkana because those are sportfish regulations. It  
44 just adds -- it lets them do both so that when you do  
45 finish subsistence fishing you can go sportfishing.

46

47 MR. UMPHENOUR: Thank you.

48

49 MS. PETRIVELLI: Yeah.

50

00027

1 CHAIRMAN NICHOLIA: Okay, it's been  
2 moved, second, question has been called, and discussion  
3 has taken place. All those in favor of supporting the  
4 actions of Southcentral concerning Proposal 21 and  
5 Proposal 22 signify by saying aye.

6  
7 IN UNISON: Aye.

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

11  
12 (No opposing votes)

13  
14 CHAIRMAN NICHOLIA: Motion carries. Okay  
15 what else do we got on our agenda here.

16  
17 MR. MIKE: Mr. Chairman.

18  
19 CHAIRMAN NICHOLIA: Yeah, Donald.

20  
21 MR. MIKE: I believe we are in the  
22 deferred Board of Fisheries proposal, but before we get  
23 into Board of Fisheries proposal. I'd like to have -- if  
24 we can insert agency reports on the Staff Committee role  
25 on the Federal Subsistence Board, it'll take about five  
26 or 10 minutes. Mr. Rod Simmons will do the presentation  
27 if its okay with Council.

28  
29 CHAIRMAN NICHOLIA: What was that?

30  
31 MR. MIKE: The OSM agency reports on the  
32 Staff Committee role on the Federal Subsistence Board.  
33 Mr. Rod Simmons will give a briefing on it and it will  
34 take about five or 10 minutes. Then we can get into  
35 Board of Fisheries proposals. The reason I am saying  
36 that is that our Staff is trying to do the agency reports  
37 between the three Councils and their jumping around  
38 between room to room.

39  
40 Thank you, Mr. Chair.

41  
42 CHAIRMAN NICHOLIA: Go ahead.

43  
44 MR. TITUS: Five minutes.

45  
46 (Laughter)

47  
48 MR. SIMMONS: Thank you, Mr. Chair.  
49 Members of the Council. Do you have your watches set.  
50

00028

1 (Laughter)

2

3 MR. TITUS: Right here.

4

5 MR. SIMMONS: All right.

6

7 (Laughter)

8

9 MR. SIMMONS: I'd like to refer you to  
10 your Council book on Tab E, Page EI-111.

11

12 CHAIRMAN NICHOLIA: EI-111.

13

14 MS. ENTSMINGER: Your name.

15

16 MR. SIMMONS: I'm sorry.

17

18 MS. ENTSMINGER: Could you give us your  
19 name?

20

21 MR. SIMMONS: I'm sorry, Rod Simmons.  
22 I'm with the Fish and Wildlife Service and I serve on the  
23 Inter-agency Staff Committee for the Federal Subsistence  
24 Board. And the Federal Board has asked Staff Committee  
25 members to address your Council on a number of different  
26 issues. You'll be hearing about predator management and  
27 a number of other topics, recent decisions by the Board  
28 and the Board has asked Staff Committee members to  
29 present those results to you and that's what I am doing  
30 here at the moment.

31

32 This last May at a Federal Subsistence  
33 Board meeting the Board Chair entertained a discussion on  
34 the appropriate roll of the Inter-agency Staff Committee  
35 in the decision-making process. The Board Chair  
36 acknowledged that the Council perceptions that the Staff  
37 Committee was having undo influence on the Board, the  
38 decision-making process and the resulting rule-making.

39

40 Kind of as back ground the role of the  
41 Staff Committee is to provide policy, procedural and  
42 technical support to the Board. In other words we kind  
43 of do the technical analysis of proposals beyond the OSM  
44 preparation that is provided to your Council. It also  
45 provides a forum for the agencies collectively to discuss  
46 view points and develop positions on proposals.

47

48 The Board Chair conducted a review to be  
49 conducted of the Staff Committee's role on the regulatory  
50 process. The Board and Staff Committee both acknowledge

00029

1 the perceptions articulated by some Councils on this  
2 issues and the Board is offering a series of proposed  
3 changes in the role of the Staff Committee in the  
4 decision-making process, and those are outlined on Page  
5 111 and Page 112 and I'll briefly go through those.

6  
7           The first proposed change is upon Council  
8 request or the Council Chair, for Staff Committee members  
9 to engage with the Council in offering policy, procedural  
10 and technical perspectives in the development of  
11 proposals. So in other words, if the Council so chooses  
12 if you're interested in engaging with Staff Committee  
13 members that are present at your meeting in developing a  
14 proposal we're here to help do that if you so choose.

15  
16           The second recommendation found at the  
17 bottom of the page is for the Staff Committee to develop  
18 talking points to engage with your Council during your  
19 meeting. So if there is initial concerns with the  
20 proposal or policy issues that we could provide those to  
21 you during your deliberations. So that's what option two  
22 allows.

23  
24           On Page 112, option three is following  
25 Regional Council meetings, Staff Committee meets and  
26 reviews all of the information. And many times we have  
27 late information coming in as far as data and updates  
28 that influence Staff Committee recommendations. And this  
29 proposed option would allow or does allow Regional  
30 Council Chairs to participate via teleconference in most  
31 instances. To be present if you will, if not physically,  
32 at least through teleconference to listen to the Staff  
33 Committee meetings and engage with the Staff Committee  
34 and have a better understanding on how Staff Committee  
35 reaches its conclusions.

36  
37           The fourth option is for Staff Committee  
38 representatives to conduct briefings to the Councils on  
39 Board decisions, which is what I am doing here at the  
40 moment, so anything as it relates to any draft protocols,  
41 any major decision associated with the Federal Board,  
42 such as you'll be hearing a briefing on predator  
43 management policy and other Board actions will be  
44 presented by Staff Committee members rather than OSM  
45 Staff.

46  
47           The Fifth option which may be of most  
48 important to you, is the Board meeting procedures. We're  
49 currently as you know, you have to.....

50

00030

1 (Equipment Malfunction)

2

3 MR. UMPHENOUR: ..... for the people up  
4 river and it's going to address conservation on getting  
5 the appropriate sex ratio, size and everything else on  
6 the spawning grounds. But that's -- I think that this is  
7 an extremely important proposal and that's why we spent a  
8 lot of time, Jerry Berg and I spent a lot of time after  
9 our RAC meeting last spring, you know, discussing this  
10 and him writing it up and Gerald the three of us, you  
11 know, e-mailing back and forth making changes et cetera.  
12 But I truly -- I think this is the best thing we can do  
13 for conservation of the fish stocks on the Yukon River.

14

15 Thank you that's all I have.

16

17 CHAIRMAN NICHOLIA: Thank you, Virg. Man  
18 that's a lot of history. You want to say anything else  
19 to that Fred.

20

21 MR. BUE: Yeah, I see Andy has his hand  
22 up. My only other comment and just to get your ideas.  
23 On what to do if we don't have commercial markets in some  
24 of these areas, we have guideline harvest levels, it is  
25 your thought to pass on to the next districts or let it  
26 go or what your thoughts are that way.

27

28 CHAIRMAN NICHOLIA: Virg.

29

30 MR. UMPHENOUR: Okay. One final thing to  
31 say and I've heard this by big commercial fishing groups  
32 so many times I can't believe it. And that is the giant  
33 concern over escapement on the spawning grounds and the  
34 return for spawner are going down et cetera.

35

36 I think one of the main reasons we have  
37 big problem with moose in some of our area is because we  
38 have a lack of fish and so the bears don't have enough  
39 fish to eat so what are they going to do they're going to  
40 still eat. And especially grizzly bear. They're strong  
41 enough and fast enough, killing a big bull moose is no  
42 sweat for them. And I think that there's an absolute  
43 direct relationship to the lack of fish, to the lack of  
44 moose. I just wanted to throw that in.

45

46 MR. BASSICH: Thank you, Mr. Chairman.  
47 Early on in Virgil's explanation there, he mentioned how  
48 the scenario of what has taken place in the past with the  
49 allocation of how fishing took place down in the lower  
50 river and then as time went on, it was decided that

00031

1 stocks could not support either commercial or many times  
2 subsistence harvest in the up river, and this is exactly  
3 what has happened in the past. And this is exactly what  
4 makes those of us in the upper river extremely angry. We  
5 feel it's been very, very unfair. Imagine putting  
6 yourself in a position where you depend on this resource,  
7 you hear there are commercial openings and then by the  
8 time the fish get up to you, they say, I'm sorry, there's  
9 nothing left for you. And this has happened time and  
10 time again and this has to stop, because if it continues,  
11 the people in the upper river will not support any of the  
12 regulations, and they're going to go do what they need to  
13 do to take care of themselves.

14

15                   And right now we're building strong  
16 stewardship, there are a lot of people on board. They're  
17 trying to make this work. There are a lot of people on  
18 board that are going out of their way to work through  
19 other programs to try and help these fish get by, and we  
20 feel like we've been carrying the burden for a long time.  
21 And we're willing to do what we can but things have to  
22 change.

23

24                   And if this can help managers, it's what  
25 needs to be done to make sure those fish get up there,  
26 not only for us but more importantly for the biological  
27 needs of these fish. And Fred, as far as if commercial  
28 doesn't take place in those areas, I think those fish  
29 should continue on, and I don't think they should be  
30 passed on to additional districts up river. I think if  
31 they want to develop a commercial market, I think the way  
32 this is set up they have a general idea of where their  
33 market is going to be. It's up to them to develop those  
34 markets to these levels. If they cannot do that, then so  
35 be it. But let's get those fish up there. I don't think  
36 we have to feel like we have to take every single surplus  
37 fish because we just don't have good enough information  
38 to know exactly how many fish are going up there.

39

40                   You know, until we get to the point,  
41 technologically, where we can count every single fish, we  
42 need to be, especially during times of stocks of concern,  
43 very conservative. So I think this particular proposal  
44 is very good in establishing harvest levels and it's up  
45 to the commercial fishermen in their areas to develop  
46 their markets within these guidelines.

47

48                   Thank you, Mr. Chairman.

49

50                   CHAIRMAN NICHOLIA: Okay. When we

00032

1 drafted this proposal up and we voted in favor of it and  
2 I don't know if voting for it again is going to have any  
3 effect. Could anybody speak to that.

4

5 MR. UMPHENOUR: Okay. I just, what I  
6 thought would be good was for us to just review our own  
7 proposal so that everyone was, you know, up to date on  
8 why we did it because a lot of it we did behind the  
9 scenes, you and I and Jerry, you know, after the meeting  
10 was over, the actual writing of it, and so -- and because  
11 the Board of Fish is going to address this in January,  
12 they're going to address it in Fairbanks. And so that  
13 gives us -- because Fairbanks is our hub for the Eastern  
14 Interior, that gives all the RAC members the opportunity  
15 to go and talk to the Board, because what the Board of  
16 Fish will do is they will form -- they'll break down all  
17 the proposals into groups and then they will form  
18 committees that address these proposals. And the way to  
19 get a proposal passed is to be on the committee that  
20 addresses it and then that committee gives a committee  
21 report to the full Board, but to educate the Board  
22 members on that committee to exactly what the intent and  
23 effect that your proposal is. And so we're going to have  
24 the opportunity to do that a lot better than if the  
25 meeting was in Anchorage, or like originally it was  
26 scheduled in Bethel, which would have really made it hard  
27 for us to do it, but it's going to be in Fairbanks. So  
28 we need to get your family, your friends and people to go  
29 to this Board meeting and talk to these Board members and  
30 tell them how important it is.

31

32 And so I agree with you, we already voted  
33 on it and everything, but I thought it would be good to  
34 just have a discussion and refresh everyone's memory and  
35 so that we're all, you know, ready to go.

36

37 Thank you.

38

39 CHAIRMAN NICHOLIA: Thank you, Virg.  
40 Yeah, hold on, this is something that I'd really like to  
41 see because it not only provides equal -- reasonable  
42 opportunity for the guideline -- I mean for the up river  
43 people but it also hits on what we're trying to do here  
44 in the first place, which is to get -- I'm going to start  
45 being very adamant about this to both agencies is that we  
46 have to start doing something about the genetic diversity  
47 of the stock.

48

49 Because we could put a lot of numbers out  
50 there, a lot of big females, just a lot of small males

00033

1 but that ain't going to do any good. We have to put big  
2 males with big females, females swim on the bottom, males  
3 -- big males swim in the middle and that's what are  
4 getting caught down in those driftnets. You can hardly  
5 effect, and how the heck are we going to control them  
6 fishing and it's like they're going to come up and throw  
7 fish in our region, no, I don't believe it. But I really  
8 think this proposal is going to do some good.

9

10                   Yeah, Jerry.

11

12                   MR. BERG: Yeah, Mr. Chair. Members of  
13 the Council. You know at your meeting last spring you  
14 did make a motion to support this proposal, but it was  
15 more of a general motion. It included the overall  
16 harvest range and I think we put in more details when we  
17 worked together to kind of flesh it out and I think it  
18 would make the record cleaner, if you would, to take a  
19 specific action in it here, and that would help, I think,  
20 make it cleaner for when you go to the Board of Fish to  
21 represent the Eastern Interior Council, that you guys  
22 support this proposal, as written, in the book.

23

24                   It's just a suggestion, Mr. Chair.

25

26                   MS. ENTSMINGER: Yeah, I move that we  
27 adopt Proposal 168 in the State Board of Fish.

28

29                   MR. UMPHENOUR: Second.

30

31                   MR. TITUS: Question.

32

33                   CHAIRMAN NICHOLIA: All those in favor  
34 signify by saying aye.

35

36                   IN UNISON: Aye.

37

38                   CHAIRMAN NICHOLIA: Opposed, same sign.

39

40                   (No opposing votes)

41

42                   CHAIRMAN NICHOLIA: Motion carried.  
43 Fisheries Resource Monitoring Plan.

44

45                   MR. MIKE: Mr. Chairman, I'm sorry for my  
46 oversight this morning, I meant to remove the Fisheries  
47 Resource Monitoring Plan. But Mr. Greg Bos is here to  
48 present a Fish and Wildlife.....

49

50                   CHAIRMAN NICHOLIA: The Fisheries

00034

1 Monitoring Program we heard yesterday.

2

3 MR. MIKE: Right. Right.

4

5 CHAIRMAN NICHOLIA: Okay.

6

7 MR. MIKE: Mr. Greg Bos will present the  
8 briefing on the Governor's request for a seat on the  
9 Federal Subsistence Board.

10

11 CHAIRMAN NICHOLIA: Greg. You're State,  
12 right?

13

14 MS. ENTSMINGER: Yeah, who do you work  
15 for?

16

17 CHAIRMAN NICHOLIA: Well, what are you  
18 doing on their side then?

19

20 MR. BOS: Well, Mr. Chair.....

21

22 CHAIRMAN NICHOLIA: No, my opinion is  
23 that if they're going to have a non-voting member on the  
24 Federal Board, how come we don't have a non-voting member  
25 on the Game Board and the Fish Board, why is that not in  
26 effect? How come the Governor wants to put his foot in  
27 our business?

28

29 MR. BOS: That's a good question, Mr.  
30 Chair.

31

32 CHAIRMAN NICHOLIA: He could deal with us  
33 with this State thing. I'm totally against this. It's  
34 non of their business. They could be involved with their  
35 Staff and everything, I'm totally against this. That's  
36 my deal.

37

38 MR. BOS: If you'd permit me, Mr. Chair,  
39 I'd give you a brief status report on that request.

40

41 For the record, my name is Greg Bos, with  
42 the Fish and Wildlife Service, Staff Committee member.  
43 Donald, did you distribute copies of the letter and the  
44 page out of the record of decision to the Council  
45 members?

46

47 MR. MIKE: Mr. Chair. That letter was  
48 supposed to be handed out during the Council meetings,  
49 and I'll provide that letter later on today.

50

00035

1 Thank you, Mr. Chair.

2

3 MR. BOS: Well, Mr. Chair, and Council  
4 members, you've all demonstrated a great amount of  
5 fortitude sitting through these many days of meetings so  
6 I really appreciate a chance to speak with you briefly on  
7 a couple, I think, are pretty important issues for all of  
8 the Councils. One is the status of the Governor's  
9 request to have a Department of Fish and Game  
10 representative as a non-voting member of the Federal  
11 Subsistence Board, and the other is the predator  
12 management policy. I'll take them in that order, if  
13 that's okay with you, Mr. Chair.

14

15 CHAIRMAN NICHOLIA: Briefly.

16

17 MR. BOS: I'll try to be fairly brief.  
18 As you know, I think all of you are aware, the Secretary  
19 of Interior received a letter from the Governor  
20 requesting that a State official be placed on the Federal  
21 Subsistence Board as a non-voting member, and that that  
22 individual be either the Commissioner of the Department  
23 of Fish and Game or his or her designee.

24

25 In considering the request, the Board has  
26 reviewed the record of decision. The record of decision  
27 is a document that established the Federal program in  
28 1990 or in the early 1990s. The Federal agencies did an  
29 environmental impact statement on the overall Federal  
30 program and the Secretary of Interior selected one from  
31 several alternatives offered in that EIS, and that  
32 decision is called the record of decision.

33

34 In that record of decision it provides  
35 for a State liaison to the Federal Board to be appointed  
36 -- to be nominated by the Governor and appointed by the  
37 Secretary of Interior. This is the first time since the  
38 program began that the Governor of the State of Alaska  
39 has requested such an appointment.

40

41 Currently Staff from the Department of  
42 Fish and Game participate in the Federal regulatory Board  
43 meetings but they do not participate in the Board's  
44 deliberations on proposals unless they are specifically  
45 asked questions by Federal Board members.

46

47 The Secretary requested the Board to  
48 review the request and make a recommendation and the  
49 Board did meet in executive session on September 26th.  
50 In that discussion it was recognized that this issue is

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1 an important one for the public, there's a lot of  
2 concerns and some very sensitive issues and the Board  
3 decided to have an open, public meeting work session  
4 scheduled for November 5 to discuss this request. It is  
5 an open public meeting but the Board will not be taking  
6 testimony from the public, however, the Board may choose  
7 to ask questions of the State or the public or Regional  
8 Council members as it deliberates on this request.

9

10 Council Chairs will be on line for that  
11 discussion and so we're providing this information to the  
12 Councils at this time because it's an appropriate  
13 opportunity for you to offer comments or your views on  
14 the Governor's request.

15

16 That's my status report on that issue.

17

18 CHAIRMAN NICHOLIA: My personal opinion,  
19 if you guys let like a liaison, a non-voting member on  
20 the Federal Subsistence Board, why even have a Federal  
21 Board? Why even have these RACs? Why even involve the  
22 people I represent? Because the Federal OSM and the  
23 Federal Subsistence Board will be just a big pushover,  
24 like what Bill Thomas said from Southeast, we'll just be  
25 a shadow in their management regime. We'll be little  
26 puppets where the State will pull the strings.

27

28 I don't see no merit in this. All I see  
29 is just another -- they just want to be involved so they  
30 could mess it up some more. That's all I see the State  
31 trying to do here.

32

33 I'm not supporting this.

34

35 MS. ENTSMINGER: Yeah. Greg, your  
36 position with Fish and Wildlife Service is a liaison  
37 between the two Boards or the three Boards, the State  
38 Board, that's what it was once, what is your position  
39 now?

40

41 MR. BOS: It was at one time, Ms.  
42 Entsminger. My position now is with the Fish and  
43 Wildlife Service as a regional subsistence coordinator.  
44 And I'm a member of the Inter-agency Staff Committee that  
45 provides technical and logistical support to the Board,  
46 to the Federal Board. So the Staff Committee helps the  
47 Board review issues and provides recommendations to the  
48 Board on regulatory proposals.

49

50 MS. ENTSMINGER: And you do it for Fish

00037

1 and Wildlife Service, and there's others who do it for  
2 others?

3

4 MR. BOS: Each agency has one or two  
5 members on the Staff Committee. For example, the Fish  
6 and Wildlife Service has two, one for wildlife, which is  
7 myself and then one for fisheries, Mr. Rod Simmons, who,  
8 I think spoke to you earlier about the roll of the Staff  
9 Committee.

10

11 MS. ENTSMINGER: It's hard to follow all  
12 of this for me, all these people that are hired to do all  
13 these jobs. But, you know, just getting back to the  
14 letter, so this timeframe, November 5th, there's going to  
15 be this meeting, and is there more discussion going to  
16 occur after that or is a decision going to be made or is  
17 it going to come back to the RACs?

18

19 MR. BOS: I think the Board intends to  
20 develop its recommendation to the Secretary at that  
21 meeting. The decision is up to the Secretary as to  
22 whether or not -- it's not the Board's decision, but the  
23 Secretary's. The Secretary is seeking the Board's  
24 recommendation and the Board, in turn, is looking for a  
25 broader public forum to assist it in its discussion on  
26 the issue.

27

28 MS. ENTSMINGER: Mr. Chairman.

29

30 CHAIRMAN NICHOLIA: Yeah, Sue.

31

32 MS. ENTSMINGER: I appreciate your  
33 opinion on the issue. Things seem to be changing on the  
34 Federal side and the even the State side a bit, of how  
35 they interact, and I mean I wouldn't be grossly opposed  
36 to interaction of the State Fish and Game in discussing  
37 issues or vice versa with someone from the Federal Board  
38 working with the State.

39

40 I mean that's working together, that's my  
41 opinion.

42

43 MR. UMPHENOUR: In the Board of Fisheries  
44 process, Pete Probasco sits at the table with the Board  
45 and he doesn't question witnesses, because only the Board  
46 members can do that, but before they take any action they  
47 always ask for his input, you know, representing the --  
48 well, I guess he's the Federal Subsistence Board  
49 representative is what he is, or Office of Subsistence  
50 Management representative. But he does sit at the table

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1 and before the Board of Fisheries makes any decision of  
2 any kind they always get his input and he sits right at  
3 the table, normally right beside the director of the  
4 Subsistence Division is where he sits.

5  
6 But he's not allowed to question any  
7 witnesses or nothing, only Board members, and none of the  
8 Staff is even allowed to do that in the Board of Fish  
9 process.

10  
11 The Board of Game, I'm not so sure, Polly  
12 Wheeler probably knows though.

13  
14 MS. WHEELER: Yeah, Dan LaPlant (not at  
15 microphone) is the liaison for the agencies.

16  
17 MR. UMPHENOUR: Right. And do they have  
18 him sit at the table as well?

19  
20 MS. WHEELER: (Nods affirmatively)

21  
22 MR. UMPHENOUR: Okay. So that is done  
23 with the two State Boards. And I know as a former Board  
24 of Fish member, that that makes it much easier for the  
25 Board when they have Pete Probasco sitting there and he  
26 gets to give whatever input he's asked to give, how it  
27 would affect the Federal system.

28  
29 So it's good to have good coordination, I  
30 know that. But what they're asking here, where they  
31 could question people, you know, I don't know as I'm so  
32 in favor of that, where the Alaska Department of Fish and  
33 Game representative could question all the witnesses the  
34 same as a Board member could.

35  
36 MR. BOS: I guess I'd comment that the  
37 current situation is similar with the Federal Board as it  
38 is with the State Boards. The State does have  
39 representatives at the Federal Board meeting, they.....

40  
41 CHAIRMAN NICHOLIA: Yeah.

42  
43 MR. BOS: .....are allowed.....

44  
45 CHAIRMAN NICHOLIA: Yeah, yeah, yeah,  
46 yeah, we heard enough.

47  
48 MR. BOS: .....to comment on  
49 proposals.....

50

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1 CHAIRMAN NICHOLIA: We've heard enough.

2

3 MR. BOS: .....so.....

4

5 CHAIRMAN NICHOLIA: I don't even really  
6 like this idea. We already -- the State, they already  
7 have Terry Haynes in there sitting right at the table  
8 over there in the corner, I've been at these Board  
9 meetings, and I think it's just Frank Murkowski  
10 infringing on the OSM. That's just my big picture of it.  
11 And once he gets this pushed over, he's just going to  
12 start pushing more stuff over, that's why I said, why  
13 even have them on there. If we give them an inch,  
14 they're going to take a thousand miles.

15

16 Go ahead.

17

18 MR. STEVENS: Yeah, it says here, I read,  
19 after reviewing several years of the Federal Board  
20 process I'm convinced that better decisions will be made  
21 if blah, blah, blah. What I've been through for the last  
22 couple days, I've heard a few stories from when the Board  
23 process actually started up to yesterday at the end of  
24 the meeting where, as in the beginning, when the Board  
25 first started, there was a lot of hang ups, there was a  
26 lot of learning processes being done. And over the  
27 years, that process, from what I gathered yesterday  
28 listening to everybody speak their mind has gotten better  
29 over the years as a result of the meeting ending the way  
30 it did yesterday.

31

32 So I think that the Board process is  
33 eventually getting better. I'm still new to this process  
34 but that's what I gathered from listening to people talk  
35 yesterday is that we are getting better at this process.

36

37 And that's just a spit in the face there  
38 to me; I'm convinced that better decisions will be made.  
39 I mean, to me that's a spit in the face. And I'm in  
40 agreement with Gerald, I full disagree with this.

41

42 And on that same note there was a member  
43 from my village, actually the tribal chief, who made some  
44 comments, I guess last year at our meeting in Fairbanks  
45 about getting tribal representatives -- tribally-elected  
46 officials on the Board, not to through that wrench in  
47 there, but maybe come up with an update on his request on  
48 that. And that request was made a while back and we  
49 haven't heard nothing on that, at all. So I'd be in  
50 disagreement with this.

00040

1 MR. BOS: I will follow up on that last  
2 item and see what the status of that request is regarding  
3 tribal representation. And we will carry your comments  
4 back to the Board as you've expressed them here on the  
5 Governor's request. And Mr. Chair, you will be on line,  
6 I think, we hope you will be, at least, on November 5th  
7 if you're able to find the time for that.

8  
9 I'll move on to the predator management  
10 policy.

11  
12 MR. MIKE: Mr. Chair. This is the part  
13 of the Staff I warned the Council this morning, about  
14 they're running around between three Councils and the  
15 briefing's on predator control.

16  
17 CHAIRMAN NICHOLIA: Are we going off our  
18 agenda?

19  
20 MR. MIKE: Pardon?

21  
22 CHAIRMAN NICHOLIA: Are we going off our  
23 agenda?

24  
25 MR. MIKE: No, it's just part of agency  
26 reports under OSM briefings. And Mr. Greg Bos is part of  
27 the Staff people on Fish and Wildlife Service that's  
28 running around between three Councils presenting these  
29 briefings.

30  
31 CHAIRMAN NICHOLIA: Well, go ahead then.

32  
33 MR. BOS: Thank you, Mr. Chair. The  
34 draft policy and the Staff analysis are in your Council  
35 books under Tab E. The policy on Page 91 and the  
36 analysis begins on Page 93. These are being presented to  
37 the Councils for comment before the Board takes final  
38 action on the policy at this coming December meeting.  
39 And I hope each of you had an opportunity to read the  
40 analysis and the resulting policy and we can have some  
41 questions or discussions on that.

42  
43 Over the years the Federal Board has  
44 received numerous proposals to increase the harvest of  
45 predator species, primarily wolves and bears. And some  
46 people, I think have looked at Title VIII of ANILCA and  
47 the subsistence harvest regulations as a means of  
48 reducing predator populations to increase prey population  
49 such as moose and caribou which are very important to  
50 subsistence users. However, the Board has not approved

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1 proposals whose apparent purpose has been to reduce  
2 predatory population. It's taken the position that  
3 predator control is really the responsibility or  
4 prerogative of the Federal land managing agencies of the  
5 State in their respective jurisdictions.

6  
7                   The Board asked the Staff to review the  
8 issues involved in predator management as a basis for  
9 developing a policy on how proposals for harvest of  
10 predators would be considered by the Board. So the  
11 policy is intended to clarify to the Councils and to  
12 others who wish to submit proposals for increasing  
13 harvest of predators, how the Board will consider those  
14 kinds of proposals.

15  
16                   In its review the Board considered a  
17 number of references in Title VIII that might be  
18 applicable to predator management. They also reviewed  
19 its own regulations and responsibilities and previous  
20 program guidance concerning predator control.

21  
22                   Basically the analysis found that the  
23 Board's authority and responsibility is to provide an  
24 opportunity for continued non-wasteful subsistence uses  
25 of wildlife, including predators, of course, on Federal  
26 public lands by rural Alaska residents, but that the  
27 Board does not have the authority to adopt regulations  
28 for predator control.

29  
30                   The final environmental impact statement  
31 for the Federal program states that predator control  
32 along with habitat management is the responsibility of  
33 the land managing agencies as I've said.

34  
35                   So because the Board doesn't have the  
36 authority to engage in active predator control, it's  
37 necessary for the Board to distinguish between proposals  
38 that provide opportunity for subsistence use of predators  
39 as opposed to proposals that are intended to reduce  
40 predator populations. It would only act on requests that  
41 provide for, you know, direct, personal or family  
42 consumption of harvested predators.

43  
44                   While approving proposals that may  
45 provide for subsistence use of predators the Board  
46 recognizes that there may be secondary effects that would  
47 benefit prey populations, but the Board will ensure that  
48 the primary purpose of its actions are to provide for a  
49 direct, personal or family consumption. Those proposals  
50 for harvest of predators whose apparent purpose is to

00042

1 benefit prey populations will be returned to the  
2 proponent and the proponent will be referred to the  
3 appropriate Federal or State agency, and in the case of  
4 the State, the Alaska Board of Game, for consideration of  
5 their concerns. And when it's appropriate the Federal  
6 Board would encourage these agencies to give serious  
7 consideration to these requests.

8

9 Now, if there's any questions.....

10

11 CHAIRMAN NICHOLIA: So what you're  
12 telling.....

13

14 MR. BOS: .....about the policy.....

15

16 CHAIRMAN NICHOLIA: So what you're  
17 telling me is that if we have a request to reduce,  
18 increase prey like moose, which we heavily depend on, and  
19 reduce the prey, the Board won't have no backbone to back  
20 us, uh? Is that just the bottom line?

21

22 MR. BOS: I don't think that  
23 characterizes the Board's position. I think if there's a  
24 valid concern, and a biologically justified basis for  
25 conducting predator control to increase prey populations,  
26 such as moose and caribou, then the Board would encourage  
27 the appropriate agency to seriously consider proposals or  
28 requests to conduct that kind of activity.

29

30 You know, the Board recognizes that there  
31 are serious problems in some areas of the state where  
32 predation is keeping prey populations at low densities  
33 and it does affect subsistence uses of those prey  
34 populations.

35

36 CHAIRMAN NICHOLIA: I'm going to allude  
37 to what Virgil hit on earlier, is that, when there are  
38 not enough salmon in the spawning streams and it doesn't  
39 provide for a grizzly bear he's going to go eat somewhere  
40 else and that's going to be the moose population. In the  
41 Eastern Interior, around Ft. Yukon area and the Yukon  
42 Flats area, that's just exactly what is happening.

43

44 You're going to be hit by the Eastern  
45 Interior pretty soon on that. You know, I like people to  
46 be to the point and I don't like to hear all this blah,  
47 blah, blah about this and that because it just throws us  
48 off. And that's why I said, they're either going to have  
49 a backbone or no backbone when we come to that. That's  
50 just a direct yes or no question, and that's what I'd

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1 like to hear besides all this, wasting our precious time  
2 here.

3

4 MR. BOS: Well, I wish it were that  
5 simple, Mr. Chair, but it's not. I think, you know, each  
6 of the agencies has regulations and policies that govern  
7 what happens on their lands. And the Board's regulations  
8 do not supersede those individual agency regulations.

9

10 So for example, the Park Service does not  
11 allow any predator manipulation on its lands. The Board  
12 cannot adopt regulations or take actions that are  
13 contrary to those regulations on Park lands.

14

15 CHAIRMAN NICHOLIA: Go ahead, Virg.

16

17 MR. UMPHENOUR: Do any of the agencies,  
18 such as -- well, the other agencies, Fish and Wildlife  
19 Service and BLM, can they allow any type of predator  
20 manipulation?

21

22 MR. BOS: Yes.

23

24 MR. UMPHENOUR: What's the procedure for  
25 that, or is that in this thing, because I haven't read  
26 all this, and so I was just wondering.

27

28 MR. BOS: Well, in the case of the Fish  
29 and Wildlife Service, maybe it would help to turn to Page  
30 101 under your Council section.

31

32 The Fish and Wildlife Service has some  
33 regulations and policies that govern how it will manage  
34 National Wildlife Refuges and activities that occur on  
35 Refuges must be found compatible with the purposes of the  
36 Refuge. The policy and the regulations under the  
37 enabling statutes for the Fish and Wildlife Service  
38 provide that natural diversity of wildlife populations be  
39 maintained on National Wildlife Refuges. And that's been  
40 interpreted to mean -- that natural diversity means, not  
41 only the array of species that are present, but their  
42 populations, with the recognition that populations will  
43 fluctuate over time and they look at historical ranges of  
44 populations to determine if a situation has developed  
45 where some manipulation of either habitat or predators  
46 would be required.

47

48 But if the Service was to go forward with  
49 a predator control program, it would have to meet NEPA  
50 requirements, it would have to do a Section .810

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1 evaluation affecting subsistence uses.

2

3 CHAIRMAN NICHOLIA: Yeah, I've heard  
4 enough.

5

6 MR. BOS: And.....

7

8 CHAIRMAN NICHOLIA: You, Virg.

9

10 MR. BOS: So you can look at those seven  
11 points on Page 101 and that will indicate to you what  
12 would have to be considered by the Service before it  
13 would approve a control program.

14

15 Thank you.

16

17 MR. UMPHENOUR: Okay. Well, let me ask  
18 you this, does BLM have a policy such as Fish and  
19 Wildlife Service where they could do it?

20

21 MR. BOS: No, the Bureau of Land  
22 Management does not have regulations or a policy that  
23 goes as far as that of the Service, Fish and Wildlife  
24 Service, in restricting predator management. They defer  
25 more to the State's programs for conducting those kinds  
26 of management activities.

27

28 MR. UMPHENOUR: Okay. Well, let me ask  
29 you this, because I know -- okay, who has the authority  
30 to make this decision and determine whether these seven  
31 criteria are met?

32

33 MR. BOS: On National Wildlife Refuges  
34 the lead authority would be the Refuge manager for his  
35 particular Refuge, his or her particular Refuge. But an  
36 issue as controversial as predator control, that decision  
37 would be reviewed through the Washington office.

38

39 MR. UMPHENOUR: So if say we, because we  
40 have several places that are National Wildlife Refuges  
41 where we have super low moose populations, such as the  
42 Upper Koyukuk and the Yukon Flats, if our recommendation  
43 -- if we want to start the ball rolling, how do we do it?  
44 Do we just make a motion that we write a letter to the  
45 Nowitna -- Koyukuk, Nowitna Refuge, write a letter to the  
46 Kanuti Refuge, write a letter to the Yukon Flats Refuge  
47 and say that we want the process started in accordance  
48 with the seven criteria to determine whether wolf control  
49 should be implemented or not, and if so and we want to  
50 participate in the process to do it, or form a committee

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1 to do something or a working group, or whatever, how do  
2 you do it?

3

4 MR. BOS: Yes, that's exactly what you  
5 should do as the appropriate avenue, is to make a formal  
6 request to the Refuge manager of the Refuge that you want  
7 that control, and provide as much of a basis for your --  
8 you know, the reason for your request. In fact, the  
9 Bristol Bay Council is doing exactly that in southwestern  
10 Alaska, or the Alaska Peninsula Becharof Refuge complex.  
11 The request should go to the Refuge manager for Fish and  
12 Wildlife Service lands.

13

14 MR. UMPHENOUR: Thank you, I never knew  
15 that. So we could do something. Because I know there's  
16 been proposals put in but they're just totally ignored  
17 always, and so that's why I am asking if there actually  
18 is a real process where they have to respond and they  
19 can't just ignore us. So they can't ignore us if we do  
20 this then?

21

22 MR. BOS: That's correct.

23

24 MR. UMPHENOUR: Good.

25

26 CHAIRMAN NICHOLIA: Other Council.

27

28 MR. BOS: Thank you, Mr. Chair.

29

30 CHAIRMAN NICHOLIA: Donald.

31

32 MR. MIKE: Thank you, Mr. Chair. We have  
33 one more OSM briefing and then we can get into Mr. Roy  
34 Nowlin of Department of Fish and Game on wildlife issues,  
35 if you choose to do so.

36

37 Thank you, Mr. Chair.

38

39 CHAIRMAN NICHOLIA: Who.

40

41 MS. ENTSMINGER: What briefing?

42

43 MR. RIVARD: Good morning, Mr. Chair. My  
44 name is Don Rivard. I'm with the Office of Subsistence  
45 Management, and this will be a brief brief. This is on  
46 regulatory cycle review, and it's under Tab E, Page EI-  
47 115.

48

49 This is for your information, it's just  
50 to give you an update on something that our office did

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1 internally, that we asked you about at your last Council  
2 meeting in March. The OSM Staff conducted an internal  
3 review of the Federal Subsistence Management Program  
4 Regulatory Cycle process this past spring. The review  
5 committee was compromised of a regulation specialists, a  
6 Council coordinator, some of our publication team  
7 members, an anthropologist, a couple of biologists, a  
8 couple of the leadership team members in the office, a  
9 Staff Committee member and a representative from the  
10 regulatory coordination protocol committee.

11

12                   We worked on the basis of consensus. I  
13 was one of the members of this committee and this was led  
14 by Tom Kron in our office. The committee examined the  
15 historic timing of Regional Council and Federal  
16 Subsistence Board activities and identified what is  
17 currently working well and where improvements are needed.  
18 Alternatives were developed to address issues and  
19 concerns. Each alternative was evaluated in terms of its  
20 effectiveness, it's efficiency, the cost involved, the  
21 risk of compromising quality for customer service, the  
22 ramifications for other subsistence program elements and  
23 other considerations. We had some issues and concerns  
24 the committee received comments from a number of Federal  
25 Subsistence management program Staff and all of the  
26 Regional Council Chairs.

27

28                   The issues and concerns included; the  
29 timing of Regional Council and Federal Subsistence Board  
30 meetings. The need to make the regulations more  
31 understandable. The limited time available for all of  
32 the steps in our regulatory cycle process. The review  
33 process for proposals and Staff analysis. The need to  
34 reduce the amount of paper that we produce and also  
35 provide to our Council members and others.

36

37                   The recommendations, after all this  
38 process was done went before the Staff Committee and then  
39 to the Federal Subsistence Board and their  
40 recommendations that were accepted was to extend the fall  
41 Regional Council meeting window later into October.  
42 Schedule spring Federal Subsistence Board meetings  
43 earlier in May and move the December meeting to mid-  
44 January. Provide more time for mail out the fall  
45 Regional Council books. Make our regulation book more  
46 user friendly, readable and understandable. Shift the  
47 effective date for fish regulations from March 1st to  
48 April 1st. And in addition to paper copies make Regional  
49 Council and Board books available on line or by compact  
50 disks or CDs. And then we made a commitment that we

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1 would reexamine our regulatory cycle process every three  
2 years.

3

4 And that's the end of my brief briefing.

5 Thank you.

6

7 CHAIRMAN NICHOLIA: Yeah, thank you, Don.

8 It's just after, what, six years now I've been involved  
9 in this thing, it's a pretty good direction.

10

11 Thank you.

12

13 MR. RIVARD: Okay, thank you.

14

15 MR. MIKE: Mr. Chair.

16

17 CHAIRMAN NICHOLIA: Go ahead.

18

19 MR. BASSICH: Mr. Chairman, if it's

20 possible I would like to readdress under number VIII-A,  
21 the Draft Fisheries Resource Monitoring Plan. After  
22 thinking, leaving the meeting last night and having a few  
23 minutes to reflect, I had one other area that I would  
24 like to address there very briefly. It's not really an  
25 action but I just think it's something that needs to be  
26 brought to the attention of the Council here, and also to  
27 the Office of Subsistence Management. If you would  
28 indulge me for a minute.

29

30 CHAIRMAN NICHOLIA: Go ahead.

31

32 MR. BASSICH: Thank you. In reviewing  
33 the monitoring programs that are taking place and I'm  
34 speaking to the fisheries issues right now, it's become  
35 very apparent to me that we have a very large void on the  
36 Yukon River where monitoring is not taking place and I  
37 think we have the ability to address this in the future.

38

39 And what I'm speaking to is that  
40 basically at this point in time, we have pilot station  
41 which most of the numbers are being collected and we all  
42 know that we have a lot of problems with that sonar point  
43 due to mixed stocks fisheries, water levels, so on and so  
44 forth. And then we have some driftnet fisheries to try  
45 and reconfirm these numbers and then as we go up the  
46 river there is the tagging that takes place at Ramparts.  
47 Beyond Ramparts there is absolutely no monitoring of the  
48 main stem salmon run bound for Canada. And due to the  
49 recent treaty that took place this drives most of the  
50 management of the fisheries, the numbers that go across

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1 the border, so it's very important that fishery managers  
2 have the most accurate information on the main stem  
3 salmon because it drives their management in-season. And  
4 this is an area that we're really lacking in right now.

5  
6 We have two sonar sites up off Chandalar  
7 and the Sheenjak which tell us what, after leaving the  
8 Ramparts area, what percentage of fish are going up these  
9 tributaries but we have nothing, basically from Ramparts  
10 all the way up to the Canadian border, and this is a  
11 distance of close to 400 miles of the river. There's no  
12 other place on the river where we have such a large  
13 expanse with no monitoring of the salmon.

14  
15 And I would just like to bring it to the  
16 attention of the Office of Subsistence Management that I  
17 think we need to start to address this in the future. I  
18 think it's going to be critical in providing better data  
19 to the managers, that we start looking at establishing  
20 monitoring areas farther up the Yukon River. Much of the  
21 data that we get comes in very late from Canada, not in  
22 time to make management decisions, and I think that this  
23 should be included in the future in the needs for  
24 monitoring of the salmon run.

25  
26 So I guess what I'm trying to bring to  
27 the attention of the Council here is this is an area that  
28 I think we can do a lot to improve in-season management  
29 if we can begin to address this as a Council and offer  
30 support to agencies and other funding elements that might  
31 be able to establish new projects in these areas. I  
32 think we can benefit not only the up river people but it  
33 will greatly benefit the entire drainage with better  
34 information on what is crossing the border on a more  
35 timely basis, management will have the ability to manage  
36 the fisheries river drainage wide in Alaska, both  
37 providing for possible harvest of surplus fish and making  
38 sure that subsistence needs are met for all communities,  
39 not only in the upper river, but the lower river.

40  
41 I feel real strongly that this is one of  
42 the better areas that we could move into to improve  
43 what's taking place right now.

44  
45 Thank you.

46  
47 CHAIRMAN NICHOLIA: (No microphone on)

48  
49 MR. BASSICH: Well, possibly. They don't  
50 have the funding that we do and their techniques, they

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1 just don't seem to be able to get the data out and I also  
2 have some real problems with the way they collect their  
3 data. I think their data is very good for certain things  
4 but it seems to be more important for post-season  
5 analysis than in-season analysis. It doesn't -- in  
6 talking with agency Staff, it doesn't really help them  
7 during their in-season management. My personal feeling  
8 is that we need to establish sonar or some other type of  
9 monitoring in the upper river and I think it's very  
10 conducive to that because we don't have as much of a.....

11

(Equipment Malfunction)

12

13

CHAIRMAN NICHOLIA: Virg.

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MR. UMPHENOUR: I'm confused on Unit  
21(D) because it says new open season for non-residents,  
is that for subsistence hunt only, is that what that is  
because it also over there says one bear every year by  
registration permit.

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MR. NOWLIN: 21(D), that is inside the --  
that's inside what's currently the brown bear management  
area. And so there is no -- if I'm looking at the same  
one you are, yeah, it's the northwest brown bear  
management area. And that is a primarily subsistence  
hunt area. And anyone can hunt in there under a general  
season, but a non-resident -- a resident can hunt in  
there either under the subsistence season or under the  
general season but a non-resident could not. But a non-  
resident could go in there and hunt under the general  
season if they chose to. It's not closed to non-  
residents. They just wouldn't have the same provisions.

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MR. UMPHENOUR: Thank you.

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MR. NOWLIN: Additional questions.

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CHAIRMAN NICHOLIA: So you're kind of  
suggesting that -- you'll get support on this from us, I  
know that for a fact. But you're suggesting in areas in  
the Federal side, the Federal where we may have one in  
all these units is where we may have one bear every four  
regular years you'd like to have counterpart Federal  
proposals to change in the Federal regs if there's like  
one bear every four years, you'd like to say one bear  
every year in the regulations.

47

48

49

50

MR. NOWLIN: Yeah.

49

50

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1 CHAIRMAN NICHOLIA: You caught that  
2 Jerry.

3  
4 MR. NOWLIN: We will have a proposal  
5 which we will submit to the Federal system before the  
6 deadline at the end of next week that will look just like  
7 this one as a placeholder in there because we don't know  
8 what the Board of Game is going to do with this, and we  
9 don't know what our final Staff proposal from the State  
10 is going to look like yet, but we felt like it was a good  
11 idea to get something into the Federal system so that you  
12 could consider that and then the Federal Subsistence  
13 Board could consider it as well.

14  
15 So the proposal that actually goes into  
16 the Alaska Board of Game, you know, may not be exactly  
17 like that one, that's why I have draft on it because  
18 we're still getting these comments from advisory  
19 committees and from others about this and we may modify  
20 it before we submit it. And we would like to have the  
21 opportunity to change our comment on the Federal,  
22 whatever's put in on the Federal system and try to get  
23 consistency and you folks will have a chance to work that  
24 over and decide whether you want to support it or not.

25  
26 CHAIRMAN NICHOLIA: Go ahead, Jay.

27  
28 MR. STEVENS: Let's see here. Okay.  
29 This is pretty straightforward, but just for example,  
30 25(D) you're just extending that from July 1st to June  
31 30th, you're extending it from March 1st to November  
32 30th, correct?

33  
34 MR. NOWLIN: That's just a different way  
35 to write the same season.

36  
37 MR. STEVENS: Okay.

38  
39 MR. NOWLIN: That's kind of confusing and  
40 I've had some suggestions to just make it a year-round  
41 season and have done with it.

42  
43 MR. STEVENS: And that leads into my  
44 question about, for example, Unit 12, open season,  
45 September 1 through June 30th, I mean a majority of that  
46 time aren't they denned up during that open season?

47  
48 MR. NOWLIN: Yeah.

49  
50 MR. STEVENS: I mean that is winter,

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1 right?

2

3 MR. NOWLIN: In the winter time they are,  
4 yeah.

5

6 MR. STEVENS: So you're opening the  
7 season for the winter time when they're denned up?

8

9 MR. NOWLIN: Yeah, that's the way these  
10 seasons have been constructed in the State regs. You  
11 know, they've run over the entire winter, even though the  
12 bears -- if there's a bear out of course, you know,  
13 season's open, you could potentially take it. But we've  
14 constructed them all, just for simplicity sake starting  
15 in the fall and then running until sometime in the spring  
16 and then closing sometime in the spring.

17

18 MR. STEVENS: That's why we in 25(D)  
19 wanted to have that changed to the summer season when  
20 those bears are actually out there. And around Steven's  
21 Village there, I mean during fishing season, the height  
22 of fishing season, prior to this date I mean you weren't  
23 able to take these bears and I mean, maybe I don't know  
24 -- I don't understand why the season would be open  
25 throughout the winter instead of when the bears are  
26 actually there, you know, on the grounds. Am I missing  
27 something there?

28

29 MR. NOWLIN: Well, it was felt that  
30 having historically, whatever, when these seasons were  
31 considered, for other parts of the state, it was felt  
32 that it was inappropriate to have seasons over the  
33 summer. Primarily that was a high quality issue and when  
34 -- I'm aware of the planning process that went on in the  
35 Yukon Flats.....

36

37 MR. STEVENS: Uh-huh.

38

39 MR. NOWLIN: .....and that's why we  
40 didn't make any changes. I mean it shows a change for  
41 25(D) but we're not -- it works out to be the same  
42 season.

43

44 MR. STEVENS: Yeah.

45

46 MR. NOWLIN: And we didn't change  
47 anything there because we're honoring our commitments in  
48 that plan and we're sticking with it. We've agreed to  
49 it, we're going to stick with it. If we were to simplify  
50 the regulation for 25(D), we'd just say no closed season.

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1 And that would make it just -- you know that would make  
2 it consistent, you'd have your summer season and then it  
3 would -- it'd just make it simpler all around. But I  
4 understand your question and it does seem odd, that why  
5 is the season open in the middle of winter when these  
6 bears aren't out.

7

8 MR. STEVENS: Yeah.

9

10 MR. NOWLIN: And the only answer I could  
11 really give you for that is it's just simpler to write it  
12 from one point in the fall to one point in the spring and  
13 we haven't had it opened in the summer because of high  
14 quality issues.

15

16 MR. STEVENS: Thank you.

17

18 MR. NOWLIN: But there was a good reason  
19 in the case of the Yukon Flats why that was done.

20

21 MR. STEVENS: Yeah.

22

23 MR. NOWLIN: The Western Council asked --  
24 I've already made the same presentation for them this  
25 morning, and they asked that we report to them about what  
26 your position was going to be on this. And to let you  
27 know they actually passed a resolution that they were  
28 supporting simplifying the regulations and I believe they  
29 said, and I don't think I have the exact wording on that,  
30 but I think they said as long as it didn't reduce  
31 subsistence opportunity. They were supporting  
32 simplifying the regulations as long as it didn't result  
33 in any reduction in subsistence opportunity.

34

35 Maybe Terry has the exact wording on it.  
36 But I don't know what, if you folks are in concept of  
37 this concept, some sort of an expression would be useful  
38 to us in support.

39

40 CHAIRMAN NICHOLIA: Yeah, we're very much  
41 in support of it. In certain areas I wish it would be  
42 two bears a year, because just like what I'm alluding to,  
43 what my Councilman Umphenour said, is these fish returns  
44 we had in the last four or five years, has not really  
45 been adequate enough to put enough food in the cycle of  
46 life of fish and bears and moose and stuff, whereas it's  
47 not getting enough food up to the spawning streams where  
48 these bears actually do eat a lot and get a lot of fat  
49 and whereas in my mind when they're not getting enough  
50 fish on the spawning streams, where they do eat, they're

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1 going to eat something else and they are eating. So we  
2 are very much in support of this.

3

4 I don't think we'd really want to do a  
5 motion right now but we could. Go ahead, Andy.

6

7 MR. BASSICH: Yes. I would just ask if  
8 it's appropriate if we were to have the exact wording of  
9 the resolution from the Western Interior RAC, if it would  
10 be appropriate for our Council to have a motion in  
11 support of their resolution. I'm not sure how  
12 appropriate that would be that that might simplify  
13 showing a little bit of unity.

14

15 Thank you.

16

17 MR. HAYNES: Mr. Chairman.

18

19 CHAIRMAN NICHOLIA: Yeah, Terry.

20

21 MR. HAYNES: I don't have the exact  
22 wording but the Western Interior Council supported  
23 simplifying the grizzly bear regulations as long as they  
24 didn't reduce subsistence opportunity.

25

26 What we had asked for was some sign of  
27 support because the Council won't have an opportunity to  
28 officially deliberate the Board of Game proposal before  
29 it goes to the Board of Game.

30

31 MR. NOWLIN: Correct.

32

33 MR. HAYNES: So if you had an interest in  
34 supporting the concept and having that information go to  
35 the Board of Game that might be very useful in supporting  
36 the eventual proposal.

37

38 CHAIRMAN NICHOLIA: What do you want to  
39 do.

40

41 MR. BASSICH: Yeah, Mr. Chairman, I would  
42 like to make a motion that the Interior Regional Council  
43 show support for the resolution drafted by the Western  
44 Interior regarding simplification of brown bear harvest  
45 and seasons.

46

47 MS. ENTSMINGER: Second.

48

49 MR. STEVENS: Question.

50

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1 CHAIRMAN NICHOLIA: Virg.

2

3 MR. UMPHENOUR: Well, I support this.

4 The regulations are pretty confusing and a lot of time a  
5 person really has to spend some time to figure out what  
6 the hunting season is and it makes it much easier on the  
7 public plus I think there may be a little bit of added  
8 benefit as far as the predation problems we have in some  
9 areas.

10

11 Thank you.

12

13 CHAIRMAN NICHOLIA: Sue.

14

15 MS. ENTSMINGER: Yeah, I have a question.

16 My husband always brings up to me and I have a hard time  
17 understanding, it's regulatory year for one bear, so you  
18 can legally kill a bear in the spring and then legally  
19 kill another bear in the fall but you cannot kill a bear  
20 in the fall and in the spring?

21

22 MR. NOWLIN: That's correct. Because the  
23 regulatory year goes from July 1 of one year to June 30th  
24 the following year. And it does seem pretty screwy but  
25 that's the way it is.

26

27 MS. ENTSMINGER: Yeah, I know and that's  
28 brought up, Frank says well then we need two bears a year  
29 so we could kill them each fall and spring.

30

31 CHAIRMAN NICHOLIA: That would work for  
32 me.

33

34 MS. ENTSMINGER: Yes.

35

36 CHAIRMAN NICHOLIA: Okay, there was a  
37 motion for similar to what the Western Interior's support  
38 for this proposal, this draft proposal derives to  
39 simplify and reduce confusion. There's a second.

40

41 MR. UMPHENOUR: Question.

42

43 CHAIRMAN NICHOLIA: Question has been  
44 called. There was a little bit of discussion. All those  
45 in favor signify by saying aye.

46

47 IN UNISON: Aye.

48

49 CHAIRMAN NICHOLIA: All those opposed,  
50 same sign.

00055

1 (No opposing votes)

2

3 CHAIRMAN NICHOLIA: Okay.

4

5 MR. NOWLIN: Okay, thank you very much,  
6 Mr. Chairman. Council members. I appreciate your  
7 expression of support on the proposal and we'll be back  
8 at your next meeting to let you know what the results of  
9 the comments we've gotten and how things come out.

10

11 CHAIRMAN NICHOLIA: Thank you.

12

13 MR. NOWLIN: Thank you, very much,  
14 appreciate your time.

15

16 CHAIRMAN NICHOLIA: Uh-huh. We're on  
17 number 9 there, Jeep, what you want to say, man, you're a  
18 Local Advisory Committee member.

19

20 MR. TITUS: We need more meetings.

21

22 (Laughter)

23

24 CHAIRMAN NICHOLIA: Information exchange.  
25 Yeah, Regional Council member reports. Information  
26 exchange on meetings information about subsistence needs,  
27 concerns, fishing.

28

29 I'll kind of start this off here. Most  
30 of Tanana/Rampart/Manley Advisory Committee proposals  
31 pretty much lines up with the Eastern Interior because I  
32 sit on that advisory committee and they hear a lot of  
33 concerns from the Eastern Interior, more than the  
34 Tanana/Rampart/Manley advisory area.

35

36 And one of their concerns was -- some of  
37 the TRM's members concerns are for the moose hunting area  
38 around Tanana, Manley, hardly around Manley but between  
39 Minto, Manley and Nenana and Tanana, we would like to see  
40 one day, maybe, I don't know, the State's running out  
41 there, but the TRM would like to sit down with the Minto  
42 and Nenana Advisory Committee to hash out some moose  
43 issues. But we kind of mentioned that to Justin Crawford  
44 but he wasn't there at the TRM meeting and I don't know  
45 if he got that message or not.

46

47 MS. ENTSMINGER: He's here.

48

49 CHAIRMAN NICHOLIA: Yeah, I'd like to  
50 ball him out, but I'll say that later. And that's just

00056

1 one issue. And there's a lot of -- the TRM has a lot of  
2 the same aligning proposals that comes out of the Eastern  
3 Interior. We have some kind of somewhat counterpart from  
4 Virgil Umphenour, we have Bill Fluris on the TRM so he's  
5 kind of like keeping us on education and numbers wise and  
6 all kinds of other avenues that we could take.

7

8 And from Tanana Tribal Council point of  
9 view, who I work for, is that say from the standpoint  
10 when John Starr used to be on this Council is that  
11 they're looking to lean more and more, even though Tanana  
12 is not in a Federally-controlled place or nothing,  
13 they're looking more and more -- more and more faith, I'd  
14 say in the Federal OSM than they do in State, and they  
15 believe that -- even though I don't bring nothing home to  
16 them, they -- maybe except fisheries issues that I'm on  
17 pretty much of a time crunch all the time, I'm always  
18 traveling and stuff, but I believe I do bring a heavy,  
19 heavy concern, the fisheries issues back to Tanana that's  
20 why I still choose to remain on this Board.

21

22 And concerning for the Subsistence  
23 resource Commission meetings, is that Denali and -- the  
24 SRC?

25

26 MR. MIKE: Mr. Chair. That's for -- we  
27 used to have an SRC member on the Eastern Interior  
28 Council, and it's a placeholder for that member to report  
29 to the Eastern Interior Council of any events or issues  
30 that are coming up.

31

32 Thank you, Mr. Chair.

33

34 CHAIRMAN NICHOLIA: Yeah, that's kind of  
35 my report from there. Tanana used to never have faith in  
36 the OSM but since I've been on it, since I've been pretty  
37 much involved and everything, is that, they're starting  
38 to have faith. And if there's anybody else on the  
39 Council that wants to mention something about local  
40 advisory committees or what I just mentioned, just have  
41 at it.

42

43 (Pause)

44

45 MR. STEVENS: Yeah, I just wanted to make  
46 a note that that request that was from the Chief of  
47 Stevens Village a few years ago about the position on the  
48 Board, that a tribally elected official would hold, I  
49 think he brang that up in the Fairbanks meeting. I made  
50 the first day and I missed the second one. But that was

00057

1 over a year ago, I suppose, and so I was kind of  
2 surprised to see how fast Murkowski's request came  
3 through and, you know, not to hear nothing on our request  
4 which was over a year ago, you know, that's kind of  
5 surprising to me.

6

7                   So I just wanted to make a note on that  
8 for you all to look into that request made by Randy Mayo,  
9 about the Board make up.

10

11                   Thanks.

12

13                   CHAIRMAN NICHOLIA: Andy.

14

15                   MR. BASSICH: Yeah, regarding the Eagle  
16 Advisory, about the only thing I had to report regarding  
17 game issues is that the effects of reducing the season,  
18 moose season in 20(E), specifically on the Yukon River  
19 has had a pretty profound effect in reducing the hunter  
20 influx into that area. It's quite noticeable this year.  
21 There was considerably fewer hunters on the Yukon River  
22 outside the unit, from outside the unit. Possibly it was  
23 due to the extreme cold weather that time of the year,  
24 this year it was unusually cold, but speaking locally or  
25 to the locals, that I think this will continue to reduce  
26 some of the pressure on the moose population in that  
27 area, which is what it was intended to do.

28

29                   On the opposite end of the spectrum with  
30 the Fortymile Caribou Herd coming back, it was a parking  
31 lot from American Summit all the way to Chicken this  
32 year, literally. You couldn't go a mile down the road  
33 without going by another camp along the highway. So I  
34 would expect that in the future we'll be addressing that  
35 issue.

36

37                   Thank you, Mr. Chairman.

38

39                   CHAIRMAN NICHOLIA: Yeah, thank you.

40

41                   MS. ENTSMINGER: I do.

42

43                   CHAIRMAN NICHOLIA: Okay, go ahead.

44

45                   MS. ENTSMINGER: I went to the Upper  
46 Tanana Fortymile Advisory Committee meeting and actually  
47 they reiterated some of your concerns about all the  
48 hunters on the Taylor. And Jeff was not able to be at  
49 that meeting but David James was there, and I think he  
50 was saying there was like 1,600 people who had gotten

00058

1 caribou permits, and of course that doesn't include  
2 anybody that didn't get one. But at any rate it sounded  
3 like it's kind of a place that those of us that like to  
4 have a little privacy wouldn't like it.

5  
6                   And there was also a little bit of people  
7 talking about the guide thing, you know, on State land,  
8 where anybody can register to get an area. And I would  
9 like to push this Council, again, right in Unit 12, in my  
10 backyard, there's a Tetlin Native Corporation, who, they  
11 issue to one guide, but that guy hires non-residents as  
12 assistants and one of his assistants became a registered  
13 guide. And now, this non-resident registered guide is  
14 operating on State land outside the Tetlin Indian  
15 reservation. And that's a place where a few locals just  
16 like to be selective in how many animals they take and  
17 you're getting this competition from non-resident guides.  
18 And it's something that gets real, you know, like you  
19 have things that bug you under your skin, that's  
20 something that bothers the locals there and actually  
21 there was a guy who was cited, who worked in the Tetlin  
22 Indian Reservation that had a violation and actually the  
23 State did all the work and the Federal Fish and Wildlife  
24 Service guys, protection guys, prosecuted him. There was  
25 a wanton waste issue and I think there was taking --  
26 having clients hunt without a guide, and he was -- he had  
27 his license returned in two years. And technically he's  
28 supposed to go five years suspension if it's over a  
29 thousand dollar fine and I don't understand how somebody  
30 gets their license back and, again, this person is an out  
31 of stater, he doesn't live in Alaska. He once did but he  
32 doesn't anymore.

33  
34                   So these concerns, I feel, can be  
35 addressed by us requesting a letter to occupational  
36 licensing, who governs guides and reinstate, the Big Game  
37 Commercial Services Board, it hasn't been a popular thing  
38 recently but I think it's highly important that  
39 subsistence users realize that there's some competition  
40 out there that's greater than we realize and something we  
41 can do is push -- Murkowski can push to put somebody on  
42 the Federal Board, I think we should push to.....

43  
44                   CHAIRMAN NICHOLIA: Yeah, hold on Sue.  
45 Hold on Sue.

46  
47                   MS. ENTSMINGER: .....open the Big Game  
48 Commercial Services Board.

49  
50                   CHAIRMAN NICHOLIA: I'm going to try to

00059

1 tell you what I tried to do three years ago as a natural  
2 resource subsistence director and part of on this  
3 Council. Is that, I tried to do that, they had a board  
4 before that used to regulate outfitters and guides and  
5 stuff like that, they had a board that used to do that  
6 but they did away with it. And it's just -- in my region  
7 it's closing shows, because we have combat moose hunting  
8 right now as it is for the last two years. And I'd say  
9 about all the residents in Tanana that hunted this fall,  
10 maybe 30 percent got their moose for the winter this  
11 year. That's how bad it was.

12

13           We had just like around every bend around  
14 Tanana, 12 miles down Tanana, below Tanana, there was 12  
15 boats on one side. And if you go down another five miles  
16 above Roy and Pinky Folgers' camp there was 36 boats in  
17 that slough, 36. They had like a little deal there. You  
18 see all these big boats and then you see these local  
19 people going up and down the river in their little boats  
20 and they only have so much gas and stuff to get their  
21 moose and they're just outgunned, outgunned and out  
22 numbered, that's why I call it combat hunting.

23

24           We can't really do nothing. Yeah, we  
25 could write a letter, I wrote a bunch of letters to the  
26 Occupational Licensing people, they never responded back  
27 to me, even if I have these concerns where they said some  
28 of these young people from Tanana are going to get into  
29 gunfights because when you get a mad man and they have a  
30 little alcohol in them, you don't know what's going to  
31 happen, you know. It's very -- it's a highly contentious  
32 issue, we try to take it up in the TRM, but we had some  
33 people come in and we got a little, what you say, got  
34 cussed out, it's a very tough issue and I don't feel like  
35 we really want to go into that issue right now and we  
36 could deal with it better later when we have more stuff  
37 next spring, more data, what moose hunting pressure is --  
38 like with the household surveys, I want to do something  
39 then.

40

41           Because right now we'll just be beating  
42 around the bushes without this fall's data. And I need  
43 data. I'm tired of using last year's information to do  
44 this year's stuff, you know, so that's why I don't want  
45 to go into that right now.

46

47           I was going to bring it up earlier, but  
48 since you brought it up, we need data. We could do  
49 something now and then they'll look at it and they'll say  
50 where's the data, well, the data ain't complete, you

00060

1 know, that's why I didn't want to bring that situation --  
2 that issue up right now, Sue.

3

4 MS. ENTSMINGER: Well, Mr. Chairman  
5 (microphone off)

6

7 CHAIRMAN NICHOLIA: If there's anything  
8 more things you guys want to bring up as Council member  
9 reports, I'd like to hear it.

10

11 MS. ENTSMINGER: Thank you. Mr. Chair.

12

13 CHAIRMAN NICHOLIA: Sue.

14

15 MS. ENTSMINGER: I appreciate how you  
16 feel, but I believe -- I was talking to Carl Morgan, our  
17 representative last night or the night before about this  
18 issue and he said if he puts that bill in, that's where  
19 it has to come from, to reinstate. He said that it would  
20 be better if it comes from the Senate side, because he  
21 said if he puts it in it probably wouldn't go anywhere.  
22 But he said if you could get someone, a Senator to put it  
23 in first, and I believe I could with a letter from this  
24 Council talk to Ralph Seekins and I believe Virgil  
25 Umphenour could help me and we might be able to do  
26 something.

27

28 CHAIRMAN NICHOLIA: Okay.

29

30 MS. ENTSMINGER: It needs reinstated.  
31 And I would like to make a motion that we just write a  
32 letter to Occupational Licensing to reinstate the Big  
33 Game Commercial Services Board.

34

35 CHAIRMAN NICHOLIA: Okay, Sue.

36

37 MR. UMPHENOUR: Second.

38

39 CHAIRMAN NICHOLIA: Those in favor of  
40 directing Roger Berg -- I mean.....

41

42 (Laughter)

43

44 CHAIRMAN NICHOLIA: I mean Jerry Berg and  
45 Donald Mike, it's been a long week -- Jerry Berg and  
46 Donald Mike to draft a letter to the State Occupational  
47 Licensing, whatever.....

48

49 MS. ENTSMINGER: Little tired.

50

00061

1 CHAIRMAN NICHOLIA: Yeah. To voice the  
2 concerns that we just shared right now. All those in  
3 favor signify by saying aye.

4  
5 IN UNISON: Aye.

6  
7 CHAIRMAN NICHOLIA: Okay, cool.

8  
9 MR. MIKE: Mr. Chair. Just a word of  
10 caution, that the Eastern Interior Regional Advisory  
11 Council deals with Federal subsistence lands and I don't  
12 think we have any authority to write to the State of  
13 Alaska on jurisdictions that is not within the.....

14  
15 CHAIRMAN NICHOLIA: Well, we're going to  
16 do it anyway.

17  
18 MR. MIKE: .....Board's authority.

19  
20 CHAIRMAN NICHOLIA: We already voted on  
21 it.

22  
23 MR. MIKE: Thank you. Mr. Chair.

24  
25 MR. UMPHENOUR: I think it's appropriate  
26 for us to write a letter to the Division of Occupational  
27 Licensing or maybe just a letter direct to Senator  
28 Seekins myself. Because, you know, we're all -- this is  
29 our public process, and even though it's a Federal public  
30 process, this is something that impacts the people that  
31 we represent, and it impacts them in different amounts  
32 and different areas, but in some areas it impacts them a  
33 great deal. And it causes large misunderstandings and  
34 not only does it cause a big misunderstanding but it  
35 causes a great deal of hard feelings and people to be  
36 confused when they think that these outfitters or people  
37 that are illegal outfitters and illegally guiding, that  
38 are transporters and some of them don't have any kind of  
39 license, then they blame the legitimate guiding  
40 operations and they get blamed for what all these people  
41 are doing that's illegal to begin with but there's no  
42 enforcement of it.

43  
44 And so this has been -- the Guide's  
45 Association has stated -- it's also pushing this issue  
46 and so if we throw our hat in as well, we might be able  
47 to get something done. Because it does affect an awful  
48 lot of the people that we represent.

49  
50 Thank you.

00062

1 CHAIRMAN NICHOLIA: Thanks, Virg. Okay,  
2 I guess we'll move on to number 10, Donald. Agency  
3 concerns, issues, subsistence concerns of Eastern  
4 Interior Council region, tribal councils, I already heard  
5 from you, but TCC, Ethan, do you want to say anything?

6  
7 MR. SCHUTT: What was the topic of the  
8 report?

9  
10 CHAIRMAN NICHOLIA: Summary of relevant  
11 agency concerns, issues relating to subsistence use in  
12 the Eastern Interior Regional Council region.

13  
14 MR. SCHUTT: No.

15  
16 CHAIRMAN NICHOLIA: Okay, good report.

17  
18 MR. TITUS: Very good report.

19  
20 MR. STEVENS: That's the kind of agency  
21 reports.

22  
23 CHAIRMAN NICHOLIA: CATG.

24  
25 (No comment)

26  
27 CHAIRMAN NICHOLIA: CATG.

28  
29 MR. STEVENS: No. He said no.

30  
31 CHAIRMAN NICHOLIA: Okay, no. Well, Mike  
32 didn't want to say anything?

33  
34 MR. TITUS: No, he didn't.

35  
36 (Laughter)

37  
38 CHAIRMAN NICHOLIA: Okay. Others.  
39 ADF&G, statewide area biologists, we already heard enough  
40 about the fish stuff. Wildlife Conservation Division,  
41 area biologists, what's that about Donald?

42  
43 MR. HAYNES: Mr. Chairman. Terry Haynes,  
44 Department of Fish and Game. I think Jeff Gross, the new  
45 area biologist in Tok planned to be here this afternoon  
46 just to introduce himself.

47  
48 MR. GROSS: Oh, me, sorry.

49  
50 MR. HAYNES: And there he is.

00063

1 (Laughter)

2

3 MR. GROSS: I'm sorry, I missed exactly  
4 what you were saying there.

5

6 CHAIRMAN NICHOLIA: Yeah, you got to  
7 forgive me it's been a long week.

8

9 MR. GROSS: Mr. Chairman, I won't try to  
10 keep you long.

11

12 I actually just wanted to -- I've been  
13 working with Ruth and give you an update on the Fortymile  
14 Herd, and I'll try to keep it as short as possible.

15

16 In June of 2003, we did pull off a census  
17 of the caribou herd, which turned out to be an excellent  
18 census with excellent conditions. The critters actually  
19 cooperated for us. We came up with an estimate of 43,375  
20 animals. This worked out to an annual increase of about  
21 eight or nine percent over the past three years. 2000  
22 was about 34,600 animals, and again we're up to about  
23 43,000 and change.

24

25 In July following the census, we had a  
26 reduction in our initial quota that we had set up for the  
27 fall winter hunt to bring it back in line with the  
28 harvest management plan that's in place for the Fortymile  
29 Herd. We dropped it from 1,150 down to 850, again, to  
30 meet the objectives of the harvest management plan which  
31 calls for an annual harvest of between two and three  
32 percent of the herd.

33

34 We actually had, aside from our parking  
35 lot, from Eagle down to Chicken, we did actually have a  
36 good year for the hunter. We had two of our seasons  
37 closed by emergency order, however, both of them went  
38 well into September, and our third season along the  
39 Taylor Highway did go all the way to the end of  
40 September.

41

42 Our total harvest was 536 caribou.  
43 Again, this is during the fall season, which falls 104  
44 animals short of our quota. That quota will be added to  
45 the winter season, which will bring the winter quota up  
46 to 314 animals from 210. And again, as a reminder the  
47 Federal season, caribou season, RC67 will begin November  
48 1st on Federal lands. And then the State season will  
49 begin on December 1st, and both these seasons are slated  
50 to go to February 28th unless closed by emergency order.

00064

1                   The quota again was reduced in July. The  
2 initial quota was developed from a projected herd size  
3 based on composition counts. It's been a number of years  
4 since we had ideal conditions for a consensus. The  
5 projected numbers were likely off due to low pregnancy  
6 from in the herd this last -- this past year which was a  
7 result of a very dry summer in 2002. And our fall  
8 composition count which we conducted a few weeks ago  
9 confirmed our suspicion that there was a low pregnancy  
10 rate. After looking at 6,300 animals in the herd we came  
11 up with a calf/cow ratio of 16 to 100, which is very low.  
12 Again, this low calf production was attributed to the  
13 drought. We're not going to be expecting much of an  
14 increase this next year in the herd size, however,  
15 there's some good things, even though we're not expecting  
16 a substantial growth, a large portion of the herd right  
17 now are young animals. A lot of one and two year old  
18 cows which are not breeding yet, and so over the next two  
19 to three years we're expecting to see a herd that has  
20 excellent reproductive potential. So if Mother Nature  
21 will help us out a little bit we'll see a continued  
22 increase.

23

24                   So that's all I have for you, if you have  
25 some questions.

26

27                   CHAIRMAN NICHOLIA: Yeah, whoever called  
28 me up in July or whatever at the house to get my Chair's  
29 approval, call me up in the office next time, Monday  
30 through Friday.

31

32                   MR. GROSS: I don't think I did that.

33

34                   MR. UMPHENOUR: How many of those  
35 sterilized wolves are still running around over there?

36

37                   MR. GROSS: I think we have about five or  
38 six of the pairs still intact. I think that's correct.

39

40                   MR. UMPHENOUR: And that was out of about  
41 15?

42

43                   MR. GROSS: Uh-huh.

44

45                   MR. UMPHENOUR: Thank you.

46

47                   MR. GROSS: You bet.

48

49                   MR. HAYNES: Mr. Chairman. Just one  
50 thing to add to Jeff's presentation, for the last several

00065

1 years the Office of Subsistence Management has provided  
2 some funding to the Department to monitor Fortymile  
3 Caribou to assist in costs of collecting harvest data and  
4 running checkstations. And just on behalf of the  
5 Department I want to express our appreciation to the  
6 Office of Subsistence Management because that's gone a  
7 long way toward helping us to keep close tabs on this  
8 herd and for most years since the plan was completed, to  
9 provide more hunting opportunity.

10

11 So we appreciate that.

12

13 MR. GROSS: Yeah, and actually as a side  
14 note, the caribou did manage to sneak up on us on the  
15 Steese Highway this year and luckily we caught them about  
16 two days, well, about 24 hours actually before they hit  
17 the roads off the Steese Highway, so, yeah, without that  
18 money and monitoring the herd they would have been  
19 standing on the highway.

20

21 Thank you.

22

23 CHAIRMAN NICHOLIA: Okay, got that out of  
24 the way. We already heard from BLM, just heard about the  
25 Fortymile Caribou Herd. OSM briefings, we heard from  
26 Greg, we heard from Rod, do we have to hear from Tom or  
27 have we already heard from him?

28

29 MR. MIKE: Refuges (microphone not on).

30

31 MS. GRONQUIST: Are you going to skip  
32 BLM?

33

34 MR. STEVENS: No, I thought we already  
35 heard from BLM.

36

37 CHAIRMAN NICHOLIA: Refuges, yeah,  
38 there's -- yeah, I thought we already heard from BLM  
39 earlier didn't we?

40

41 MS. GRONQUIST: Well, yes, but.....

42

43 (Laughter)

44

45 MS. GRONQUIST: But that was it, that was  
46 my opening.

47

48 CHAIRMAN NICHOLIA: Do you want to tell  
49 us something?

50

00066

1 MS. GRONQUIST: A little.

2

3 CHAIRMAN NICHOLIA: Okay.

4

5 MS. GRONQUIST: I'll be brief.

6

7 CHAIRMAN NICHOLIA: Okay.

8

9 MS. GRONQUIST: This is Ruth Gronquist  
10 with BLM. I was just going to tell you that actually BLM  
11 has also been supporting the monitoring efforts of the  
12 Fortymile Caribou Herd and we've been doing that since  
13 '75 and we hope to do it for at least three or four more  
14 years.

15

16 Currently we're doing that through what's  
17 called a challenge cost share. And we're really happy to  
18 be able to be part of that monitoring effort. And  
19 hopefully through another challenge cost share program,  
20 Jeff and I are working on a proposal to do some work with  
21 moose distribution in 20(E) so we can gain some more  
22 understanding of what that population is doing.

23

24 And then in addition to that, I just  
25 wanted to remind you guys that in the Fortymile, if the  
26 Nelchina Caribou Herd mixes with the Fortymile at a  
27 certain ratio or certain number, that we would have to  
28 look at doing some either area closures or some hunt  
29 restrictions. But that's just a reminder, we don't  
30 anticipate doing that. But it's on the -- in the  
31 regulations. And that's language that this Council  
32 actually helped us draft.

33

34 That's it, unless you have any questions.

35

36 (No comment)

37

38 MS. GRONQUIST: Thank you.

39

40 CHAIRMAN NICHOLIA: Refuges.

41

42 MS. BROWN: Yes, Mr. Chair. Wennona  
43 Brown representing the Arctic and the Yukon Flats  
44 National Wildlife Refuges. And I just wanted to direct  
45 your attention that we do have some written reports in  
46 the book from both Refuges. And Donald also is passing  
47 out, since I submitted the information for the book, this  
48 is just a brief synopsis of our Yukon Flats moose counts  
49 and since that time we have completed the report and  
50 that's what Donald is handing out to the Council now.

00067

1                   Basically I just wanted to see if you had  
2 any questions of the material, and if not that would be  
3 my report. Paul Williams is with me, and if he has any  
4 comments that he wants to give.

5  
6                   CHAIRMAN NICHOLIA: I just had one  
7 question that Jay kind of answered me -- I had this  
8 report, you guys sent it to me but I went through it and  
9 it's a pretty good report and I was just wondering how  
10 accurate your numbers are? I mean I know it's a low  
11 count, and there's always variables in there.

12  
13                   MS. BROWN: I think it's probably as  
14 accurate as, you know, we can make it from our visual  
15 counts. I think Paul actually reported or participated  
16 in the survey. Do you have any comments Paul on this?

17  
18                   MR. WILLIAMS: Yeah, Paul Williams from  
19 Beaver and I work for the US Fish and Wildlife Service,  
20 Yukon Flats Refuge.

21  
22                   The only comment I have is we have a low  
23 number of moose and I think it's .23 per square mile.  
24 That's kind of like getting one moose every 10 square  
25 miles. So it's getting really low in numbers. The  
26 village of Beaver has instigated more black bear  
27 community harvest because one guy got a number of black  
28 bear and brown bear the last two years and I think we're  
29 getting on our way.

30  
31                   There's always a little conflict between  
32 our way of life and the regulations and everybody knows  
33 -- not everybody, but people don't see to know is that  
34 people like myself, you know, we don't harvest bears or  
35 we don't -- we don't even talk about them, you know,  
36 people like me, so that's the way it is. And I just  
37 wanted to tell everybody that, not everybody go out there  
38 and get their bears like everybody expects them to.

39  
40                   We heard time and time again where people  
41 would shoot bear for nothing and that's not the way  
42 people live up there. They don't want to shoot it and  
43 just leave it lay. So that's part of the problem up  
44 there.

45  
46                   We did put in for a grant this fall to  
47 the US Fish and Wildlife Service to -- and to try to  
48 bring up the number of moose to the US Fish and Wildlife  
49 Service in partnership with the Department and the  
50 Service and CATG. The grant was written in a way to have

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1 hunter education and try to get people more involved with  
2 harvesting of black bear and harvesting of predators like  
3 our wolf and to cut back on getting cow moose and calf  
4 and to get more moose in the fall time under the legal  
5 system.

6

7 (Equipment Malfunction)

8

9 MR. REID: .....being lost -- primarily  
10 between two to four weeks post-calving. And the goal of  
11 this was to improve the calf survivorship during that  
12 period. And in April, as I mentioned, 20 cows were  
13 captured, 17 of these were pregnant and calved, these  
14 were released in mid-June, two to four weeks after the  
15 calves were born so they were quite ambulatory and  
16 presumably effective at alluding predators.

17

18 For my part Wrangell-St. Elias and last  
19 week Fish and Game monitored the radio'd animals, all the  
20 cows that were radio'd on a daily basis for the first  
21 week and then following that a week to 10 days, every  
22 week to 10 days following that in order to look at calf  
23 survivorship. And we had a flight about week ago, which  
24 is the last flight that I had information from and the  
25 calf survivorship has exceeded 50 percent for this  
26 selected group of animals, the calves associated with the  
27 captive cows. And in comparison, some of the radio's we  
28 have, I think 42 or 44, radios on the air, so we have 17  
29 radios associated with the captive group and then the  
30 rest of them are non-captive. And the survivorship --  
31 estimated survivorship for the non-captive animals is  
32 approximately eight percent -- somewhere around eight  
33 percent, so we have a pretty significant increase in calf  
34 survivorship.

35

36 One thing we don't know is the effect of  
37 the food that we gave the cows and calves during the  
38 penning period. Calf survivorship could be due to their  
39 increased age and ability to elude predators and it also  
40 can be possibly attributed to their increased fitness  
41 based on, you know, higher body weights, we don't have  
42 any information on that, we didn't handle the calves.

43

44 But improved body weight with the  
45 supplemental feeding both of the calves as well as the  
46 cows. But regardless the calf survivorship was much  
47 greater than we've seen in awhile.

48

49 Future directions, this year the Yukon is  
50 planning on doubling the effort to 40 cows, they've

00069

1 already set up another pen adjacent to the existing pen.  
2 And I've been working closely with USGS, the Alaska  
3 Science Center, Elaine Adams, that Hollis mentioned  
4 earlier who's done a considerable amount of predator/prey  
5 relations and caribou research. Both he and I have  
6 separate proposals to gather funds to continue monitoring  
7 the herd. And ADF&G is in all of this as cooperators,  
8 Jeff performed the comp counts this fall. Oh, that's one  
9 thing that I neglected to mention.

10

11           Jeff and Craig Gardner and a couple of  
12 others associated with ADF&G did a composition count at  
13 the end of September and it basically asked more  
14 questions than it answered. The previous comp counts  
15 estimated a population size of about 320 animals, well,  
16 during this comp count they counted over 440 animals and  
17 we are trying -- everybody involved is trying to figure  
18 out what's going on with this herd. The surveys were  
19 consistent with prior surveys. There's no reason to  
20 expect that anything was done differently. But there is  
21 some evidence that there is a segment of either this herd  
22 or another herd that has not been found before or has not  
23 been seen during the composition counts.

24

25           With this years composition count, both  
26 the calf count and the bull count were much greater than  
27 we had documented before, suggestion there is a component  
28 of another population that was in these counts.

29

30           So right now the status of the herd,  
31 we're trying to figure that out. But you know, we will  
32 be continuing monitoring these herds and trying to get  
33 more information on it.

34

35           And that's all I have. I could certainly  
36 answer questions.

37

38           MR. UMPHENOUR: If my memory is correct,  
39 these are supposed to be Woodland caribou?

40

41           MR. REID: Yes.

42

43           MR. UMPHENOUR: And there's only Woodland  
44 caribou in Alaska?

45

46           MR. REID: Yeah. This is the only herd  
47 that we know of that's considered Woodland herd, all the  
48 rest of them are Barren Ground, the ones that migrate  
49 longer distances, et cetera.

50

00070

1 MR. UMPHENOUR: Thank you. Well, let me  
2 ask one other question then.

3  
4 CHAIRMAN NICHOLIA: Go ahead, Virg.

5  
6 MR. UMPHENOUR: These other caribou that  
7 potentially joined them, were they Woodland caribou, too,  
8 or can you tell the difference?

9  
10 MR. REID: We can't tell the difference.  
11 Right now we don't know who these caribou are. There are  
12 neighboring Woodland herds, the Kluani herd, the Ishuk  
13 herd, there's another, I think, one or two herds in that  
14 area and basically throughout the Yukon there are these  
15 small Woodland herds that are somewhat geographically  
16 isolated. And the Chishana herd is the western most  
17 extension of the Woodland caribou geno-type, and there  
18 are adjacent herds, whether these additional animals are  
19 associated with one of these herds or there's some  
20 peripheral -- I don't want to call them subherds but just  
21 animals that we weren't aware of, we just don't know. We  
22 don't have any evidence to say whether it's one or the  
23 other.

24  
25 The closest herd adjacent to that herd,  
26 the Chishana herd, is the Kluani herd and about the same  
27 time that these animals were being counted, Rick Varnell,  
28 Yukon territory was counting the Kluani herd and he found  
29 pretty much as many as he expected in the areas that he  
30 expected. So basically, you know, it looks like  
31 everything is going great expect for more animals showed  
32 up, we just don't know right now.

33  
34 MR. UMPHENOUR: Thank you, Mr. Chair.

35  
36 CHAIRMAN NICHOLIA: Andy.

37  
38 MR. BASSICH: Yeah, thank you. Just a  
39 quick question. I'm just not real up on some of the  
40 caribou biology, did they ever do any DNA testing on any  
41 of these animals to help determine.....

42  
43 MR. REID: Yeah, there actually has been.  
44 There was a publication that came out oh three years ago,  
45 specifically on three herds of caribou, the Chishana  
46 herd, the Kluani herd, and -- well, there was three  
47 herds, maybe the Kluani herd was not one of them, but  
48 they did find genetic differences between these -- or  
49 among these three herds.

50

00071

1 I don't understand genetics well enough  
2 to adequately interpret the paper. They consider the  
3 herd genetically distinct. Genetic distinctness is a  
4 relative term. They have some information -- I mean  
5 there's -- Yukon has done a fair bit of genetic testing  
6 among Woodland caribou herds and also ADF&G has some  
7 information on Alaska herds. And the herd is distinct,  
8 both from the other Woodland herds but also distinct from  
9 the Barren Ground herds. The herds adjacent to the  
10 Chishana herd among the Barren Ground herd are the  
11 Mentasta herd immediately west of them and then the  
12 Nelchina herd comes down. And actually there was some  
13 intermingling some years back but it was not during the  
14 winter breeding.

15  
16 CHAIRMAN NICHOLIA: Is that it.

17  
18 MR. REID: Yes.

19  
20 CHAIRMAN NICHOLIA: Thank you.

21  
22 MR. REID: Thank you.

23  
24 CHAIRMAN NICHOLIA: Okay, did all that.  
25 Don't see Joe here, no more fisheries.

26  
27 Is there any other agencies or groups?

28  
29 (No comment)

30  
31 CHAIRMAN NICHOLIA: Okay, hearing no  
32 other agency or groups that want to report. Written  
33 reports. Donald.

34  
35 MR. MIKE: Mr. Chair. That was written  
36 reports just for informational purposes only. It's in  
37 the back in Tab E, but there's no written reports  
38 submitted for this booklet.

39  
40 Thank you, Mr. Chair.

41  
42 CHAIRMAN NICHOLIA: Okay. Jerry.

43  
44 MR. BERG: Yeah, Mr. Chair. Mr. Bassich  
45 was asking some questions about Yukon-Charley before and  
46 we have some Park Service folks here now that might be  
47 able to answer some of those questions if any of the  
48 Council members still have some questions.

49  
50 CHAIRMAN NICHOLIA: Yeah, fire away at

00072

1 them Andy.

2

3

4 MR. BASSICH: Thank you, Mr. Chairman. I  
5 guess my only concern is I was listening to the report  
6 from the Denali in regards to ATV use within their Park.  
7 (Microphone not on) And living in the Eagle area for 20  
8 years, I've had a lot of concerns about some of the  
9 double-standards that are taking place within that  
10 Preserve on regards to ATV use, it's closed to all  
11 hunters and all local residents of the unit for ATV use  
12 yet.

12

13

14 National Park Service uses ATVs and other  
15 vehicles down at Woodchopper Creek to move between the  
16 river and the camp four miles away as well as spending a  
17 lot of money on trying to maintain a road unsuccessfully  
18 for the last four or five years.

18

19

20 I'm just wondering why we have these  
21 double-standards within the National Park Service. If  
22 you're going to close it off to ATVs or all motorized  
23 use, it should be closed off in my mind, not only to the  
24 users but also to the agency. And I was just wondering  
25 if you could address why they feel that they have the  
26 right to use ATVs within their own Preserve while  
27 restricting the use by others.

27

28

29 MR. RABINOWITCH: Let me introduce  
30 myself, I'm Sandy Rabinowitch with the National Park  
31 Service. I don't work for that Park, I work in the  
32 Anchorage office of the Park Service and you ask a very  
33 hard question. When I say hard I simply don't know the  
34 answer to that.

34

35

36 What I can tell you is that there are, I  
37 believe, there are two mechanisms where the Park Service  
38 can allow the use of ATVs for the public, if you will,  
39 and I use the word public as opposed to employees because  
40 that's what your concern seems to be about. And we do  
41 have a legal opinion that articulates that information.

41

42

43 Okay, so how does the Park Service allow  
44 ATV use for the public. I obviously don't have it here  
45 with me today but we do have such a document.

45

46

47 In terms as why the Park Service is using  
48 them in that area, you know, as candidly as I can put it,  
49 I don't have a clue but we could try to find out. I  
50 could convey that question to the Park Superintendent and  
51 maybe you've already tried this, I don't know, but that

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1 would be the route I have is to go to Dave Mills, who is  
2 the superintendent for that area and, you know, ask him  
3 to either to call you and make sure he has the question  
4 and explain whatever the answer is or write you a letter  
5 if either one of those would help.

6

7 MR. BASSICH: Yes, thank you. I don't  
8 really want to take up a lot of our Regional Council's  
9 time with this but I would appreciate a letter from Dave  
10 Mills in regards to this. It's my understanding they  
11 have a new acting superintendent, I would like to hear  
12 his comments regarding this too, a local representative  
13 from Yukon-Charley.

14

15 MR. RABINOWITCH: Okay.

16

17 MR. BASSICH: It's just one of these  
18 issues that the people in our area find very difficult to  
19 swallow and if there's something that we can do about it  
20 to address it, whether we can get an explanation from  
21 them that can be passed on to the public or whether we  
22 can discontinue a use that is not appropriate, either way  
23 would make me happy.

24

25 But thank you, and thank the Council for  
26 indulging me with this but it's a contentious issue in  
27 our area and one that really should be addressed in the  
28 long-term.

29

30 Thank you.

31

32 MR. RABINOWITCH: I will do my best to  
33 get an answer to you.

34

35 CHAIRMAN NICHOLIA: Virg.

36

37 MR. UMPHENOUR: Thank you. You know, I  
38 got involved in a controversy with the Air Force because  
39 they like to buzz sheep with jet fighters. Did you hear  
40 what I said?

41

42 MR. RABINOWITCH: I'm sorry. I was  
43 asking for a piece of paper so I could write this down.

44

45 MR. UMPHENOUR: I got in a controversy  
46 with the Air Force because they like to buzz dall sheep  
47 with A-10s and F-15s and I've actually video'd them  
48 flying underneath me before. And so when I got involved  
49 in that I found out that they were doing a study in the  
50 Yukon-Charley Park because they'd evidently been doing

00074

1 that over there too, and trying to see what the mortality  
2 would be and effects. But I think they were doing it  
3 more for peregrine falcons than dall sheep and grizzly  
4 bears. But I know that when one of those jet fighters  
5 flies over the top of you, maybe 200 feet while you're up  
6 on the side of a steep mountain that it really startles  
7 you when your back's turned because you don't know it  
8 until they're right on top of you.

9

10 So I was just wondering if there was any  
11 results of that study, if you know anything about it?

12

13 MR. RABINOWITCH: Well, I'm going to bat  
14 two for two and not have answers to either question.

15

16 The only thing I'm aware of, which is  
17 very general, is that I know the Park Service has been  
18 working with the military, I think, for a number of  
19 years. I think that in general terms we probably have  
20 shared -- we share the concern that you raised. And I  
21 know, again, Dave Mills, actually -- I can get atwofer  
22 here, you know, one phone call I can do two things. I  
23 know he's been much involved with that. And actually  
24 Judy Gottlieb, who's my boss and who's also on the  
25 Federal Subsistence Board has been working with Dave on  
26 that. So that's as much as I know.

27

28 But I can try to get him to give you a  
29 ring. Would that help?

30

31 MR. UMPHENOUR: Thank you, yes.

32

33 CHAIRMAN NICHOLIA: Andy.

34

35 MR. BASSICH: Yeah, Virgil, I can pass on  
36 just a little bit of information. Recently I was reading  
37 some studies on that peregrine falcon -- or the results  
38 of the studies on that peregrine falcon report and the  
39 final determination is that it had absolutely no effect  
40 on the peregrine falcon, breeding habits, mortality  
41 whatsoever. However, they have discontinued those low  
42 level flights over Yukon-Charley, more as a volunteer  
43 thing. I think they just moved their training ground or  
44 their testing areas for that aircraft to another area  
45 that's not on the Yukon corridor itself.

46

47 But the report that I remember reading  
48 stated that there was no adverse effect on peregrine  
49 falcon from that low level aircraft or noise air -- they  
50 were studying noise anything else.

00075

1 Thank you, Mr. Chair.

2

3 CHAIRMAN NICHOLIA: Go ahead, Donald.

4

5 MR. MIKE: Mr. Chairman. There's one  
6 more item that was left out is I have one more OSM  
7 briefing on Staff changes within OSM.

8

9 Mr. Chair, thank you.

10

11 CHAIRMAN NICHOLIA: Well, tell them to go  
12 back to OSM. What now, Don?

13

14 MR. RIVARD: My name is Don Rivard with  
15 OSM. If you'll let me indulge here a little bit. I  
16 arrived on the scene in May of 2000. And shortly  
17 afterwards I attended a training on FACA, of all things,  
18 in Anchorage within a month or so, and that day when I  
19 drove up in the parking lot and I had to go pay my  
20 parking meter, as I was putting my money in the slot  
21 there was a young gentleman that came up about the same  
22 time and put his money in the slot and it was Donald  
23 Mike. That's how I met Donald Mike. And little did I  
24 know that about three weeks later or so I interviewed  
25 Donald Mike for a job with OSM and I had the pleasure of  
26 recommending that he be hired and he was hired. And he  
27 was assigned to your Council.

28

29 Well, there's been some things that have  
30 changed. We've had some movement in our office and  
31 Donald Mike, this is his last meeting with you as your  
32 Council coordinator, he's been reassigned to the  
33 Southcentral Council. He worked in Southcentral with the  
34 National Park Service and seems like a logical choice,  
35 but he'll also have the opportunity to continue to be  
36 knowledgeable about what's going on in the Eastern  
37 Interior, because there's a lot of crossover proposals  
38 that happen between the two regions.

39

40 Donald has done an outstanding job and  
41 he'll still be in contact with you guys once in awhile  
42 but he's been reassigned to a different Council.

43

44 To replace Donald, you're going to get an  
45 old face back, Vince Mathews, is being reassigned to be  
46 your Council coordinator. He was both the Eastern and  
47 Western Council coordinator at one time and then when  
48 Donald came on the scene he just took over Western. So  
49 you will now have Vince Mathews as your Council  
50 coordinator again after this meeting is over.

00076

1 So that's the announcement I wanted to  
2 make.

3  
4 CHAIRMAN NICHOLIA: I refuse.

5  
6 (Laughter)

7  
8 MR. TITUS: Second.

9  
10 MR. RIVARD: Well, that was, I think, in  
11 all fairness that was Donald's first reaction too.  
12 Because he does very much enjoy working with you. I can  
13 let him speak for himself, but he saw the needs of our  
14 office were such that we needed him to move over to the  
15 Southcentral Council and he graciously accepted to do so.

16  
17 So I just wanted to let you know that  
18 that's what's happening.

19  
20 Thank you.

21  
22 CHAIRMAN NICHOLIA: Go ahead, Andy.

23  
24 MR. BASSICH: I was wondering if the  
25 Council would be willing to ask Donald Mike to write a  
26 letter of thank you for his service to the Council.

27  
28 (Laughter)

29  
30 MR. BASSICH: With a strong job  
31 recommendation.

32  
33 (Laughter)

34  
35 MR. BASSICH: And a recommendation by the  
36 Board for a raise.

37  
38 (Laughter)

39  
40 MR. BASSICH: I'm sorry, in all  
41 seriousness, I wanted to thank, if this is the case,  
42 Donald, for all your help. I'm a new member and being a  
43 new member he did a tremendous job in bringing me up here  
44 and keeping me informed and letting me know what was  
45 going to happen and what to expect and so even though I  
46 haven't had much time to spend with you, I want to thank  
47 you for the preparatory work that you did for me. I made a  
48 big difference for me.

49  
50 Thank you.

00077

1                   CHAIRMAN NICHOLIA: Yeah, that brings us  
2 to Council member closing comments. Yeah, me and Donald  
3 discussed this already and Tom Boyd called me up at my  
4 office and talked to me about it and I pretty much ragged  
5 on him all the way.

6  
7                   We started a good working relationship,  
8 didn't really know him, working with him and we're pretty  
9 close friends now and I really appreciate the time.

10  
11                   I'm still kind of pissed off about it but  
12 I can't do nothing about it.

13  
14                   Other than that, I'm glad we made it  
15 through this meeting. I'm glad you guys could make it  
16 here. I was very doubtful that I'd have a quorum because  
17 we were facing some pretty tough issues with the Tri-  
18 Council, and I'm glad that Sue showed up on time. I'd  
19 like to thank everybody that was here, especially Donald,  
20 Jerry Berg, and all the other people that's here, and the  
21 other people that was here from the office.

22  
23                   I'd like to let you guys know, if God  
24 willing I'll still be on this Council, my term is up for  
25 appointment and I filled in and there was a big  
26 controversy over that and I don't know what for, but  
27 maybe at times I'm too blunt, to the point and stuff, but  
28 I'm tired of beating around the bush and I like to have  
29 things -- and like I said before, I don't like most of  
30 this time, especially in the Tri-Council meeting, to have  
31 these guys, these agency people come up and tell you like  
32 before they get to the point, blah, blah, blah and blah,  
33 blah, blah, and then you look around the Council and you  
34 see everybody like not even paying attention, I noticed  
35 that. So I'm sorry if I cut some of you guys off  
36 sometimes but you're losing the attention of the three  
37 Councils so you have to keep it short and to the point  
38 and when I see other members starting to lose interest  
39 that's when I intervene. That was the reason I  
40 intervened all the time, to try to keep the Council -- if  
41 the Council ain't listening to you then you're just  
42 wasting time and that's one point I wanted to bring out.

43  
44                   And another point that I wanted to bring  
45 up about this, is, you know, we planned on meeting in  
46 Beaver two times and I just don't know what to say about  
47 that. It's upper management that changes their mind  
48 about the time and place of the next meeting. I think it  
49 should be in Beaver because I think we kind of owe them  
50 that.

00078

1                   But other than that I sure enjoy -- I  
2 know I said I have one of the diverse Councils in the  
3 region, out of the 10 regions, maybe with the exception  
4 of Southcentral, I really enjoy -- starting to enjoy this  
5 work and less stressed, and have more input from more  
6 Council members and I'd just like to thank all of you  
7 guys for everything.

8

9                   Thank you.

10

11                   MR. STEVENS: I sure would like to thank  
12 Don for all the work he's done for us and myself. I sure  
13 hate to lose him. But if he can put up with us and this  
14 Board I'm sure he can put up with anybody so he'll be  
15 okay.

16

17                   I thank OSM and I guess everybody out  
18 there who's come and I mean I don't know how you guys sit  
19 there the whole day and then give a 30 second report, you  
20 know, and call it good, that's got to be tough. But  
21 appreciate you guys for sitting through it.

22

23                   I've had a long week and it's time to go  
24 home, I suppose, for some of us. That's all I have,  
25 thanks.

26

27                   MR. UMPHENOUR: Well, Donald, always kept  
28 me informed, sending me e-mails and stuff and making sure  
29 I had all my material. You know, I've been to a lot of  
30 meetings in my life and you learn something new at every  
31 meeting. And when I found out that those wolves over  
32 there in the Park, that 12 percent of their annual diet  
33 was fish, primarily Toklat chum salmon, I'm going to tell  
34 the director of wildlife conservation, or the former one,  
35 Wayne Reglin laughed at me at the Board of Game meeting  
36 when they were addressing Toklat wolf buffer and I told  
37 them that they were eating those Toklat chums that were  
38 stocks of concerns and they laughed at me, that was great  
39 hearing that today.

40

41                   (Laughter)

42

43                   MR. UMPHENOUR: But anyway, we addressed  
44 a lot of really contentious issues at this meeting. And  
45 I think we're kind of at a crossroads right now, and this  
46 Board of Fish meeting that's coming up in January is  
47 super important and I hope that the majority of our  
48 Council can maybe attend that meeting because the future  
49 of our salmon runs is, I think, are in jeopardy myself,  
50 biologically. Because we've got major problems. It's

00079

1 been building up for a long time and we're at the point  
2 right now that we need to really do something and I think  
3 our proposals that our RAC has, or the one proposal is  
4 directed, as far as responsible fisheries management and  
5 ensuring the future of our fisheries for the people.

6

7 I think that that's in one single act, I  
8 think that's the one that will help things more than  
9 anything else.

10

11 Thank you.

12

13 CHAIRMAN NICHOLIA: Jeep.

14

15 MR. TITUS: My comments is let's go home.

16

17 (Laughter)

18

19 MS. ENTSMINGER: I have one.

20

21 CHAIRMAN NICHOLIA: Yeah.

22

23 MS. ENTSMINGER: Yeah, I want to thank  
24 Donald, too, for everything. I had the pleasure of  
25 meeting Donald when he worked for the Wrangell-St. Elias  
26 Park and we share some interests in Norton Sound and he's  
27 been a great help for the Council and I really appreciate  
28 it.

29

30 Thank you.

31

32 MR. BASSICH: As the newbie, I just want  
33 to thank everybody. It's going to take me a little while  
34 to learn more names and who you're affiliated with and  
35 what your job is but bear with me on that. I hope to be  
36 able to serve the Council here for many years to come on  
37 a lot of these issues, and I hope you're patient with me  
38 in trying to learn some of these new issues, especially  
39 game issues. I'm hoping you'll be able to bring me up to  
40 snuff on what's going on with that.

41

42 I enjoyed meeting all the Board members,  
43 some of you I've met through YRDFA, and Yukon fisheries  
44 issues, but it's nice, we need another dedicated group of  
45 people and I was very impressed with the knowledge that  
46 everybody has and their ability to listen to others.

47

48 I was very impressed at the Tri-Council  
49 meetings with, as Virgil said, this Council seems to be  
50 on top of what really needs to be done regarding

00080

1 fisheries and I hope we can continue to be a strong  
2 voice. I'm very proud to be a part of something that is  
3 a strong voice that's doing the right thing for the  
4 resource.

5

6 Thank you.

7

8 With that, make a motion to adjourn.

9

10 MR. STEVENS: No, we got to pick a place  
11 to go.

12

13 CHAIRMAN NICHOLIA: I already picked it.

14

15 (Laughter)

16

17 MR. STEVENS: So moved.

18

19 CHAIRMAN NICHOLIA: We need an alternate  
20 place.

21

22 MS. ENTSMINGER: The one that we have on  
23 the books (microphone not on)

24

25 MR. MIKE: Mr. Chair, if I may, if you  
26 turn to Tab F, I believe, we have a winter meeting  
27 schedule and a fall meeting window. At our last meeting  
28 in Nenana the Eastern Interior selected the week of  
29 February 23 and they hadn't set a particular day so it  
30 was during that week of February 22nd, and the Eastern  
31 Interior selected Northway but you can change it.

32

33 One thing to consider is to avoid  
34 scheduling conflicts with -- if you turn to Page 126,  
35 avoid scheduling conflicts with Region 2, 3, 5, 6 and 7.

36

37 MR. UMPHENOUR: I have another potential  
38 conflict, does anyone know when the Area M Board of Fish  
39 meeting is for sure, it's in February?

40

41 MS. ENTSMINGER: Is it in that  
42 (microphone not on)

43

44 CHAIRMAN NICHOLIA: No. You going to  
45 attend that Virg?

46

47 MR. UMPHENOUR: I want to attend that.  
48 It'll have a super adverse effect on us.

49

50 CHAIRMAN NICHOLIA: I'd sure like to have

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1 it in Beaver because we've been trying to have it in  
2 there the last two years and the first meeting after  
3 Fairbanks -- before we had the Fairbanks meeting, we were  
4 talked into having it at Fairbanks and then we got talked  
5 into the Tri-Council meeting, so I really believe we owe  
6 them one. Because that's twice that we picked to go  
7 there and twice it's been changed by the upper  
8 management.

9

10 UNIDENTIFIED VOICE: 15th through the  
11 26th in Anchorage.

12

13 CHAIRMAN NICHOLIA: Of March?

14

15 UNIDENTIFIED VOICE: February.

16

17 CHAIRMAN NICHOLIA: February.

18

19 (Various discussions with no microphones  
20 on regarding meeting choices)

21

22 CHAIRMAN NICHOLIA: So these two dates  
23 right here is still good for you Virg?

24

25 MR. UMPHENOUR: I would like to go that  
26 Board of Fish (microphone not on) because there's about  
27 10 proposals there that would affect our RAC.

28

29 CHAIRMAN NICHOLIA: Okay.

30

31 (Various discussions with no microphones  
32 on regarding meeting choices)

33

34 CHAIRMAN NICHOLIA: If we still keep the  
35 dates at 23rd and 24th, would it conflict with.....

36

37 UNIDENTIFIED VOICE: The Area M meeting  
38 goes through the 26th.

39

40 CHAIRMAN NICHOLIA: The 26th. If we pick  
41 March 1st and 2nd, would it conflict with any other RACs,  
42 because these RACs ain't numbered on here.

43

44 MR. TITUS: These are already picked or  
45 are they just (microphone not on)

46

47 MR. BERG: (Microphone not on - discussing  
48 time and dates of other Council meetings)

49

50 (Various discussions with no microphones

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1 on regarding meeting choices)

2

3 MR. UMPHENOUR: I probably wouldn't have  
4 to be there the last couple of days, but there's no way  
5 to know at those meetings, things can happen real fast  
6 and in a hurry.

7

8 CHAIRMAN NICHOLIA: Okay. So those  
9 meetings are the 15th through the 26th and if it's going  
10 to affect this RAC I'd suggest that you go, and I know I  
11 don't like to have meetings on the weekends, it just cuts  
12 into too much of my time, how about March 1st and March  
13 2nd, that will be conflicting with the Kuskokwim?

14

15 MR. BERG: I think that would probably --  
16 you know, we would have Staff traveling basically from  
17 Beaver down to the village on the Kuskokwim, you know,  
18 we'd just have to schedule -- make our agendas so that  
19 the fisheries and wildlife people could address your  
20 Council, you know, early on in the meeting and then later  
21 on for YK, but I think we could probably make it work.  
22 It would be a little bit difficult.

23

24 CHAIRMAN NICHOLIA: You guys feel like  
25 spending Friday the 27th and Saturday the 28th of  
26 February in Beaver, the weekend, you know, I don't like  
27 to meet on the weekend, but just to make exceptions.

28

29 MR. STEVENS: Yeah, that's fine by me.

30

31 MR. UMPHENOUR: Weekends don't make a --  
32 I go seven days a week, doesn't make any difference when  
33 I go.

34

35 CHAIRMAN NICHOLIA: Okay, Virg. Okay,  
36 Beaver and the alternate place will be Northway.

37

38 MR. UMPHENOUR: So the dates would be 27  
39 and 28?

40

41 CHAIRMAN NICHOLIA: Yeah. And I'll be  
42 teeth and nails on this one there, Paul, I won't give in  
43 anymore.

44

45 MR. MIKE: Mr. Chair. Now, is a good  
46 time to schedule your fall 2004 meeting also.

47

48 CHAIRMAN NICHOLIA: October 5th and  
49 October 6th, that's just some preliminary dates.

50

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1 MR. STEVENS: That's right in hunting  
2 season. How about up here somewhere.

3  
4 CHAIRMAN NICHOLIA: That's hunting  
5 season.

6  
7 MR. STEVENS: Oh, ours starts on the 25th  
8 -- oh, no, ours starts September 1st, so okay that's  
9 good.

10  
11 CHAIRMAN NICHOLIA: These are preliminary  
12 dates.

13  
14 MR. MIKE: October 5 and October 6. Do  
15 you have a preliminary location?

16  
17 CHAIRMAN NICHOLIA: The moon.

18  
19 (Laughter)

20  
21 CHAIRMAN NICHOLIA: No, where would you  
22 guys like to meet after Beaver or Northway, I'd like to  
23 like spread it around the region.

24  
25 MR. STEVENS: Well, if we're going to go  
26 to Beaver and then use Northway as our alternate for our  
27 winter meeting, why don't we pick Northway for the fall.

28  
29 CHAIRMAN NICHOLIA: Okay. And most of  
30 the topics for this coming spring will be mostly follow  
31 up with what we requested, and proposals -- proposal  
32 follow up and our usual topics, spring fishery topics, so  
33 it will be just about the same. So I'll have to rag on  
34 Vince about our topics, I guess. I work together with  
35 Donald but I rag on Vince.

36  
37 (Laughter)

38  
39 MR. MIKE: Mr. Chair, there's just a  
40 couple of items, we have mail out boxes for our Council  
41 members to mail out the meeting materials to your  
42 villages. And as far as departure schedules from this  
43 hotel, we have Jay Stevens and Philip Titus will be  
44 driving to Anchorage tonight and Andrew Bassich, Gerald  
45 and Virgil, we got you scheduled to leave first thing  
46 tomorrow morning.

47  
48 MR. BASSICH: What time?

49  
50 MR. MIKE: 7:15.

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1 CHAIRMAN NICHOLIA: 7:15.

2

3 MR. TITUS: Whoa.

4

5 CHAIRMAN NICHOLIA: Lucky dogs. Okay,  
6 move to adjourn.

7

8 MR. STEVENS: So moved.

9

10 MR. BASSICH: Second.

11

12 CHAIRMAN NICHOLIA: Thank you guys.

13

14 (END OF PROCEEDINGS)

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1 C E R T I F I C A T E

2

3 UNITED STATES OF AMERICA )

4 )ss.

5 STATE OF ALASKA )

6

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

10

11 THAT the foregoing pages numbered 02 through 84  
12 contain a full, true and correct Transcript of the  
13 EASTERN INTERIOR FEDERAL SUBSISTENCE REGIONAL ADVISORY  
14 COUNCIL MEETING, VOLUME I taken electronically by  
15 Computer Matrix Court Reporters on the 16th day of  
16 October 2003, beginning at the hour of 8:30 o'clock a.m.  
17 at Wasilla, Alaska;

18

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

23

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

26

27 DATED at Anchorage, Alaska, this 5th day of  
28 November 2003.

29

30

31

32

33

34

35

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