

1 EASTERN INTERIOR FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

5  
6 VOLUME I

7  
8 Tok, Alaska  
9 March 17, 2008  
10 9:00 o'clock a.m.

11  
12  
13 COUNCIL MEMBERS PRESENT:

14  
15 Sue Entsminger, Chairman  
16 Richard Carroll  
17 Mathew Frenzl  
18 Mathew Gilbert  
19 William Glanz  
20 Virgil Umphenour

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27 Regional Council Coordinator, Vince Mathews

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P R O C E E D I N G S

(Tok, Alaska - 3/17/2008)

(On record)

MADAME CHAIR ENTSMINGER: I'm going to call the meeting to order right at 9:00 a.m. I want to welcome everyone here. I don't see near as many Federal people in the audience as I usually do. I would like to first of all have us all stand. I want to introduce Terry Brigner. He's a local minister here. He's also the chairman of the Fish and Game Advisory Committee, the Upper Tanana/Fortymile in the area. All rise for the invocation.

(Prayer)

MADAME CHAIR ENTSMINGER: Okay. Roll call.

MR. MATHEWS: Yes, Madame Chair.  
Mathew Frenzl.

MR. FRENZL: Here.

MR. MATHEWS: Richard Carroll.

MR. CARROLL: Yes.

MR. MATHEWS: Andy Bassich can't make it. He let us know he's leading a tour at this time, so he would not be available. So he's absent. Amy Wright is in Italy as we speak mushing in the Alps as far as I know, so she obviously can't make it. Bill Glanz.

MR. GLANZ: Here.

MR. MATHEWS: Lester Erhart didn't make it, so we have no report as to why he didn't make it, so he's absent. Matt Gilbert.

MR. GILBERT: Here.

MR. MATHEWS: Andrew Firmin. Possibly Richard has an update on Andrew, but I think he had a family concern that he could not make the meeting, so maybe Richard would want to elaborate on that later. So he's absent. Virgil Umphenour.

1 MR. UMPHENOUR: Here.  
2  
3 MR. MATHEWS: Sue Entsminger.  
4  
5 MADAME CHAIR ENTSMINGER: Here.  
6  
7 MR. MATHEWS: So, Madame Chair, you  
8 have six of 10, so you have a quorum.  
9  
10 MADAME CHAIR ENTSMINGER: Thank you,  
11 Vince. I want to welcome our new member from Arctic  
12 Village. If you have any questions about process and  
13 what we're going through, don't hesitate to ask.  
14  
15 MR. GILBERT: I just have one question.  
16  
17  
18 MADAME CHAIR ENTSMINGER: You have to  
19 press the button because we're being recorded.  
20  
21 MR. GILBERT: The only question I have  
22 is I don't know a lot about these proposals. I'm  
23 trying to read through them right now. I've been  
24 reading through them. I'll do my best to make a  
25 decision on them.  
26  
27 MADAME CHAIR ENTSMINGER: That's fine.  
28 I really appreciate you saying that. When we go  
29 through these proposals, Staff is here, they help us  
30 with all the information that's available, so you'll  
31 have plenty of time to get up to speed on them. If you  
32 have any uncomfortable feelings, just let us know and  
33 we'll see if we can help you out on it.  
34  
35 MR. GILBERT: Yeah, I would like a lot  
36 of information because I don't feel comfortable making  
37 decisions on something I don't know much about.  
38  
39 MADAME CHAIR ENTSMINGER: That's okay.  
40 They have the analysis and we go through the process.  
41 I think you'll feel better after you go through each  
42 one.  
43  
44 MR. GILBERT: Okay. Thanks.  
45  
46 MADAME CHAIR ENTSMINGER: Okay. Now we  
47 have introduction of the agency staff and honored  
48 guests. Start with Vince.  
49  
50 MR. MATHEWS: Vince Mathews, regional

1 coordinator for the record, out of Fairbanks. I can  
2 introduce the rest if you'd like. We have Polly  
3 Wheeler, regional anthropologist and division chief for  
4 the Division of Anthropology in OSM. We have Barbara  
5 Cellarius, who is the subsistence coordinator and  
6 anthropologist, if I got that correct, for Wrangell-St.  
7 Elias National Park. Next to her is the new  
8 superintendent Greg Dudgeon for Yukon-Charley Rivers  
9 Preserve and Gates of the Arctic. You already know  
10 Terry Brigner who gave the invocation in the back.  
11 Rich Cannon is your Yukon River fisheries biologist.  
12 Many of you may know of him when he worked for Fish and  
13 Game. Behind him is Warren Eastland, who is with the  
14 Bureau of Indian Affairs. For Matt's knowledge, most  
15 of the other Council Members know, he's with the  
16 Interagency Staff Committee, which is the next step in  
17 this process as we go through these proposals. Your  
18 wildlife biologist here is Pete DeMatteo with the  
19 Office of Subsistence Management. I think that's it.  
20 There's going to be other staff coming in and out.  
21 Because of the schedule, they were looking at later  
22 today and tomorrow.

23

24 That concludes that part.

25

26 MADAME CHAIR ENTSMINGER: Thank you,  
27 Vince. For the new members, it's overwhelming at  
28 times, but any questions you have you might want to  
29 write some down if you don't feel they're important to  
30 talk to now. There's so much Staff it's hard to follow  
31 sometimes who is here giving reports. Any questions,  
32 we can talk about it too with Vince later.

33

34 Chair report. As you know, we had the  
35 December meeting in Anchorage, the Federal Subsistence  
36 Board. I went down to speak for the concerns. Virgil  
37 and I shared our time there. I didn't feel very  
38 adequate to speak to the Yukon fisheries, so Virgil  
39 came down to speak to that and I'm going to have him  
40 finish the report on that.

41

42 MR. UMPHENOUR: The Federal Subsistence  
43 Board spent I think one whole day on the fisheries  
44 issues -- well, it was a fisheries meeting, but on our  
45 issues they spent the whole day. I believe there were  
46 -- over 30 people testified.

47

48 MADAME CHAIR ENTSMINGER: 42.

49

50 MR. UMPHENOUR: 42 testified. Of the

1 42, the majority of them were Lower Yukon commercial  
2 fishermen that were paid to go to the meeting. So  
3 there was only myself, Mike Smith from Tanana Chiefs.  
4 I can't remember if someone else was there.

5  
6 MADAME CHAIR ENTSMINGER: I testified  
7 for myself.

8  
9 MR. UMPHENOUR: And then Sue testified  
10 for herself. I testified for myself in the public  
11 testimony part and then to present our RAC's  
12 perspective I was at the table to do that. Anyway, it  
13 was a very long meeting as far as our two proposals go.  
14 The Office of Subsistence Management staff gave a very  
15 good presentation. The Western Interior RAC, when they  
16 addressed our two proposals, they had a quorum but not  
17 everyone was there. I don't know if I've ever been to  
18 a RAC meeting where every RAC member was at the  
19 meeting. So with the Western Interior RAC, they didn't  
20 even vote on our two proposals.

21  
22 I know one of the individuals never  
23 said one word about it one way or the other. One  
24 individual wanted the commercial fishery closed in the  
25 Lower Yukon. One individual said that we have this  
26 problem because of mismanagement of Fish and Game, one  
27 individual said they didn't want to make anyone mad at  
28 him, one individual said that because they don't have a  
29 -- because everyone is not there that he didn't think  
30 they should make a decision and I think they had one  
31 other individual that they also didn't want to make  
32 anyone mad at him, so they didn't even vote on it. Of  
33 course, the Lower Yukon RAC voted against our  
34 proposals.

35  
36 But what happened at the end of  
37 deliberation or just before they did final  
38 deliberations they allowed the Department of Fish and  
39 Game to speak and the Director of Commercial Fisheries,  
40 John Hilsinger, he must have spoke for at least an hour  
41 and what he said, or the things that were important to  
42 me, or either him or their staff said was, number one,  
43 the fecundity study that was done, which means the  
44 number of eggs per female king salmon, and then they  
45 had an average for each salmon, they did an analysis in  
46 1989 on the Tanana River of king salmon and then they  
47 did another analysis in 2005 on the Tanana River as  
48 well as District 5, which is the area from the village  
49 of Tanana up to just below Stevens Village. They said  
50 that that study they didn't think was done properly, so

1 they want to redo the study. What that study showed  
2 basically was that the number of eggs per female salmon  
3 has decreased between 1989 and 2005 by 24 percent. So  
4 they were going to go redo that study.

5  
6 The other thing is, about the older-  
7 aged fish, the seven and eight-year-olds disappearing,  
8 they said that they didn't think the Department  
9 biologist had been aging the scales properly, so they  
10 wanted to do a study on that. It appeared that we were  
11 going to win on a 4-2 vote, but at the last minute the  
12 guy in charge of the Forest Service for the State of  
13 Alaska, which is out of Southeast, he changed his vote,  
14 so we ended up with a tied vote.

15  
16 Part of the reasons given by the  
17 chairman, because he voted against the proposal, was  
18 that -- well, first the chairman said that he didn't  
19 think the Federal Subsistence Board had the authority  
20 to manage waters that are on private lands. They had  
21 the Lower Yukon CDQ group, the commercial fishery at  
22 the Lower Yukon, which is financed by the Magnuson-  
23 Stevens Act or law that formed the CDQ groups, where  
24 they get 10 percent of all the fish, shellfish,  
25 everything in the Bering Sea. Anyway, those guys had  
26 hired this attorney, Don Mitchell, and he presented a  
27 map that showed all the ownership in the Yukon-Delta  
28 National Wildlife Refuge and it showed all the Native  
29 allotments and the various Native corporation  
30 properties and he told the Federal Subsistence Board  
31 basically that they did not have the authority to  
32 manage within these private lands. So the chairman was  
33 under that misunderstanding and then the solicitor, who  
34 is the attorney for the Federal Subsistence Board, he  
35 spoke and he said that they did have the authority to  
36 do that.

37  
38 So what would have happened in the Don  
39 Mitchell scenario is you would have State regulations  
40 on all the private lands within the National Wildlife  
41 Refuge, but where it was just National Wildlife Refuge  
42 lands you would have Federal regulations and it would  
43 be too confusing for the people. So basically what  
44 ended up happening is the guy from the Forest Service  
45 changed his mind and voted against the proposal, so it  
46 ended up with a tied vote, which means that they can't  
47 pass it. So that's basically what happened at the  
48 meeting.

49  
50 Do you think I left anything out, Sue?

1 MADAME CHAIR ENTSMINGER: No. You did  
2 a very good job. Thank you, Virgil. I guess the only  
3 little thing I remember Mike Fleagle saying, the  
4 chairman, was that he doesn't like to see the two  
5 subsistence users being pitted against each other. It  
6 was a pretty long and intensive public testimony,  
7 pretty passionate.

8  
9 I wanted to report to you guys that's a  
10 tough issue and a tough thing to know how to feel  
11 sometimes because I think one of my key things is to  
12 see us all working together and coming up with stuff  
13 that we can live together. It's tough because it comes  
14 down to the fishery. I wish you would have been there,  
15 Richard.

16  
17 I see a new face in the audience.  
18 We're trying to introduce ourselves, so if you don't  
19 mind.

20  
21 MR. POLSTON: I'm Corey Polston from  
22 Healy Lake. I'm the Healy Lake maintenance there.  
23 They sent me up in accordance to -- I heard the  
24 regulation changing. Also, they want to do another cow  
25 hunt or putting new cow tags out, so I'm here to talk  
26 about that and find out if it's going through or not.

27  
28 MADAME CHAIR ENTSMINGER: Okay. Are  
29 you going to be here all day?

30  
31 MR. POLSTON: Yeah.

32  
33 MADAME CHAIR ENTSMINGER: I'm going to  
34 ask the Council here, some of the issues will not be  
35 what's on our agenda, so when the public comes in, I  
36 would like to give them the opportunity to testify to  
37 us about their issues. Do you want to speak now or  
38 hang in for a while?

39  
40 MR. POLSTON: I'll just wait.

41  
42 MADAME CHAIR ENTSMINGER: Don't leave  
43 without noting to us that -- we want you to come up and  
44 testify.

45  
46 Thank you.

47  
48 Now, this is the fun part. We get to  
49 talk about our personal concerns as Council Members.  
50 Most of us are used to that. What is your first name

1 again?

2

3 MR. GILBERT: Matt.

4

5 MADAME CHAIR ENTSMINGER: We've got two  
6 Matts. That's what I thought. I just wanted to make  
7 sure. Do you also go by Matt.

8

9 MR. FRENZL: Yeah.

10

11 MADAME CHAIR ENTSMINGER: Okay. Bill  
12 is going to start us off.

13

14 MR. GLANZ: Bill Glanz out of Central.  
15 This has been ongoing. I've asked numerous people and  
16 had numerous answers. They all know how to speak  
17 ambiguous. Nobody can come up with an answer. About  
18 25 years ago I was mining Federal claims and the State  
19 didn't bother us. The only people that came on them  
20 was Federal inspectors. According to subsistence, all  
21 lands administered by the Federal government. So  
22 Federal mining claims are not bothered by the State.  
23 The locals, I'm sure everywhere around the state, have  
24 been harvesting caribou during subsistence season on  
25 Federal mining claims. So I have a few people at the  
26 NDO and everywhere else ask questions and somebody  
27 named Tom said, well, it's going to be on a case-by-  
28 case basis. Nonsense. Is it or is it not Federal? So  
29 I'd like to have this board pursue from the solicitor  
30 if it is Federal or not. Can they hunt on subsistence  
31 grounds? I mean we could hunt Yukon-Charley, we could  
32 hunt on the Wild and Scenic. We're surrounded by  
33 Federal grounds, Federal mining.

34

35 The other thing I have is Fish and  
36 Wildlife needs to find out what's going on with the  
37 duck stamps. Last April I had a bunch of people in  
38 Circle finally talked in to going and buying their duck  
39 stamps. So they go to the post office and they call me  
40 and they say, hey, there's no duck stamps here, they  
41 sent them back. So I went to my post office in Central  
42 and they said we had to send them back. So I went to  
43 Fairbanks. I spoke with the postmaster there and I  
44 said I need duck stamps. She said they sent them back.  
45 I said why would they send them back. She said, oh,  
46 because you don't need them to be subsistence. I said  
47 you've been reading a different book than I got. So I  
48 called Anchorage and they sent me three duck stamps for  
49 those people. I said why do you pull them back in  
50 April. They're good until August 1st. Well, they've

1 been out since last August. I said, yeah, that would  
2 be like having my nephew come up from Chicago to go  
3 hunting with me in September and I go to get a license  
4 and I say where's the hunting license. Oh, we sent  
5 them back because you should have got them in January.  
6 So the Fish and Wildlife have got to figure out what  
7 they're going to do about these doggone duck stamps and  
8 leave them in the villages so people can purchase them.  
9 I know they get them in August, but generally there's  
10 no ducks in August in our area. The only thing around  
11 our interior area is in the spring.

12

13 That's about the two major things I've  
14 had on my mind. Of course, I've been talking about the  
15 same two things forever. Anyhow, I rest my case.  
16 Thank everybody for coming.

17

18 MADAME CHAIR ENTSMINGER: We can take  
19 up your concerns later. It's on the agenda.

20

21 MR. GLANZ: Okay. I just wanted to  
22 make it on the agenda to find out from the solicitor or  
23 somebody to give me a ruling. Like I said, that law  
24 enforcement guy downstate said that's on a  
25 case-by-case basis and that's impossible. It don't  
26 work that way. I even asked the brown shirts up here  
27 in Fairbanks. I've asked Tom Seeton. Nobody wants to  
28 give me a ruling because they're all afraid something  
29 is going to come down bad. I understand that. Wennona  
30 Brown, she's the last one who tried to get me an answer  
31 and she said the same thing. Bill, it's ambiguous. So  
32 I said that's okay, Wennona, thank you for trying.  
33 Anyway, thank you.

34

35 MADAME CHAIR ENTSMINGER: Virgil.

36

37 MR. UMPHENOUR: Thank you. Of course,  
38 one of my biggest concerns is the genetic integrity of  
39 the king salmon and we'll talk about that more later  
40 on. My other issue that I'm concerned about is  
41 management of the predators and not being able to  
42 manage predators on the National Wildlife Refuges and  
43 the National Park Preserve. BLM's policy is that they  
44 go along with whatever the State passes. The Park  
45 Service and the Refuge Service does not.  
46 And so I think that some how we have to get over that  
47 hurdle and have management of predators in the Park  
48 Service, Preserves and National Wildlife Refuges.  
49 Those are my main concerns.

50

1 I just want to say one thing about  
2 Bill's mining claim thing. I don't know about the  
3 Federal government, but I know that under the State  
4 regulations that if someone has a State mining claim  
5 that they cannot stop people from legally hunting on  
6 the State mining claim. I don't know about the  
7 Federal.

8

9 MR. GLANZ: If I may, Madame Chair.

10

11 MADAME CHAIR ENTSMINGER: Yes.

12

13 MR. GLANZ: State and Federal are hand  
14 in hand on that, Virgil. The State mining claim you  
15 have subsurface and surface. Federal, you either have  
16 surface or subsurface. They're not the same. The deal  
17 is you only have the mineral rights. You can't stop  
18 somebody from driving across or going to cut a tree  
19 down. Just don't be by the sluice box probably.  
20 Anyway.

21

22 MADAME CHAIR ENTSMINGER: We're going  
23 to have that on the agenda then. I need to remind  
24 folks here. I don't know if it would be better to have  
25 the sign-in sheet in the back over there, but when you  
26 come in, please sign in that you're here. When we're  
27 finished here, we're going to introduce the new people  
28 that have come in. Go ahead, Richard.

29

30 MR. CARROLL: Richard Carroll from Fort  
31 Yukon. Glad to be here and I'll welcome everybody  
32 here. One of our biggest concerns in the Yukon Flats  
33 area is the proposal of a land exchange between Fish  
34 and Wildlife Service and Doyon, Limited, our regional  
35 corporation, that poses a threat to subsistence  
36 harvesting. We see it as a direct threat, everything  
37 that's been going on on the Dalton Highway Corridor.  
38 Well, they're catching the bad guys up there and  
39 they're doing things about it and that's something that  
40 I've complained about and it's good to see something  
41 done there.

42

43 We see the same problems going to be  
44 introduced into the Yukon Flats area with the proposed  
45 land exchange. I personally and a lot of people in the  
46 Yukon Flats have testified in opposition to this at a  
47 Federal hearing over there. Just to envision the Fish  
48 and Wildlife Service as an oilhead owners and  
49 royalties. They've targeted 134 Native allotments that  
50 they want to buy in the Yukon Flats area that they've

1 targeted out of about 300-some, which is just  
2 unbelievable. That's the goal and we oppose it. I  
3 oppose it personally and our tribe back home in Fort  
4 Yukon, which is the biggest tribe in the Yukon Flats  
5 area up there. We've got over 1,200 members in our  
6 tribe. That's a big threat to subsistence harvest in  
7 the entire Yukon Flats area, so I'm definitely  
8 concerned about it and I oppose it.

9  
10 On the bright side, it's good to see  
11 more law enforcement in the Yukon Flats area concerning  
12 moose harvest. Our moose harvest is still down and  
13 they've been pushing -- we had some wolf/predator  
14 trapping clinics. I went to a spring waterfowl meeting  
15 a couple weeks ago in Fort Yukon. Harvest plenty of  
16 bears. The wolf population is still around, but we've  
17 got so many caribou on the upper Porcupine and we think  
18 most of the wolves are staying and harvesting up in  
19 Canada. I haven't talked to our Canadian relatives up  
20 there about it, but we haven't seen the impact in the  
21 Yukon Flats from wolves this year as we've seen in the  
22 past. We think it's due to the caribou that are  
23 wintering right over the border. It looks to me like  
24 I've seen the same wolf tracks up on my trapline and I  
25 see them pretty close to town, about a 150-mile  
26 stretch. It looks like the same wolves to me. They've  
27 pretty much got the same gait, same walk, everything.  
28 Those guys can travel 150 miles. It's nothing for  
29 them. So we see less impact from wolf predation, but  
30 that could change. We're still concerned about that.

31  
32 We still want to work and bring up our  
33 moose population on the Yukon Flats. There's been law  
34 enforcement coming in and been accused of harassment,  
35 but anybody being accused of illegal harvest will say  
36 anything to justify their actions, so I pay no  
37 attention to them. I'm all in favor of increased law  
38 enforcement for illegal, especially moose, kills in the  
39 Yukon Flats area and I commend the -- the Feds have  
40 been in there, Fish and Wildlife reinforcement, and I  
41 commend that. Keep it up. We catch a little flack for  
42 it there. I do personally because of my stance on it,  
43 but overall I think it will protect our moose  
44 population in the future.

45  
46 Our salmon fisheries. Everybody is  
47 concerned about the size of salmon, of course, in the  
48 Yukon Flats. We're still concerned and we want to see  
49 something done about it, so we look forward to what's  
50 going to happen up in Canada next week with the

1 international meeting in Whitehorse and I hope some  
2 good comes out of it and I hope the Feds over here,  
3 State Fish and Wildlife people get on the ball and do  
4 something to protect our big fish because they're  
5 getting pretty thin. That's all.

6

7

Thank you.

8

9

MADAME CHAIR ENTSMINGER: Thank you,  
10 Richard. Matt from Arctic Village.

11

12

MR. GILBERT: Hi, my name is Mathew  
13 Gilbert. I'm from Arctic Village. I just got  
14 appointed to the RAC. I have a couple of things.

15

16

Our number one concern continues to be  
17 the Red Sheep and Cane Creek drainage. They just  
18 opened it to non-rural users last year and we're still  
19 very concerned about that. My tribe still stands by  
20 their position to close it again due to unpredictable  
21 numbers of hunters. The threat of other hunters  
22 monopolizing the sheep due to more sophisticated  
23 equipment than we have. So it continues to be a  
24 problem that we're dealing with up there. They closed  
25 it in 1991 due to unknown sheep numbers. The U.S. Fish  
26 and Wildlife didn't want to take a chance opening it up  
27 to all non-rural hunters. I guess the numbers were  
28 really good, so they reopened it. However, my tribe is  
29 staunchly against that and wants it closed again. We  
30 passed a resolution at Tanana Chiefs where we stood by  
31 the position of having it remain closed. So that's one  
32 issue.

33

34

Another issue I raised at the Council  
35 of Athabaskan Tribal Government where we weren't really  
36 satisfied with our representative on the Alaska  
37 Migratory Bird -- I forget the entire name, but you  
38 guys know what I'm talking about, the bird treaty  
39 council, and we're working to get our own  
40 representative for the CATG so we could have better  
41 representation. Right now it's just one guy for the  
42 entire region.

43

44

Of course, we just as concerned about  
45 the land exchange as Fort Yukon residents are. We have  
46 been advocating against it because it's a direct threat  
47 to our subsistence and way of life. We don't see any  
48 positive thing about it all the way around. We all  
49 staunchly opposed it when the hearing occurred in  
50 Arctic Village on February 27th.

1                   That's about it. That's all I have for  
2 now. I am a little curious about this issue that  
3 Richard brought with the salmon. I guess I'll learn  
4 about that through the duration of this meeting, but  
5 that's all I have.

6  
7                   Thanks.

8  
9                   MADAME CHAIR ENTSMINGER: Thank you,  
10 Matthew.

11  
12                   MR. FRENZL: I'm Matt Frenzl from  
13 Delta. We've had the meeting advertised for the last  
14 three issues of the paper. No one has contacted me.  
15 One individual wanted me to reiterate that we still  
16 want to remain rural. That was also brought up last  
17 time I was here.

18  
19                   I wanted to bring up something from the  
20 past. Several years ago there was a subsistence  
21 waterfowl hunt on our Delta Clearwater Lake which was  
22 pretty unpopular. It wasn't really being utilized and  
23 there was no one hunting it until recently. It's more  
24 of a recreation area. Fortunately, the people there  
25 got together and indicated their unhappiness with that  
26 situation and it has resolved. That was a good thing.  
27 We're happy about that.

28  
29                   Other than the rural standing, no major  
30 issues were brought to my attention in my area. But  
31 they did want me to mention the fact that they're  
32 satisfied and happy with the closure of that spring  
33 waterfowl hunt.

34  
35                   Thanks.

36  
37                   MADAME CHAIR ENTSMINGER: Thank you,  
38 Mathew. It might not be appropriate, but how did they  
39 do that, to ask the question right now. Vince, can I  
40 ask that.

41  
42                   MR. MATHEWS: Yes, you can. This  
43 Council doesn't have jurisdiction over migratory birds,  
44 but there may be Fish and Wildlife staff that have been  
45 monitoring that. I've worked more closely with the  
46 Yukon Flats staff and they're flying in this morning.  
47 I don't know if Tetlin has staff that's tracking the  
48 migratory bird. That's separate from this. It doesn't  
49 have an ANILCA requirement, but maybe there's someone  
50 that could get that cleared up.

1 MADAME CHAIR ENTSMINGER: Maybe we  
2 ought to have that on the agenda. We need to address  
3 these issues. Does the Council want to hear about it  
4 right now? We can do that, I guess. Tony Booth is  
5 here from the Tetlin Refuge. Tony, you'd have to come  
6 up to this mike here.

7  
8 Mathew, just to help us out here, your  
9 local community got together and said this is important  
10 not to be able to spring bird hunt and it was closed.

11  
12 MR. FRENZL: Yes. Much to our  
13 happiness, it was relatively short in procedure and  
14 didn't take long. I'm not sure what the procedures  
15 were, but it was assured that that hunt would be  
16 terminated for the short term anyhow. So it's been in  
17 effect for quite a few years, but only recently was it  
18 -- I guess also the canoers and people from Fairbanks  
19 that traveled that river in the springtime were very  
20 surprised when they entered Clearwater Lake and they  
21 were bombarded by shotgun blasts and other signs of  
22 hunting.

23  
24 No one has opposed the hunting, but  
25 it's just that particular area wasn't conducive to a  
26 spring subsistence waterfowl hunt, so they changed it.

27  
28 MADAME CHAIR ENTSMINGER: Go ahead,  
29 Tony.

30  
31 MR. BOOTH: Yeah, I just had some  
32 general information on that. We know the spring  
33 waterfowl hunting up here is managed by the Alaska  
34 Migratory Bird Co-Management Council consisting of  
35 agency and local rural entities and they have their own  
36 regulatory process. What happened with the  
37 Delta/Clearwater area it was designated a rural area  
38 and it's been many, many years in the process of  
39 legalizing spring waterfowl hunting. What was  
40 happening in the Delta/Clearwater area a lot of people  
41 were observing some hunting that wasn't really  
42 subsistence nature. It was given kind of a black eye  
43 though, subsistence concept. So they implemented a  
44 regulation through the spring waterfowl regulatory  
45 process through the Alaska Migratory Bird coordinating  
46 committee and they designated the Delta area as a non-  
47 subsistence area. Basically it's similar to this and  
48 most of the state is considered rural and open to  
49 subsistence waterfowl hunting with designated areas  
50 that are considered not subsistence use areas, such as

1 Fairbanks and Anchorage. They added a large closure  
2 area that included the Delta. I think it extends over  
3 to the west over to Healy, I believe. It's a rather  
4 big area. It's just not a subsistence waterfowl  
5 hunting area. Unfortunately they're not in line with  
6 our other rural/non-rural designations. They're kind  
7 of separate. It was a regulatory closure. People down  
8 in Delta didn't like what was going on there. There  
9 was complaints from everybody and it was given a bad  
10 reputation. It was obviously not a subsistence nature.  
11 Just an opportunity to hunt some more. So, anyway, it's  
12 been closed. I could dig in for a lot more details if  
13 you need it, but I think that covers it.

14  
15 MADAME CHAIR ENTSMINGER: No, that's  
16 not necessary. I think for people in our region in  
17 this Eastern Interior or Unit 12 area and maybe 20E  
18 people would be concerned about something being closed  
19 unwarranted, but if there's a process that works that's  
20 out there is what we would be concerned about. It's a  
21 different rural status than the rural status for the  
22 Federal Subsistence Board is what I'm hearing.

23  
24 MR. BOOTH: That is correct.

25  
26 MADAME CHAIR ENTSMINGER: Okay. That's  
27 fine. Thank you. Moving on to my concerns. A lot of  
28 people have heard my concerns a lot. One of the  
29 biggest things that concerns me personally as a RAC  
30 member is how we can have more participation from the  
31 public in these processes. It's a huge undertaking now  
32 for the public to be involved in. I know it's been 18  
33 years, but for us to have to attend all the meetings  
34 both for the State and the Federal and it becomes kind  
35 of like lost sometimes for the participation in this  
36 one. Even though it affects people, it affects them  
37 only on Federal lands and then sometimes people have  
38 the most difficult time looking at this book and the  
39 State book and deciding when and where they can hunt.  
40 I know they usually figure it out, but it becomes a  
41 difficult task for the user out in the field and some  
42 people get used up going to meetings and they don't  
43 even attend. So that's a big concern of mine.

44  
45 Also in this area people are concerned  
46 about what happens in the Wrangell-St.Elias, and the  
47 Tetlin Refuge, and the Yukon-Charley and the BLM land  
48 on the Taylor for caribou hunting and they try to stay  
49 involved in that. Like for the caribou, for instance,  
50 you'll see -- it's really cool because there's a joint

1 permit for both lands, State and Federal, but when the  
2 State feels -- because subsistence users in the state  
3 are everybody in the state, that season will close and  
4 then the season that opens, you need to have a GPS to  
5 find out where the Federal land is on the Taylor  
6 because they have these one mile square blocks that are  
7 very difficult to find out where you can hunt and where  
8 you can't hunt. These are the kinds of things that  
9 concern me.

10

11 I wish there was a way for the State to  
12 come up with a system that would work. I know it can't  
13 happen, but rural seems to be working on the Federal  
14 side and doesn't seem to work sometimes on the State  
15 side.

16

17 Moving along, we're going to review and  
18 adopt the agenda. What I'm hearing from Bill is he had  
19 two items to add to the agenda, the mining claims and  
20 this duck stamp. Did I miss any other things you guys  
21 would like to have on this agenda? Vince, can you tell  
22 me where we could add this.

23

24 MR. MATHEWS: Yes. I was listening to  
25 something else. What was the topic you brought up?

26

27 MADAME CHAIR ENTSMINGER: We need to  
28 know the land status on Federal mining claims.

29

30 MR. MATHEWS: It would be best when  
31 there's BLM staff here. The question is, is it  
32 considered public lands. That's the question and my  
33 knowledge is it's not, but we need to get that from  
34 BLM. I could make a phone call.

35

36 MADAME CHAIR ENTSMINGER: We just want  
37 to talk about it, so where would we insert it in the  
38 agenda?

39

40 MR. MATHEWS: I think the best place  
41 would be under agency reports under number 12 of page 3  
42 of your book. I'm not singling out BLM. I'm just  
43 saying they're the ones that usually are closer to the  
44 mining activities.

45

46 MADAME CHAIR ENTSMINGER: So if  
47 everybody would write that in on page 3, 12(c), BLM.  
48 We're going to talk about mining claims and what we  
49 want to do about it. And where would duck stamps fall  
50 in?

1 MR. MATHEWS: Duck stamps, that one is  
2 an action item on your part unless I misunderstood the  
3 topic. It appears that the distribution is not timely  
4 and the post office is shipping them back.  
5  
6 MADAME CHAIR ENTSMINGER: Right.  
7 Where's the action items?  
8  
9 MR. MATHEWS: That would go underneath  
10 -- to give people time to find out more about it, you  
11 would probably have to burden Fish and Wildlife Service  
12 with that.  
13  
14 MADAME CHAIR ENTSMINGER: We used to  
15 have action items on the agenda, but we do not now?  
16  
17 MR. MATHEWS: Yeah, you have all your  
18 action items in the beginning. It's just that this may  
19 take a few phone calls to find out why the post office  
20 is.....  
21  
22 MADAME CHAIR ENTSMINGER: What number  
23 is that, Vince.  
24  
25 MR. MATHEWS: That would be number 12.  
26 That would give staff time to find out what's the best  
27 way to.....  
28  
29 MADAME CHAIR ENTSMINGER: Okay. We're  
30 going to talk about it under Fish and Wildlife Service.  
31  
32 MR. MATHEWS: Right. That would be  
33 your waterfowl stamps.  
34  
35 MADAME CHAIR ENTSMINGER: Council  
36 Members, are we missing anything else we wanted to add  
37 to the agenda? Go ahead, Richard.  
38  
39 MR. CARROLL: I would also like a  
40 proposal to extend the environmental impact statement  
41 review for at least 120 more days. The Fish and  
42 Wildlife Service impact before the Doyon land exchange  
43 is ended next week and the darn thing just came out  
44 five, six weeks ago. We'd like an extension on it just  
45 for the benefit of everybody. The issue is just too  
46 hot to be pushed through. I think people need a little  
47 more exposure to what's in that statement.  
48  
49 MADAME CHAIR ENTSMINGER: So that will  
50 be an action item under number 8. Everyone put that

1 in. Does anyone else have anything. Vince.

2

3 MR. MATHEWS: Wennona will be here on  
4 that particular topic which you already noted as number  
5 8 and she's flying in as we speak. The other one that  
6 came up is the Eastern Interior Resource Management  
7 Plan. I have a little flyer on that. So that's  
8 something we should just note that you may want to look  
9 at that.

10

11 The other thing is YRDFA is on the  
12 agenda. They're going to be on by teleconference  
13 tomorrow just so you know that. The scheduling of this  
14 meeting with the YK meeting and other meetings just  
15 didn't allow them to get here.

16

17 (Laughter)

18

19 MR. MATHEWS: Other than that, I think  
20 that's all the topics other than the one that came up  
21 from the gentleman in the back from Healy Lake. You  
22 may want to put that under updates on fall and winter  
23 moose hunts or somewhere so we don't lose that topic  
24 and then that will give you some time if you need to  
25 work on it, but that's your call, Madame Chair.

26

27 MADAME CHAIR ENTSMINGER: I think what  
28 I'd like to do and ask the Council Members if they  
29 agree, when we see the public come in like this, we  
30 need to recognize them. Vince, I'd like you to help me  
31 out on that, which ones are government employees versus  
32 the public. I would like to recognize the public and  
33 have them come up and testify when it's convenient for  
34 them because they may have other things they need to  
35 do.

36

37 MR. MATHEWS: Yes.

38

39 MADAME CHAIR ENTSMINGER: Do I need a  
40 motion to adopt this agenda?

41

42 MR. MATHEWS: It would be best to have  
43 it and you can have it as a flexible agenda that you  
44 can modify, but just clear for the record that you  
45 reviewed it and agreed to it.

46

47 MADAME CHAIR ENTSMINGER: Do I hear  
48 one?

49

50 MR. GLANZ: I'll make that motion.

1 MR. GILBERT: Excuse, second.  
2  
3 MADAME CHAIR ENTSMINGER: That might be  
4 my second right there. Okay. We've got Bill and Matt.  
5  
6 MR. GILBERT: I want to add something  
7 to the agenda myself.  
8  
9 MADAME CHAIR ENTSMINGER: Go ahead.  
10  
11 MR. GILBERT: I'd like to add a  
12 proposal to temporarily close the Red Sheep and Cane  
13 Creek drainages for the sheep management area for the  
14 time being. I'm getting everyone in my village to  
15 apply for hunting licenses and Federal permits. I'd  
16 like to make that proposal.  
17  
18 MADAME CHAIR ENTSMINGER: That's under  
19 call for wildlife proposals.  
20  
21 MR. MATHEWS: Yes, we're out of cycle  
22 for that, but that would fall underneath wildlife  
23 issues. What I mean out of cycle, we're going into a  
24 two-year cycle. Now it's the call for fisheries  
25 proposals. So it would be under number 7. We would  
26 discuss it. It doesn't mean you can't put forward a  
27 proposal or whatever action you want. It's just that  
28 there's not a call for it right now. It would be on my  
29 duties or other's duties to make sure that when that  
30 call comes forward that proposal be revisited by the  
31 Council and put forth.  
32  
33 MADAME CHAIR ENTSMINGER: Actually I  
34 see on the agenda wildlife issues and C is wildlife  
35 proposal review and recommendations, so he would have  
36 that under there. So, Matthew, could you put that down  
37 on page 1 of the agenda, wildlife issues, 7(c), add  
38 your proposal there.  
39  
40 MR. GILBERT: I'd just like to add one  
41 more thing. I just wanted to support Richard's  
42 proposal to extend the comment deadline. I wanted to  
43 add that the EIS is way too big. I'm a college  
44 graduate and I'm living in Arctic Village and even I  
45 couldn't read the whole thing. I read like a quarter  
46 way through it.  
47  
48 MADAME CHAIR ENTSMINGER: Matthew,  
49 we'll take it up then. We're just going through the  
50 agenda right now, but we will definitely take it up and

1 you'll have plenty of time to talk. Bill gave me a  
2 motion to adopt the agenda. Is there any other things  
3 that we've missed.

4

5 (No comments)

6

7 MADAME CHAIR ENTSMINGER: If not, do I  
8 hear a second.

9

10 MR. FRENZL: Second.

11

12 MADAME CHAIR ENTSMINGER: All in favor  
13 say aye.

14

15 IN UNISON: Aye.

16

17 MADAME CHAIR ENTSMINGER: Anyone  
18 opposed.

19

20 (No opposing votes)

21

22 MADAME CHAIR ENTSMINGER: Okay. That  
23 is done. I want to finish introducing guests that have  
24 not introduced themselves. Vince.

25

26 MR. MATHEWS: Yes. As far as public  
27 here, there is the one gentleman from Healy Lake. The  
28 rest, just to update the record, is Terry Haynes with  
29 Alaska Department of Fish and Game. I believe next to  
30 him is Jeff Gross. I haven't seen Jeff in a while and  
31 he's the area biologist. For the rest of the Council  
32 Members, it's very good for you to spend time with the  
33 local area biologist when you get a break because  
34 you're covering this area and he manages this area, so  
35 it would be good to know him. Next to him is George  
36 Pappas with Alaska Department of Fish and Game  
37 Commercial Fisheries. Behind him is Steve Hayes, which  
38 is the Yukon River fisheries management biologist for  
39 the chinooks and summer chum. And then you already met  
40 Tony Booth and I don't know -- I believe it's a staff  
41 member next to him from the refuge. I don't know that  
42 gentleman.

43

44 MR. KELLER: I'm Peter Keller. I'm the  
45 new subsistence biologist for the Tetlin Refuge.

46

47 MR. MATHEWS: Madame Chair, different  
48 local newspapers, Delta Wind and a couple others, have  
49 run ads on this, so I do expect that there will be some  
50 public showing up. Hopefully tonight they will show up

1 because they may be employed now at work and can't get  
2 off. There's been a lot more coverage of this meeting  
3 than our normal practice, so hopefully that will  
4 produce some public.

5  
6 MADAME CHAIR ENTSMINGER: Yes. Thank  
7 you, Vince. That's one of my concerns is a lot of  
8 times people can't make the meetings because of their  
9 jobs. The next thing is the approval of the minutes.  
10 Has everyone read the minutes?

11  
12 MR. CARROLL: Make a motion to adopt  
13 the minutes.

14  
15 MADAME CHAIR ENTSMINGER: Thank you,  
16 Richard. Do I hear a second.

17  
18 MR. GLANZ: I'll second.

19  
20 MADAME CHAIR ENTSMINGER: It's been  
21 moved and second. Is there any discussion. Go ahead.

22  
23 MR. GILBERT: I have something to  
24 mention. This Page 18, Council action on the top for  
25 the registration drawing permit for sheep hunting in  
26 Arctic Village area. I'd like some more information on  
27 that. It gives a paragraph, but I'd like more  
28 information on that.

29  
30 MADAME CHAIR ENTSMINGER: What  
31 happened, Matt, is this Council put forth a proposal  
32 based on a lot of that input from Arctic Village when  
33 we were up there to the State Game Board to make it a  
34 drawing and not open. Virgil was at the meeting. Did  
35 you say this did not pass?

36  
37 MR. UMPHENOUR: That's correct. The  
38 Board of Game did not adopt the proposal. They voted  
39 it down 7-0 at the Board of Game meeting, and that took  
40 place about 10 days ago.

41  
42 MADAME CHAIR ENTSMINGER: Do you  
43 remember any of the discussion from Fish and Game?

44  
45 MR. UMPHENOUR: What they did is they  
46 gave a history of the regulatory changes there where it  
47 had been closed to non-subsistence users in the early  
48 '90s and then either two or three years ago the Federal  
49 Subsistence Board had issued an emergency action --  
50 special action, that's what they call it. I think it

1 was a special action to open it up to non-subsistence  
2 users to hunt sheep and then a year later I believe  
3 what they did was made it permanent and then they  
4 rejected the proposal from our RAC and I don't remember  
5 what our proposal was. Anyway, what they did was they  
6 went through the history of the thing and then they  
7 gave a biological report on it and they said that  
8 report was kind of surprising because we got our report  
9 from the Arctic National Wildlife Refuge at our RAC  
10 meeting and it seems like the report they gave us said  
11 there were six sheep taken, but the report given said  
12 there were only four sheep taken. They didn't say how  
13 many hunters had been there at the Board of Game  
14 meeting. Basically the Board members didn't really  
15 have much of a discussion over the issue and they just  
16 voted it down. I know Terry was in and out of the  
17 Board meeting. Were you there when they deliberated?  
18 Maybe he has something to add.

19

20 MADAME CHAIR ENTSMINGER: While he's  
21 coming up. Matthew, it's already finished, so we can  
22 take it up in detail when we come up to that wildlife  
23 proposal since we're only adopting the minutes here,  
24 but go ahead, Terry.

25

26 MR. HAYNES: Thank you, Madame Chair.  
27 Terry Haynes, the Federal subsistence wildlife  
28 coordinator for the Department of Fish and Game. I  
29 wasn't there during the deliberations, but my  
30 understanding was there was no evidence that there was  
31 a conservation issue at this point in time and to have  
32 changed that from a registration hunt to a drawing hunt  
33 requires that you have biological evidence of the need  
34 to restrict opportunity. So in the absence of that  
35 evidence the Board really didn't have a basis to  
36 implement a drawing permit hunt.

37

38 MADAME CHAIR ENTSMINGER: Yeah, we'll  
39 take that up when we go through that. Thanks, Terry,  
40 for that information. Does anyone else have any  
41 questions about the minutes. Go ahead.

42

43 MR. MATHEWS: Virgil, you attended the  
44 Board meeting. For Matt's education, would it have  
45 been beneficial if there would have been testimony from  
46 village residents on this particular proposal because  
47 the communication I got from people's notes is it was  
48 biologically as well as there was no user conflict  
49 noted.

50

1 MR. UMPHENOUR: I think it may have  
2 been because of the restriction statewide on sheep  
3 hunting that's taking place in the last couple of  
4 years, so that may have had a bearing on it. However,  
5 one thing that happened at this Board of Game meeting  
6 is that the Board is going to form a sheep management  
7 group to try to get some -- currently the State of  
8 Alaska Department of Fish and Game does not have a  
9 sheep biologist on the payroll. They're in the process  
10 of hiring a sheep biologist. After they get this sheep  
11 biologist hired, then the Board is going to form a  
12 committee that is going to develop statewide sheep  
13 management policy. So if there would have been people  
14 from Arctic Village there, I think they -- and they  
15 expressed their concerns and et cetera, what the Board  
16 probably would have done is just stuck that in with  
17 some of the issues that would be addressed by this  
18 statewide sheep management committee that they're going  
19 to form in the near future. That's what I think would  
20 have happened.

21

22 MADAME CHAIR ENTSMINGER: Since we're  
23 just working on a motion here on the floor about the  
24 minutes, we won't get too deep into this right now.  
25 Does anyone else have any discussion, changes to the  
26 minutes.

27

(No comments)

28

29 MADAME CHAIR ENTSMINGER: If not, if  
30 there's no opposition, I would adopt the minutes as  
31 written. Any opposition.

32

(No opposition)

33

34 MADAME CHAIR ENTSMINGER: Okay. As one  
35 of my fun friends used to call it, moving rapidly  
36 along. We're now into these wildlife issues and we're  
37 going to have some agency reports relating to pending  
38 proposals.

39

40 MR. MATHEWS: Yes. This is just an  
41 open time for Staff if they have any reports or study  
42 results that relate to the pending proposals, this is a  
43 time to come and bring those forth. I don't know of  
44 any because of the fact that most of your proposals are  
45 either statewide or overlaps.

46

47 MADAME CHAIR ENTSMINGER: So,  
48 State/Federal, do we have any burning desires we'd like  
49

50

1 to talk about right now.

2

3 (No comments)

4

5 MADAME CHAIR ENTSMINGER: Actually,  
6 would the Healy Lake representative here -- the next  
7 one is the updates on fall/winter moose hunts. Would  
8 you like to testify right now or would you like to  
9 wait? It's up to you.

10

11 MR. POLSTON: Are we going to bring it  
12 up later?

13

14 MADAME CHAIR ENTSMINGER: This might be  
15 the time to do it.

16

17 MR. POLSTON: Okay. Hi, I'm Corey  
18 Polston. I'm Healy Lake Maintenance. The Council sent  
19 me up here to speak for them. Last summer or last fall  
20 they put out 700 cow moose tags in the Delta area and  
21 after that we were impacted. We've noticed there's a  
22 whole lot less cow moose. You normally would see five  
23 a day just in your normal travels. Now we don't see  
24 anything really. They're doing another cow moose tag  
25 hunt. I'm not sure how many, but we would kind of like  
26 to oppose it. We don't agree on it.

27

28 MADAME CHAIR ENTSMINGER: I'd have to  
29 look at the map, but is this primarily on State land?

30

31 MR. POLSTON: It might be. I'm not too  
32 sure.

33

34 MADAME CHAIR ENTSMINGER: This Council  
35 only deals with the Federal land. Is there any  
36 State.....

37

38 MR. POLSTON: It's just affecting us  
39 and we'd like to know what's going on about it.

40

41 MADAME CHAIR ENTSMINGER: Right. So  
42 your biologist is Steve DuBois, right?

43

44 MR. POLSTON: I think so.

45

46 MADAME CHAIR ENTSMINGER: We have our  
47 area biologist here in this area, but I don't know if  
48 Jeff can speak to that. Virgil has lots of information  
49 because he was at the Board of Game meeting, so he  
50 would like to address that for you.

1 MR. UMPHENOUR: I'm also chairman of  
2 the Fairbanks Advisory Committee, the Delta Junction  
3 Advisory Committee and then the Minto, Nenana and Healy  
4 and Anderson, but they call themselves Middle Nenana  
5 Advisory Committee. All those committees worked  
6 together and had several meetings to address antlerless  
7 moose hunts in Unit 20A and the Delta Junction area and  
8 the action that was taken -- and this was all on State  
9 lands though. So their recommendation to the Board of  
10 Game was adopted by the Board of Game and they're going  
11 to have - what they're going to have is a registration  
12 hunt, I believe, in the Delta area this year and it's  
13 going to be over by the Donley Dome area and then up  
14 towards the mountains on the left, which would be to  
15 the east of the highway and their goal is to take 400  
16 antlerless moose. I believe what they did last year  
17 was they issued drawing permits for 900, but this year  
18 I think it's going to be a registration hunt. I could  
19 be wrong on that. But they want to take up to 400  
20 antlerless moose. Of course, that's all on State land.  
21 I think Jeff Gross could explain it better.

22  
23 MR. GROSS: I'm Jeff Gross with Alaska  
24 Department of Fish and Game here in Tok. My  
25 understanding is the Department was going to continue  
26 with the permit hunt in a portion of the area and in  
27 the more remote portions, which would be up in kind of  
28 the headwaters in the hills to the east of Donley Dome  
29 there off the highway. That will be a registration  
30 hunt. But the accessible areas along the highway and a  
31 lot of the trail system, the way I understand it it's  
32 still going to be a drawing hunt. I don't have exact  
33 numbers, but I think the ballpark you were talking  
34 about sounds familiar. I think that's correct.

35  
36 MR. UMPHENOUR: To explain it just a  
37 little farther, what happened in Unit 20A and then up  
38 the canyons like at the headwaters of these various  
39 drainages, small creeks and rivers, which is basically  
40 sheep hunting country. But the moose go up in there  
41 starting usually about November and those areas they're  
42 eating the willows and you can see what they called  
43 clubbed willows, which means they're all bitten off, so  
44 you have these stumpy looking willows with little  
45 shoots growing off of them. So the Department is  
46 afraid if we have a bad winter, we're going to have a  
47 lot of moose starved to death, so that's why they're  
48 doing these antlerless hunts and they're trying to get  
49 the public to go harvest the moose that are wintering  
50 in the headwaters areas of all these small creeks, but

1 that's what the issue is. I'm pretty sure I'm correct  
2 on the number of moose for the target, is 400 in that  
3 area, and then for Unit 20A, which would be on the  
4 other side of the Little Delta River, the goal is 200  
5 antlerless moose unaccompanied by calves. So you're  
6 not supposed to shoot a moose that has a calf with it  
7 or a calf moose. But that's what the Board of Game did  
8 because they did kill a lot of moose last year.

9  
10 MADAME CHAIR ENTSMINGER: This is  
11 bringing a lot of questions to my mind. I've talked  
12 about that cow moose hunt to a lot of people and I'm  
13 thinking why are we killing so many cow moose. When  
14 people want moose, can't we do something here. One of  
15 the things that came up in discussion talking to people  
16 about moose, is there any -- I know bad winter is the  
17 biggest threat, but I think this Tetlin Wildlife Refuge  
18 there's a lot of collared moose and we've found that  
19 they've moved some pretty serious -- they've traveled  
20 quite a bit. So if they're not getting feed in one  
21 area, I'm having a hard time understanding why they  
22 wouldn't move to some place where there was feed.

23  
24 MR. GROSS: I guess I can kind of speak  
25 to this. As far as the Tetlin Refuge, I'd kind of let  
26 Peter talk about that.

27  
28 MADAME CHAIR ENTSMINGER: But you do  
29 know. Is Peter willing to come up and discuss this,  
30 the tracking on these moose.

31  
32 MR. GROSS: I can say a little bit.

33  
34 MADAME CHAIR ENTSMINGER: Did you have  
35 anything else then?

36  
37 MR. POLSTON: No, that was our main  
38 concern.

39  
40 MADAME CHAIR ENTSMINGER: I wanted you  
41 to know that -- if you look at that real closely,  
42 you'll see where all the Federal land is and this is  
43 the Federal Advisory Committee to the Federal Board for  
44 this area.

45  
46 MR. FRENZL: Sue, I'd like to just  
47 offer Corey an opportunity to meet with me and we can  
48 go see Steve DuBois in Delta and have him address this  
49 issue more in detail with Corey. I'm familiar with  
50 Corey and Healy Lake area also, so if he wants to do

1 that, I'd be happy to help him out there.

2

3 MADAME CHAIR ENTSMINGER: Yeah, because  
4 this is kind of like a State issue. We like to hear  
5 from you, but also in the process you need to stay  
6 involved with your area biologist and your advisory  
7 committees for the State. Healy Lake has a position on  
8 the Upper Tanana/Fortymile Advisory Committee and I go  
9 to those meetings and oftentimes there is no presence  
10 and that's a real good place to be or go to the Delta  
11 Advisory Committee.

12

13 MR. POLSTON: Okay. Thank you.

14

15 MADAME CHAIR ENTSMINGER: Thank you.  
16 We won't get too hard into this since it's not really  
17 our area, but it is interesting to know what the moose  
18 habits are. Pete.

19

20 MR. KELLER: I'm Peter Keller with the  
21 Tetlin Refuge. Jeff certainly knows more about moose  
22 habits than I do, but I've been up for a few months now  
23 here and just tracking the moose. We've got 14 moose  
24 out there that we got collars on and some really move  
25 widely and in the past few months they've moved 40  
26 miles or so and then others will just stay in this tiny  
27 little area and don't move much at all in certain times  
28 of the year anyway. Jeff can speak more about that.

29

30 MADAME CHAIR ENTSMINGER: Again, I'd  
31 like to hear it. If Council doesn't want to hear this  
32 part of it, they can say so. It would be interesting  
33 to know a little bit more just for us when we're  
34 talking about Federal areas if we can expect to see any  
35 moose move into Federal areas where you have a season.

36

37 MR. GLANZ: We can move them up into  
38 the Yukon zone. We're a desert up there.

39

40 MADAME CHAIR ENTSMINGER: That's a good  
41 idea. I don't know if it's possible.

42

43 MR. GROSS: I think research has shown  
44 there's a variety of movement patterns depending on the  
45 population of moose. The moose in the Tetlin Refuge,  
46 they've certainly moved quite a large distance. Some  
47 of them have been pretty sedentary though. A lot of  
48 those moose in the Delta area as far as being able to  
49 manage on a population level, I'm sure there's quite a  
50 bit of movement by some of the moose, but in general

1 I've seen Steve's information, his survey areas, I've  
2 talked to Steve. I think they have a good handle of  
3 where their issues are.

4  
5 One of the problems is -- well, they're  
6 doing their surveys in November into December and  
7 generally most of the moose have moved into their  
8 primary wintering areas by that time. That's not to  
9 say some won't move elsewhere, but the habitat  
10 information they have, the brows information they have,  
11 is one of the really telling things. They have good  
12 handle on where brows is available and they've tried to  
13 get a good picture of the impact of brows in those  
14 different areas. So it's not necessarily like we have  
15 information on these headwaters areas and not down low  
16 where they could potentially move, but in general  
17 they're in their wintering area at that time.

18  
19 As far as moving onto Federal land, big  
20 movements, if you try to reduce the harvest in  
21 anticipation that they'll move into Federal corridors  
22 or on Federal land where Federal regs could come into  
23 play, I think the concerns -- that's maybe possible at  
24 some level, but I think the concerns they have with the  
25 impacts of a severe winter, they're really valid.  
26 Again, I really support them. I know it may be  
27 difficult to get a person's head around this.....

28  
29 MADAME CHAIR ENTSMINGER: It is.

30  
31 MR. GROSS: .....and sitting in the  
32 back seat of a Super Cub helps quite a bit and actually  
33 seeing it done. I have more confidence than being in  
34 some of these brows surveys.

35  
36 I think Steve and Don did a good job at  
37 the Board of Game meeting. I think they've done a good  
38 job for years now. I guess the best thing is to  
39 encourage people to go to those meetings and listen to  
40 their talks and then talk to the biologists because it  
41 is a difficult concept to get your head around.  
42 Hopefully that got to your question.

43  
44 MADAME CHAIR ENTSMINGER: I appreciate  
45 that, all of you. I guess it isn't something we should  
46 spend a lot of time on because it's on State land.  
47 Boy, it seems like sometimes I think if there's an  
48 opportunity to move some moose somewhere that aren't  
49 going to get eaten by wolves, that would be nice and  
50 have them make more babies quicker. So that's where my

1 head is wrapping around right now. Go ahead, Bill.

2

3 MR. GLANZ: Jeff, I have one question.  
4 What was the caribou harvest, I know it's totally off  
5 the moose deal, in the December hunt in Central area up  
6 there in 25C? Just for my information. A lot of the  
7 locals told me to ask you when I seen you.

8

9 MR. GROSS: I have somewhat of a  
10 breakdown here. Mostly the fall hunt. The fall hunt  
11 was pretty limited.

12

13 MR. GLANZ: Right.

14

15 MR. GROSS: But the winter hunt I think  
16 they took about 300 animals in two days in the Central  
17 area.

18

19 MR. GLANZ: What was the cow harvest in  
20 there, do you know, roughly?

21

22 MR. GROSS: Cow harvest in the winter  
23 hunts was probably about 50 percent.

24

25 MR. GLANZ: Yeah, we finally got  
26 intensive management and now we're harvesting cows when  
27 we're trying to build a herd. We need to really do  
28 something. And you want to talk about a mess, you  
29 should have been there in December in our area. Two  
30 thousand people looking for 150 caribou, my, my.  
31 Anyway, thanks, Jeff.

32

33 MADAME CHAIR ENTSMINGER: Yeah, thank  
34 you, Jeff. Under 12B is when Alaska Department of Fish  
35 and Game can give briefings on stuff like this, but at  
36 the same time -- are you going to be here tomorrow?

37

38 MR. GROSS: I certainly could be. I  
39 was planning on trying to be around for whatever parts  
40 of the meeting you wanted me to be here for. I'm at  
41 your beck and call, Sue.

42

43 MADAME CHAIR ENTSMINGER: All right.  
44 This is what happens when you start discussing some of  
45 these things. You end up talking about the caribou and  
46 the caribou is one of the things in this area that has  
47 been pretty hot because of these short -- what was it,  
48 a one day season that occurred on the Taylor here?

49

50 MR. GROSS: Yeah, and I can expand now

1 a little bit on that or later and discuss the November  
2 hunt a little bit, too.

3

4 MADAME CHAIR ENTSMINGER: What's the  
5 Council's feelings? Do you want to hear about it now?

6

7 MR. GLANZ: Bring Jeff back. My  
8 opinion, let Jeff come back when he's prepared. He's  
9 prepared now, I understand, but I mean let's keep the  
10 agenda going like we're supposed to in my opinion.

11

12 MADAME CHAIR ENTSMINGER: Okay. That's  
13 what we're going to do then. Is there any objection?

14

15 (No comments)

16

17 MADAME CHAIR ENTSMINGER: Okay. Thank  
18 you, guys. And I hope you understand, Corey.

19

20 MR. POLSTON: Yes, State.

21

22 MADAME CHAIR ENTSMINGER: We're going  
23 to let you know when the AC here meets. You need to  
24 come. This is wildlife proposals review and  
25 recommendations. Vince, is there something different?

26

27 MR. MATHEWS: No. This is probably  
28 more just to give an idea of the Board of Game  
29 proposals. It's probably a carryover. The agendas are  
30 generated months in advance and this just carried  
31 through. I think it's a time if there were any Board  
32 of Game proposals and I think you already know there's  
33 an issue of the Red Sheep/Cane Creek area.

34

35 MADAME CHAIR ENTSMINGER: Right. That  
36 proposal, Matthew, was to the Board of Game.....

37

38 MR. GILBERT: Oh.

39

40 MADAME CHAIR ENTSMINGER: .....not the  
41 Federal Board, so you have two issues. You have the  
42 issue of a Board of Game proposal that would make it a  
43 drawing. So we can put forth proposals to the Board of  
44 Game, which now that's two years out. At the Federal  
45 level, what's the call, Vince, on that?

46

47 MR. MATHEWS: We're entering the two-  
48 year cycle, so it would be the next fall meeting that  
49 you would be submitting proposals for the following two  
50 years, if I got it correctly. I've got heads going in

1 all directions in the crowd here. It's hard for our  
2 heads to get around this two-year cycle.

3

4 MADAME CHAIR ENTSMINGER: We need a  
5 full report on that. Does someone have that?

6

7 MS. WHEELER: Not at this moment, but  
8 we can get you a full report on that.

9

10 MADAME CHAIR ENTSMINGER: I guess what  
11 I would suggest then is you give us a motion of what  
12 you would like to do and then it can carry forward.  
13 Can that happen?

14

15 MS. WHEELER: Ms. Chair, fellow RAC  
16 Members. The Office of Subsistence Management, as you  
17 know, is going to a two-year cycle. We're at the tail  
18 end of the wildlife cycle right now. The analyses that  
19 you'll be listening to for the next day or so are the  
20 result of the last call for wildlife proposals. At the  
21 end of this month will be the end of the fisheries call  
22 for proposals. After this point we're going to a two-  
23 year cycle. The cycle will be January to December, so  
24 the proposals will be submitted in January and acted  
25 upon in December. So my understanding, and, Warren,  
26 maybe you have the calendar in front of you, but my  
27 understanding is the next time that the wildlife  
28 proposals will be up is about a year and a half from  
29 now. Okay, Warren is giving me -- I'll make sure that  
30 I give you the exact dates for when the next wildlife  
31 call will be ending.

32

33 The other thing I wanted to mention is  
34 we have the process called the special action request  
35 where if you feel there's something that needs to be  
36 addressed now and it can't wait for the two-year  
37 wildlife cycle, then you can submit a special action  
38 request as a council, as an individual, as a community,  
39 as a tribe. That's the other venue through which the  
40 wildlife proposals can be enacted. With this special  
41 action request, there's two kinds. There's one that  
42 has a 60-day period or one that goes to the end of the  
43 regulatory season. But that is an option in the short  
44 term if not for the long term.

45

46 Madame Chair.

47

48 MADAME CHAIR ENTSMINGER: Thank you,  
49 Polly. I guess the way I would look at this is we  
50 don't really need to know if it's going to come up at

1 the end of this year or the end of next year. If he  
2 wants to do something in his region, that we look at it  
3 and he puts forth his ideas and then we vote yea or nay  
4 to do so. Go ahead, Matthew.

5  
6 MR. GILBERT: I haven't been too  
7 articulate on this issue because, one, I'm nervous for  
8 being up here.

9  
10 MADAME CHAIR ENTSMINGER: Just calm  
11 down. It's okay. Just pretend there's no microphone  
12 there.

13  
14 MR. GILBERT: So I wrote it down as  
15 best as I could to explain it in detail. In 1991 they  
16 closed it based solely on the merits of low sheep  
17 population and continued subsistence use, but the low  
18 sheep population was the one that carried the most  
19 weight. Due to the now healthy sheep population, the  
20 Red Sheep Creek and Cane Creek sheep area have been  
21 open to Arctic Village resident non-rural sheep  
22 hunters.

23  
24 Some decisions and actions were taken  
25 by the Eastern Regional Advisory Council without our  
26 notification or say. This proposal to have a drawing  
27 was passed without the testimonies of Arctic Village  
28 residents and also approaching the Board of Game. I  
29 would appreciate if the Eastern RAC informed the  
30 community of Arctic Village before any further action  
31 is taken on the Red Sheep Creek and Cane Creek drainage  
32 issue. If it takes a proposal, I'm willing to submit  
33 one.

34  
35 Due to cultural difference and some  
36 resistance, my people in Arctic Village has never  
37 applied for State hunting license and Federal permits.  
38 I am now solving this problem by going house to house  
39 getting everyone to apply for a State hunting license  
40 and Federal sheep permit. Both the North Slope  
41 Regional Council and the community of Arctic Village  
42 wants closure of this area. The area contains Native  
43 allotments and traditional sites and is a key sheep  
44 hunting area for my village.

45  
46 For now we are all signing up for  
47 licenses and permits. Since I am obviously a  
48 representative of 25A, all the residents in 25A want  
49 this closure of the sheep management area to remain  
50 intact. I understand the other side of the issue very

1 well; however, my people who I am representing in my  
2 unit all want the area closed. So that's the position  
3 I'm in.

4

5 MADAME CHAIR ENTSMINGER: Yes, Matthew.  
6 A couple things you said I don't believe are correct  
7 that Bill Glanz would like to speak to. You said that  
8 your village was not included.

9

10 MR. GLANZ: We had a teleconference  
11 with your village, I remember, in one instance and the  
12 second instance when we talked to your village I asked  
13 how many people up there turned in a sheep harvest  
14 report and the answer was zero. That's why the State  
15 is laying on you people so heavy. Nobody is showing  
16 utilization of subsistence use up there. But your  
17 village was contacted and talked to. There's nobody on  
18 this Eastern Interior RAC that has ever voted to open  
19 your area to hunting to general hunt.

20

21 MADAME CHAIR ENTSMINGER: And what he  
22 means is all of the stuff that we've been through, it's  
23 the Federal Subsistence Board that makes the action.  
24 We are advisory to them. The position that went  
25 forward was not to open. But a compromise that came  
26 out of the Arctic Village, as I remember it, was to at  
27 least -- see, the Federal system says that there's all  
28 these laws. You said you understand why they did what  
29 they did. They have to look at all this stuff and they  
30 decided that -- I can't delineate exactly the laws they  
31 did it on, but they were able to do this. Our  
32 compromise was to have a drawing and that meant before  
33 the State Board, which we did at Arctic Village when we  
34 were up there.

35

36 MR. GILBERT: I wasn't aware of that.  
37 I've been trying to religiously follow this issue and I  
38 wasn't aware of this drawing or approaching of the  
39 Board of Game. I don't know why I wasn't. I apologize  
40 about that mistake.

41

42 MADAME CHAIR ENTSMINGER: Matthew, it  
43 might be that you don't understand the process. Virgil  
44 had brought it up. Help me out, Council Members. When  
45 did we make that decision, that compromise? Was it  
46 during the day or that evening session?

47

48 MR. UMPHENOUR: At the evening session  
49 we discussed it when we were at Arctic Village and I  
50 think the next day we actually put a motion on the

1 floor and voted on it. I see Wennona back there  
2 nodding her head. Maybe she could refresh our memory.

3

4 MADAME CHAIR ENTSMINGER: Yes.  
5 Wennona.

6

7 MS. BROWN: Thank you, Madame Chair.  
8 For the record, Wennona Brown for Yukon Flats and  
9 Arctic National Wildlife Refuges. We did meet in  
10 Arctic Village last spring specifically to give the  
11 village the opportunity to look at this Red Sheep Creek  
12 issue because it had been open the previous summer by a  
13 special action by the Federal Subsistence Board for  
14 that season. There was a proposal then before the  
15 Council to make it a permanent opening. There was a  
16 lot of discussion. As Virgil mentioned, we even had  
17 testimony in the evening looking at the possibility  
18 that we probably would not be successful to keep it  
19 closed, but maybe the next best thing would be to go to  
20 the Board of Game for some sort of a drawing permit so  
21 at least to maybe limit the numbers of people that  
22 could go in there to hunt. I believe it was voted on  
23 the next day after the evening meeting.

24

25 MR. CARROLL: If I may, one of the  
26 things I remember also, they wanted to be kept aware of  
27 who went in there because of a mishap up there. I  
28 think there was an accident and a fatality up there and  
29 I think one of the concerns was being aware of who's  
30 all there and how many people. The compromise, I see I  
31 seconded the motion for something in our last meeting  
32 here on Page 18 in our minutes. But that was the best  
33 we could do and I still feel it was -- you know, it's  
34 such a long, drawn out process. It's one step at a  
35 time.

36

37 MADAME CHAIR ENTSMINGER: Matthew, does  
38 that help you out? There's certain laws that the  
39 Federal system goes by and I don't know that anyone  
40 here can clearly state it in layman's terms. There  
41 comes a time when there's these closures to the public.  
42 They look at them and they determine if they can be  
43 opened or not. In this situation, we were faced with  
44 -- we didn't have anything we could do to continue to  
45 keep that closed. Again, we came up with this  
46 compromise to hear the people from Arctic Village.

47

48 MR. GILBERT: Can I read something  
49 really quick here? It's subchapter H, national  
50 wildlife monuments, part 100, subsistence management

1 regulations for public lands in Alaska.

2

3 MADAME CHAIR ENTSMINGER: What's the  
4 front cover of that? Oh, it's in our operations  
5 manual.

6

7 MR. GILBERT: I read something here.  
8 It says 100.5 eligibility for subsistence use, part B,  
9 says where the Board has made a customary and  
10 traditional use determination regarding subsistence use  
11 of a specific fish stock or wildlife population in  
12 accordance with and as listed in 100.24, only those  
13 Alaskans who are residents of rural areas or  
14 communities designated by the Board are eligible for  
15 subsistence taking of that population or stock on  
16 public lands for subsistence uses under the regulations  
17 in this part. If you do not live in one of those areas  
18 or communities, you may not take fish or wildlife from  
19 that population or stock on public lands under the  
20 regulations in this part.

21

22 Does this little provision relate to  
23 why the closure was put in place in the first place?

24

25 MADAME CHAIR ENTSMINGER: I'm not an  
26 attorney, so I can't help you on that one, but I see  
27 lots of raising of hands. I'll take Vince first.

28

29 MR. MATHEWS: What Matt's getting at is  
30 he's correct on that. If there is a different Federal  
31 season or if the area is closed, then what you read  
32 applies. When the lifting of the closure happened with  
33 the special action in the summer there, your council  
34 looked at that action and said is the Federal Board  
35 really going to continue with this closure when they  
36 just lifted it through the special action and the  
37 Council collectively said no. So they looked at other  
38 alternatives by meeting with the people in Arctic  
39 Village and came up with this alternative on the State  
40 side.

41

42 I sense from Matt, and correct me if  
43 I'm wrong, that the village may be thinking that the  
44 Council withdrew it's support for maintaining the  
45 closure. It did not. What it did is it looked for  
46 viable options because the Board had already acted on a  
47 special action. Yes, they were prejudging the Board,  
48 that the Board might change its mind and maintain the  
49 closure, but a wise person would say it was highly  
50 unlikely. I think that explains that part of it. I

1 think Terry and Polly can add more onto it, but that's  
2 the basis of it.

3

4 MADAME CHAIR ENTSMINGER: Go ahead.

5

6 MR. HAYNES: Through the Chair. Matt,  
7 what you were reading are the Federal regulations.  
8 When the Federal Board took the action that it did to  
9 lift the closure of Federal public lands to  
10 non-Federally qualified subsistence users, that allowed  
11 people to hunt in the Red Sheep/Cane Creek area under  
12 the State regulations. So what you were reading were  
13 the Federal regulations that limit eligibility for  
14 subsistence on Federal lands to rural residents. These  
15 lands had been closed to hunting by anybody other than  
16 Federally qualified sheep hunters. But when the  
17 Federal Board lifted that closure, it meant that the  
18 State regulations then again could apply to that area.  
19 Some of this might be very confusing.

20

21 MR. GILBERT: No, I understand.

22

23 MR. HAYNES: There's a long history of  
24 -- as you pointed out, in the early '90s the  
25 restrictions were imposed initially and then over time  
26 there was not much evidence that Arctic Village  
27 residents were sheep hunting up there. As the sheep  
28 population improved to some extent there was no basis  
29 in Federal regulations to retain the closure to other  
30 hunters. So we're in the situation now where the  
31 Council, your village and others are trying to figure  
32 out are there other ways we can try to address our  
33 local concerns in Arctic Village. I think the Council  
34 last year tried to respond to that by going to the  
35 State system with one idea. As others have said, it's  
36 something you may just have to keep working on as time  
37 goes on.

38

39 MR. GILBERT: Well, like I said  
40 earlier, due to cultural differences and some  
41 resistance for reasons of their own, they didn't want  
42 to apply for licenses and Federal permits, but like I  
43 said right now I'm going house to house getting them to  
44 apply for licenses and permits. Maybe if they had  
45 someone like me back then they would have applied for  
46 it; however, I guess most of my people in Arctic  
47 Village feel that they have an aboriginal title to it.  
48 Even though ANCSA extinguished that, they feel they  
49 still have aboriginal title however much I try to  
50 explain to them that ANCSA extinguished aboriginal

1 title. I think that may be part of the reason why they  
2 didn't apply for licenses and Federal permits.

3

4 MADAME CHAIR ENTSMINGER: Terry.

5

6 MR. HAYNES: Madame Chair. If I could  
7 just add the Department of Fish and Game is very  
8 sensitive to the concerns the people in Arctic Village  
9 had about that area being reopened and we did work  
10 closely with Fish and Wildlife Service to come up with  
11 a map with some guidelines on it to try to minimize  
12 conflicts between non-local hunters and local people  
13 and to minimize the potential for non-local hunters to  
14 be trespassing on Native allotments that are up near  
15 the landing strips. All the information we have is  
16 there really haven't been those conflicts on the ground  
17 during these past two years, which doesn't mean folks  
18 in your community still don't have concerns about this.  
19 But I think there have been good faith efforts made to  
20 minimize conflicts. Hopefully, if the hunt stays in  
21 place, we won't have people trespassing on allotments  
22 or leaving trash behind or doing things that  
23 historically did happen up there to cause frustration  
24 in Arctic Village.

25

26 MADAME CHAIR ENTSMINGER: Polly, did  
27 you have anything to add.

28

29 MS. WHEELER: No.

30

31 MADAME CHAIR ENTSMINGER: What is the  
32 wish of the Council. Matthew, what I'm thinking is  
33 that our call for proposals for wildlife to the Federal  
34 Board is not up for this next meeting, we need to maybe  
35 put a lot more thought into this. How do you feel  
36 about that, Matthew?

37

38 MR. GILBERT: Yeah, it's a really  
39 complicated issue. I'm just one person and, like I  
40 said, I've got to respect the wishes of the majority of  
41 the people in my village, which is that they want it  
42 closed, but I'm just one person here. I guess I'll  
43 just have to go with whatever the Council goes with.

44

45 MADAME CHAIR ENTSMINGER: Do you  
46 understand though that what the people of Arctic  
47 Village are asking cannot change at this next Federal  
48 Board meeting? The process to make that change is to  
49 have a proposal. It's a proposal, right, Polly? Go  
50 ahead.

1 MS. WHEELER: Madame Chair. The  
2 schedule is that in January and February of '09 the  
3 call for wildlife proposals is going to open up. At  
4 your meeting a year from now, that's your opportunity  
5 to submit proposals. You'll have the analysis before  
6 you at the fall of '09 meeting and then the Federal  
7 Board will meet in December of '09 and those  
8 regulations will be for July 1, 2010 to June 30, 2012.  
9 The proposals that you're going to be looking at later  
10 on today are for July 1, 2008 to June 30, 2010.  
11 Basically a year from now you've got a year to work on  
12 the issue, work with the different biologists and come  
13 up with a proposal and then you can have it before your  
14 Council a year from now or you can propose it a year  
15 from now.

16  
17 MADAME CHAIR ENTSMINGER: Pete.

18  
19 MR. DEMATTEO: Madame Chair. If I may  
20 add, maybe this may help the situation. Listening to  
21 Matt's concerns, I hear two things. I hear, one,  
22 frustration about the process, and the other thing I  
23 hear is frustration he's conveying about the  
24 frustrations that the people of his community have  
25 about the sheep situation up there. If it would help  
26 the situation, Vince and I can work with Matt between  
27 now and the fall meeting and get him up to speed on the  
28 process and how everything works and also the three of  
29 us can dive into the sheep issues and then we can come  
30 back in the fall with Matt's decision on what he wants  
31 to do, which way he wants to proceed. By then we'll  
32 make sure he knows what options he has at his disposal.  
33 Would that help?

34  
35 MADAME CHAIR ENTSMINGER: I believe it  
36 would help. How do you feel about it, Matt?

37  
38 MR. GILBERT: If I wanted to compromise  
39 and do a drawing, we wouldn't even be having this  
40 discussion. I would have said yes a long time ago, but  
41 I just can't.

42  
43 MADAME CHAIR ENTSMINGER: Did you  
44 understand what Pete was saying?

45  
46 MR. GILBERT: Yeah, I would be open to  
47 working with you though.

48  
49 MADAME CHAIR ENTSMINGER: And Pete is  
50 the biologist.

1 MR. GILBERT: By next year I should  
2 have all of them signed up for licenses and permits and  
3 actively, by paper, using the area.

4  
5 MADAME CHAIR ENTSMINGER: Bill.

6  
7 MR. GLANZ: Matt, how many sheep did  
8 your village harvest last fall?

9  
10 MR. GILBERT: I'm not sure, but there's  
11 one gentleman that's always up there every year. I'll  
12 have to get back to you.

13  
14 MADAME CHAIR ENTSMINGER: Is that  
15 Edward Sam?

16  
17 MR. GILBERT: Yeah.

18  
19 MADAME CHAIR ENTSMINGER: Edward has  
20 stayed in pretty close contact with me because we're  
21 both sheep hunters. He calls me almost once a month.  
22 I believe he didn't take a sheep if I remember his  
23 stories correctly. He tried really hard though. He  
24 takes a young person with him from the village. I  
25 believe what Pete suggested is a good solution if  
26 that's okay with you, Matt.

27  
28 MR. GILBERT: Yeah, that's okay.

29  
30 MADAME CHAIR ENTSMINGER: Okay. We  
31 have one more thing Virgil just mentioned to me he  
32 wanted to ask about and then we're going to take a  
33 break.

34  
35 MR. UMPHENOUR: I'd like the staff to  
36 look at Page 18 in the book where it says down at the  
37 bottom call for 2008 wildlife proposals. It says I  
38 passed out a copy of the Fairbanks Advisory Committee's  
39 proposal concerning C&T determination for introduced  
40 species, like wood bison. That's not in the book. I'd  
41 like to know if someone knows why that didn't get put  
42 in the book.

43  
44 MADAME CHAIR ENTSMINGER: Go ahead,  
45 Polly.

46  
47 MS. WHEELER: Through the Chair. The  
48 reason why it wasn't put in the book, Member Umphenour,  
49 is that the Federal Board and the Fairbanks Advisory  
50 Committee should have received a letter to this effect

1 in the past couple of weeks because I know I reviewed a  
2 copy of it. Basically the Federal program's position  
3 is that it doesn't do -- that would be sort of a  
4 preemptive C&T determination. The wood bison aren't  
5 even there yet, so the Federal Board doesn't do --  
6 number one, it doesn't do preemptive C&T's. Number  
7 two, there's a sense that the bison are really under  
8 State management at this point in time. But in the  
9 absence of an animal population, it's kind of tough to  
10 do a C&T. Like I said, a letter was sent to Mike  
11 Tinker as chair, but now you're chair, so I apologize  
12 on behalf of the program for you not having received  
13 that letter yet. It was overdue and you should have  
14 received it before that. But it's not in the proposal  
15 book because it's not appropriately in front of the  
16 Federal Board at this point in time.

17

18 MR. UMPHENOUR: This issue is an issue  
19 of breaking new ground. Do you know if the Federal  
20 system is planning on addressing this issue? This is a  
21 joint State/Federal issue that we need to work together  
22 to address so we know which way we can go. I've heard  
23 lots about the wood bison restoration program. It's  
24 been ongoing now for about 17, 18 years and now it  
25 looks like it's imminent to do it. They have some down  
26 in Girdwood and they have to keep them in captivity for  
27 two years to satisfy the USDA and all these other  
28 disease people and et cetera, but then they have a  
29 whole bunch more of them that they're just about ready  
30 to haul over to Girdwood to start their quarantine  
31 time. The plans right now are that they're going to  
32 introduce the first wood bison at Minto Flats, but they  
33 want to do it at Yukon Flats as well, but no one wants  
34 to happen to the wood bison what happened to the muskox  
35 on the Seward Peninsula. So that needs to be worked  
36 out in advance because I don't think the State is going  
37 to agree to transplant wood bison on Federal lands if  
38 then they're going to do a positive C&T on them and the  
39 people that footed the bill to transplant them aren't  
40 going to get to hunt them. That's the issue. It's  
41 treading on new ground.

42

43 My message, sitting on the RAC here, is  
44 that this is something new that's never happened  
45 before, so we need to investigate how to face the  
46 problem head on and come to some kind of resolution.  
47 That's my point.

48

49 Thank you.

50

1 MS. WHEELER: Mr. Umphenour, your  
2 concern is heard loud and clear and I suspect we'll be  
3 talking about this in the near future.

4  
5 MADAME CHAIR ENTSMINGER: Thank you.  
6 Great. I'm going to call for a break here, about 10  
7 minutes.

8  
9 (Off record)

10  
11 (On record)

12  
13 MADAME CHAIR ENTSMINGER: Is there any  
14 new people that walked in here that have not been  
15 introduced. Could you just come up and tell us who you  
16 are.

17  
18 MR. JESS: My name is Rob Jess. I'm  
19 the refuge manager for Yukon Flats Refuge out of  
20 Fairbanks. Been there since October. Moved from  
21 Florida and global warming is not occurring in Alaska,  
22 I can tell you.

23  
24 MADAME CHAIR ENTSMINGER: Thank you. A  
25 new face for us. Alex, could you introduce yourself.

26  
27 MR. SINYON: My name is Alex Sinyon.  
28 I'm from Tetlin village. I am the president of Tetlin  
29 Native Corporation. Someone told me there was a  
30 meeting here concerning Tetlin wildlife and I thought  
31 I'd drop in and find out what was going on.

32  
33 MADAME CHAIR ENTSMINGER: Welcome.

34  
35 MR. SINYON: Thank you. I was kind of  
36 concerned about some of the issues that have to do with  
37 the Tetlin Village Council and the residents of Tetlin.  
38 First I want to hear what you were discussing this  
39 morning. I'm glad to be here.

40  
41 MADAME CHAIR ENTSMINGER: Thank you and  
42 welcome again. Alex, the book that you have there,  
43 there's proposals that will be coming up and if you  
44 have anything to say about that, please raise your  
45 hand.

46  
47 MR. SINYON: Okay.

48  
49 MADAME CHAIR ENTSMINGER: I'm going to  
50 ask a couple questions and favors of the Council

1 Members here. The next thing on the agenda is these  
2 proposals and I see Polly is perched, ready to go.

3

4 MS. WHEELER: But I can wait.

5

6 MADAME CHAIR ENTSMINGER: I have a  
7 small concern. I believe that people in this area  
8 might more likely show up tonight and the two proposals  
9 that might interest them the most is 1 and 5, the first  
10 two on the agenda. If it's okay with the Council  
11 Members, I would like to take them up last.

12

13 MR. FRENZL: Okay.

14

15 MADAME CHAIR ENTSMINGER: Does anyone  
16 have any objections to this.

17

18 (No objections)

19

20 MADAME CHAIR ENTSMINGER: No  
21 objections? Okay. Unfortunately for us we have  
22 nothing up from our region, but these proposals before  
23 us we have C&T's in those areas and actually this Unit  
24 11 is an area that I'm pretty familiar with. It looks  
25 like most of them are from there. I have one question  
26 of Vince. I have written down here Proposal 15. Isn't  
27 that one that should have been in here but is not in  
28 here? Can somebody address that for me.

29

30 MR. MATHEWS: Madame Chair, it would  
31 take me a minute to pull out my proposal book to find  
32 out what's 15. But since I have the mike here, to help  
33 Matt out, if you look at the back of your name plate,  
34 you're going to see a list of steps that Sue is going  
35 to be following. Well, this is great. The agenda I  
36 have in my book does not have 15. I don't know why we  
37 don't have it in here. It's to deal with beaver in  
38 Unit 11 to lengthen the season, no limit. I believe  
39 Polly may have something to share on it while I look up  
40 that exact proposal.

41

42 MS. WHEELER: My recommendation is that  
43 we take it up later and in the meantime I need to look  
44 at the proposal. If we need to, we'll make copies of  
45 it, provide it to the Council. We can take it up maybe  
46 even tomorrow morning to give you the opportunity to  
47 look through it and be able to ask questions.

48

49 MADAME CHAIR ENTSMINGER: Thank you.  
50 We're going to start then with the cross-over

1 proposals. Proposal 02, to expand the muskrat trapping  
2 season for Unit 11. Pete DeMatteo is on.

3

4 MR. DEMATTEO: Madame Chair, Members of  
5 the Council. The analysis of this proposal is being  
6 presented to you today because if adopted by the  
7 Federal Board it would affect any Federally-qualified  
8 subsistence users in your region who harvest muskrat in  
9 the Wrangell-St. Elias National Preserve and/or a small  
10 section of the Chugach National Forest that lies in  
11 Unit 11.

12

13 Proposal 02 was submitted by Dean  
14 Wilson, Jr. and requests an expansion of the muskrat  
15 trapping season for Unit 11 from November 10 to June 10  
16 and change it to September 20 to June 10.

17

18 The proponent s intent is to provide an  
19 additional 51 days of opportunity for Federally  
20 qualified users to harvest muskrat for human  
21 consumption of the meat and also for the pelts under  
22 Federal trapping regulations. The proposed regulatory  
23 change would provide Federally qualified users access  
24 to muskrat habitat on Federal public lands before  
25 freeze up occurs.

26

27 I might add that the muskrat pelt  
28 primarily by this time, September 20th, will be plenty  
29 prime in the fur industry.

30

31 All rural residents are eligible to  
32 harvest muskrat in Unit 11; however, only qualified  
33 residents who possess a subsistence eligibility permit  
34 under Section 13.440 of National Park Service  
35 regulations that grant resident zone community status  
36 are eligible to harvest in the Wrangell-St. Elias  
37 National Park. All remaining Federally qualified  
38 subsistence users are eligible to harvest in the  
39 Wrangell-St. Elias National Preserve or the Chugach  
40 National Forest in Unit 11.

41

42 Currently, there are no Federal or  
43 State muskrat hunting regulations for Unit 11.

44

45 Subsequent to the publication of this  
46 proposal in the 2008 2010 Federal Subsistence Wildlife  
47 Proposals booklet, the proponent provided additional  
48 comments on this proposal and also WP08-15 in December  
49 of 2007. At that time the proponent stated that  
50 establishment of a September 20 to June 10 muskrat

1 hunting season in Unit 11, instead of the proposed  
2 expansion of the existing trapping season, would better  
3 address the intent of this proposal.

4  
5 The proponent stated that because  
6 National Park Service regulations do not allow for the  
7 harvest of furbearers with a firearm on National Park  
8 Service lands during the trapping season, he felt it  
9 necessary to provide additional information to better  
10 address the intent of his proposal.

11  
12 Currently muskrats generally are  
13 considered common in Unit 11, while they cycle  
14 naturally and are relatively predictable. The winter  
15 of 2002 03 had the highest muskrat population in more  
16 than 20 years.

17  
18 Results from the 2001/02 through  
19 2004/05 questionnaires that were submitted by trappers  
20 revealed that trapping pressure was variable from year  
21 to year primarily as a result of winter conditions. In  
22 general, however, fewer individuals are trapping today  
23 than in recent past decades and the trappers as a group  
24 are getting older and have a substantial number of  
25 years of trapping experience. Trapping efforts  
26 declined in the early 1990s, but stabilized over the  
27 last few years, as reflected by the number  
28 of sets made, length of traplines, and total weeks  
29 spent trapping. Although results of trapper  
30 questionnaire responses suggest that the price paid for  
31 fur is not that important for those still trapping, it  
32 was the low fur prices that contributed to the decline  
33 in the overall number of trappers.

34  
35 Because muskrat pelts are not required  
36 to be sealed in Alaska, the total harvest is most  
37 likely higher than the total reported in some areas. A  
38 total of 17 muskrat were reported harvested in Unit 11  
39 according to the 2004/05 State Trapper Questionnaire.

40  
41 Muskrat export numbers spiked in 2002  
42 through 2004 probably in anticipation of response to  
43 the higher muskrat prices that peaked at \$7.00 in 2003  
44 and were near the record years that they trapped them  
45 as noted above.

46  
47 Adoption of the original proposal would  
48 create a September 20 through November 9 Federal  
49 trapping season providing 51 days of additional  
50 opportunity. Federally qualified subsistence users

1 would be required to identify Federal and State  
2 jurisdictional  
3 boundaries during a Federal only trapping season.  
4 However, Proposal 02 as written would not accomplish  
5 the proponent's objectives because the Park Service  
6 regulations do not allow for the harvest of furbearers  
7 with firearms when using a trapping license on National  
8 Park Service managed lands and waters.

9  
10 An amended proposal allowing the  
11 shooting of muskrat on Federally managed lands and  
12 waters before freeze up in Unit 11, however, would  
13 provide the additional 51 days of opportunity for users  
14 by establishing a muskrat hunting season from September  
15 20 through June 10 with a no harvest limit.

16  
17 Adoption of a muskrat hunting season  
18 would also provide the option to harvest muskrat by  
19 firearm during the period from spring thaw and breakup  
20 through June 10. The proposal would likely have  
21 minimal effect on the muskrat population of Unit 11  
22 and, thus, not cause any conservation concerns.  
23 Adoption of the  
24 proposed season and harvest limit should have no  
25 adverse impacts on users who trap muskrat under State  
26 regulations in Unit 11.

27  
28 The primary intent of the proposal is  
29 to allow the taking of muskrat for food, secondary to  
30 pelt value. Given the National Park Service regulation  
31 which prohibits the taking of furbearers with a firearm  
32 under a trapping license, establishing a Unit 11  
33 muskrat hunting season is the best way to address the  
34 proponent s  
35 intent. Similar hunting regulations for beaver have  
36 been established by the Board for Units 12, 20E, and  
37 Unit 25. Muskrat in Unit 11 are considered common and  
38 capable of supporting additional harvest. Little, if  
39 any, additional harvest is expected from adoption of  
40 the proposed season, while Federally qualified  
41 subsistence users would have additional opportunity to  
42 harvest muskrat on Park Service lands in Unit 11.

43  
44 Madame Chair, the OSM preliminary  
45 conclusion is to support this proposal with the  
46 modification to establish a muskrat hunting season for  
47 September 20 through June 10 with a no harvest limit  
48 for Unit 11, consistent with the intent of the  
49 proponent's proposal.

50

1 I'll stop there. Thank you.

2

3 MADAME CHAIR ENTSMINGER: Thank you,  
4 Pete. Next is agency comments, Alaska Department of  
5 Fish and Game. Terry Haynes will speak to that.

6

7 MR. HAYNES: Again, Terry Haynes,  
8 Department of Fish and Game. Our written comments on  
9 all of the proposals except 01 and 05 did not make it  
10 into the Council book, so I'm providing copies for you.  
11 There are additional copies on the table over here by  
12 the door for those who are in the audience.

13

14 Madame Chair, I'd like to request that  
15 our written comments be incorporated in the transcripts  
16 for this meeting. By doing so, I won't need to read  
17 verbatim all of our comments, but they'll be part of  
18 the record. We've been doing this at other meetings  
19 and it speeds things up and ensures that all the  
20 information is on the record.

21

22 As you know from our testimony at  
23 previous meetings the Department often does not support  
24 proposals that would expand the Federal subsistence  
25 regulations in the absence of compelling evidence  
26 supporting the need to do so. This is a position we've  
27 taken before on some proposals and I won't necessarily  
28 repeat that in all of our comments today. We haven't  
29 taken a position on all proposals that you'll be  
30 looking at today as we wanted to hear what the Council  
31 has to say and to make sure we understand any concerns  
32 you might have and to incorporate those concerns into  
33 our comments before we go to the Federal Board meeting.

34

35 Finally, Madame Chair, as always, we  
36 appreciate the opportunity to participate in the  
37 meeting. Jeff will be here to talk more about local  
38 issues. If you have issues and concerns for other  
39 geographic areas, I'll make note of those and I'll try  
40 to get information back to you or to individual Council  
41 Members as soon as we can.

42

43 On this Proposal WP08-02, the main  
44 concern the Department has with these proposals is that  
45 we would have differences in Federal and State  
46 regulations if this proposal was adopted either in its  
47 original form or as amended. There are always  
48 enforcement issues in areas where you have different  
49 seasons. However, I don't believe there's going to be  
50 enough additional effort or increased effort in

1 harvesting muskrats for this to be a real issue. We  
2 try to point out that there can be problems for users  
3 as we get more and more differences in State and  
4 Federal regulations. Rural residents are obligated to  
5 know land status when they're out harvesting resources,  
6 muskrats or others, and when we have differences in  
7 seasons it's important people understand where they  
8 are.

9

10 So that's all we have, Madame Chair.

11

12 Alaska Department of Fish and Game  
13 Preliminary comments to the Regional Advisory Council.

14

15 Wildlife Proposal WP08-02, as amended:

16

17 Establish a muskrat hunting season in

18 Unit 11.

19

20 Introduction:

21

22 This amended proposal would establish a  
23 September 20 to June 10 muskrat hunting season in Unit  
24 11. This authorizes harvest by Federally-qualified  
25 subsistence users on Federal lands to open 51 days  
26 before the State's trapping season opening date of  
27 November 10. The closure date of June 10 would be the  
28 same for both the Federal hunting season and the State  
29 trapping season.

30

31 Impact on Subsistence Users:

32

33 The proponent is seeing to provide  
34 additional time for muskrats to be harvested before  
35 freeze up. The proposal was amended from seeking to  
36 expand the Federal trapping season to creation of a  
37 hunting season, because National Park Service lands  
38 comprise most of the Federal public lands in Unit 11  
39 and are not open to the harvest of furbearers with  
40 firearms under a trapping license.

41

42 Opportunity Provided by the State:

43

44 State trapping regulations authorize  
45 the taking of muskrats from November 10 to June 10 and  
46 do not limit the number of muskrats that can be  
47 harvested. The State does not have an open hunting  
48 season for muskrat in Unit 11.

49

50 Conservation Issues:

1 None.

2

3 Enforcement Issues: Differences in  
4 Federal and State regulations resulting from adoption  
5 of this proposal create enforcement issues in areas  
6 with mixed land ownership.

7

8 Recommendation:

9

10 None as of this date. The Department  
11 will consider public comments and RAC deliberations on  
12 this amended proposal. No supporting evidence has been  
13 provided to date that indicates this proposed expansion  
14 of Federal season beyond the opportunity provided by  
15 the State is needed for continuation of subsistence  
16 uses of muskrat on Federal lands by Federally-qualified  
17 subsistence users. Unless such evidence is presented,  
18 the Department opposes unnecessary divergence of State  
19 and Federal regulations and unnecessary expansion of a  
20 Federal priority.

21

22 MADAME CHAIR ENTSMINGER: Thank you,  
23 Terry. Council Members, questions.

24

25 (No comments)

26

27 MADAME CHAIR ENTSMINGER: I actually do  
28 have one, Terry. Given that it's under hunting, in  
29 Unit 11, I don't think there's hardly any State land  
30 down there. Can you tell me anything about that? I  
31 guess the only thing is the Native land. Everything  
32 else looks like it's Federal land.

33

34 MR. HAYNES: Madame Chair. You'll  
35 notice that there are a lot of State and private lands  
36 that are near many of the communities in Unit 11.  
37 Whether that matches up with areas where they're  
38 harvesting muskrats or whether muskrats are being  
39 primarily taken in areas that are under Federal  
40 jurisdiction, that information isn't presented in the  
41 staff analysis. I think the point is there isn't a  
42 large muskrat harvest in the area.

43

44 MADAME CHAIR ENTSMINGER: Right. But  
45 if somebody is using muskrat in the area -- I know the  
46 proponent of this well. He's quite the trapper. I  
47 also know in my experience that it's not good to open  
48 muskrat pushups early in the year because you might  
49 freeze them out. But if there's open water and he's  
50 wanting to hunt them, shoot them, I don't see a

1 conflict on a personal level unless somebody else in  
2 Fish and Game knows something I don't.

3

4 Okay. Then we'll move on to the next,  
5 Federal agencies. Any Federal agencies have anything  
6 on this proposal. I would think that the Wrangell-St.  
7 Elias might have one. Barbara.

8

9 MS. CELLARIUS: For the record, Barb  
10 Cellarius. I'm the subsistence coordinator for  
11 Wrangell-St. Elias National Park and Preserve. We  
12 don't have any conservation concerns with the proposed  
13 modification to the proposal. As Pete said, it would  
14 better accommodate the proponent's interest in  
15 harvesting muskrat with a firearm for meat as well as  
16 for the skin.

17

18 MADAME CHAIR ENTSMINGER: That's pretty  
19 cool coming from the Park Service. Thank you.

20

21 MS. CELLARIUS: If I could just add one  
22 other thing. Our SRC has not met yet, so I don't have  
23 any SRC comments to present on the proposals you're  
24 discussing today. We're meeting next week.

25

26 MADAME CHAIR ENTSMINGER: What did the  
27 Southcentral Regional Council do? Vince is going to  
28 report on that.

29

30 MR. MATHEWS: I need to apologize.  
31 I've been trying to call to find out exactly so when  
32 that comes up I think I have the most recent.

33

34 MADAME CHAIR ENTSMINGER: Barbara was  
35 at the meeting, I guess. Would that be okay?

36

37 MR. MATHEWS: Yeah. I just was with  
38 Donald Mike to reconfirm, but go ahead.

39

40 MS. CELLARIUS: Madame Chair. I was at  
41 the Southcentral meeting last week and on Proposal 08-  
42 02, the muskrat proposal, the Southcentral RAC approved  
43 the proposal with the modifications suggested by OSM.

44

45 MADAME CHAIR ENTSMINGER: Go ahead,  
46 Vince.

47

48 MR. MATHEWS: I'll need to consult with  
49 Barbara because I just got from Donald Mike, the  
50 coordinator there, and reviewed the transcripts that

1 they went with the proposal as written, so we'll need  
2 to get that clarified, which would not have the  
3 modification for the hunting season, if I got it  
4 correct.

5  
6 MS. CELLARIUS: And my notes could be  
7 wrong.

8  
9 MR. MATHEWS: And we looked at the  
10 transcript, which your court recorder was present  
11 there, and the transcript reflects they took the  
12 proposal up as written, not with the modification from  
13 Staff. So I don't know if that helps you.

14  
15 MADAME CHAIR ENTSMINGER: I see we've  
16 got number 03, Vince, that we should discuss that.  
17 I'll continue and then we'll go back to that. Other  
18 Federal agencies.

19  
20 MR. EASTLAND: Madame Chair. My name  
21 is Warren Eastland. I'm with the Bureau of Indian  
22 Affairs and I also attended the Southcentral RAC. We  
23 do have a case of notes that we're not sure what  
24 happened there because my notes clearly reflect that  
25 during the discussion of the proposal it sounded like  
26 the RAC was supporting the modified proposal and the  
27 motion was unclear because they had been discussing the  
28 modified proposal, the presentation was similar to what  
29 Pete DeMatteo just presented and the motion was to  
30 adopt the proposal with no clarity and it was during  
31 the discussion period that my notes reflect that they  
32 intended that to be the modified proposal. So I would  
33 say without calling Ralph Lohse, the chairman of the  
34 Southcentral RAC and getting some clarity from him, I  
35 think we're at an impasse.

36  
37 Thank you.

38  
39 MADAME CHAIR ENTSMINGER: So what  
40 you're saying is they did not make the motion to amend.

41  
42 MR. EASTLAND: Madame Chair. They said  
43 motion to adopt the proposal. They did not say adopt  
44 the proposal as written, which they did in another case  
45 where modification was suggested and they also did not  
46 say adopt the proposal as modified, which they did for  
47 another proposal. So it's unclear.

48  
49 MADAME CHAIR ENTSMINGER: That sounds  
50 fun. Okay. I don't want to think for them. If I

1 could bring Barbara up again because these are the kind  
2 of issues that in this region we have dealt with,  
3 particularly on wolves and wolverine. The question I  
4 have is you could not use -- give me this law that you  
5 guys stopped us from using a gun for trapping.  
6

7 MS. CELLARIUS: There is in nationwide  
8 Park Service regulations a definition of trap and that  
9 definition does not include a firearm. Therefore,  
10 under a trapping license you can't use a firearm to  
11 take a free-ranging furbearer. My understanding is  
12 that if the animal is caught in a trap and you need to  
13 dispatch it at that point, you can use the firearm, but  
14 not a free-ranging furbearer.  
15

16 MADAME CHAIR ENTSMINGER: Under a  
17 trapping license.  
18

19 MS. CELLARIUS: Under a trapping  
20 license. What the Federal Board has been doing is  
21 simply creating hunting seasons that allow those  
22 harvests to take place with a firearm when there's an  
23 interest by subsistence users in doing so.  
24

25 MADAME CHAIR ENTSMINGER: So, in other  
26 words, if we had -- I guess what I need to know from  
27 Staff a little bit on this proposal, there's no current  
28 hunting season for muskrat in those months.  
29

30 MR. DEMATTEO: Correct. In Unit 11  
31 there's no hunting season for muskrat, correct.  
32

33 MADAME CHAIR ENTSMINGER: We'll move  
34 along then. Thanks, Barbara. The next comments would  
35 be from local fish and game advisory committees.  
36

37 (No comments)  
38

39 MADAME CHAIR ENTSMINGER: I don't see  
40 anyone here. The next is National Park Service SRC and  
41 Barbara has just said that Wrangell's has not met yet.  
42

43 (No comments)  
44

45 MADAME CHAIR ENTSMINGER: So now we're  
46 going to have a summary of written comments.  
47

48 MR. MATHEWS: Madame Chair. They're  
49 found on Page 61 of your book. We do have full text  
50 here if you'd like to see them. There were two in

1 support. One from the Copper River Native Association  
2 who supports this proposal to extend the muskrat season  
3 from November 10 to June 10 to September 10 to June 10  
4 in Unit 11 with the intention that subsistence users  
5 will have more opportunity to trap muskrats.

6

7 The AHTNA Inc. supported this proposal  
8 also to extend that same season so that subsistence  
9 users will have more opportunity to trap muskrats.

10

11 Those were the two written comments  
12 that were submitted.

13

14 MADAME CHAIR ENTSMINGER: Okay. Do we  
15 have any public testimony that would like to testify to  
16 this proposal. It's your chance, Alex.

17

18 MR. SINYON: Is that it?

19

20 MADAME CHAIR ENTSMINGER: You got it.  
21 The red light is on.

22

23 MR. SINYON: The Tetlin Native  
24 Corporation's land is right along the Alaska Highway  
25 towards Canada and I'm in charge of 100,000 acres up in  
26 that area. It's all private land. Lately we've had a  
27 lot of problem with not subsistence but trappers and  
28 hunters along that area. We've been trying to stop  
29 them. We've put up signs and everything and they keep  
30 tearing it down. Up along the Taylor Highway toward  
31 Dawson. The season is open up in there but not along  
32 the Alaska Highway towards Canada. So whatever you  
33 have here that would open the corporation land to  
34 hunting or trapping along the Alaska Highway, you're  
35 going to have to deal with as corporation.

36

37 MADAME CHAIR ENTSMINGER: Alex, this is  
38 actually just Unit 11, which is -- we should have a  
39 map. Do you know where Unit 11 is? It starts in Slana  
40 and then it goes down towards Glennallen. It's just  
41 south of Unit 12.

42

43 MR. SINYON: Yeah, I know where that  
44 is. Subsistence hunt there.

45

46 MADAME CHAIR ENTSMINGER: Yeah. So  
47 this proposal is for trapping in Unit 11.

48

49 MR. SINYON: Oh, I'm sorry. Well, that  
50 was what I was concerned about, the Alaska Highway,

1 similar to what you have up there in Slana area. Are  
2 you going to have a meeting again tomorrow? I'd sure  
3 like to be here.

4

5 MADAME CHAIR ENTSMINGER: Oh, yeah, you  
6 come. So what is your feeling about Unit 11? This  
7 does not affect Unit 12. So Unit 11 they want to open  
8 it up to be able to hunt a muskrat. Most of that is  
9 Federal land down there. Do you have a feeling on  
10 that?

11

12 MR. SINYON: No. I'm mad because I  
13 didn't get a moose out of there.

14

15 MADAME CHAIR ENTSMINGER: Doggone it.  
16 We're going to have to work on that. Okay. Any other  
17 public testimony. I think the guy from Healy Lake has  
18 left.

19

20 MR. UMPHENOUR: Move to adopt Proposal  
21 WP08-02 as amended.

22

23 MADAME CHAIR ENTSMINGER: As amended.  
24 Do I hear a second.

25

26 MR. CARROLL: Seconded.

27

28 MADAME CHAIR ENTSMINGER: Seconded by  
29 Richard. Now discussion. Council Members. Go ahead,  
30 Virgil.

31

32 MR. UMPHENOUR: It seems like a  
33 reasonable proposal. I don't see any opposition to it.  
34 It will provide opportunity for people that like to eat  
35 muskrat and maybe get a few hides. They are actually  
36 pretty good cooked over the open fire with a little  
37 garlic on them.

38

39 Thank you, Madame Chair.

40

41 MADAME CHAIR ENTSMINGER: Yes, they are  
42 very good that way. Go ahead, Richard.

43

44 MR. CARROLL: Richard here. Kind of  
45 interesting listening. I had to dig out my trapping  
46 license. Normally in the past I've trapped muskrats  
47 for years and years and for about the last 10 years the  
48 muskrat population is way down low in our area. We  
49 always assumed that your trapping license was good all  
50 through the muskratting, which was June 10th. That

1 means you're trapping on the ice, trapping along the  
2 shoreline, but when the river goes out then you start  
3 shooting. You shoot muskrat. You sell trapped  
4 muskrats and you sell shot muskrats, which is usually  
5 at least \$1 less a pelt if they're shot. Maybe we've  
6 been breaking the law all these years.

7  
8 MADAME CHAIR ENTSMINGER: No, I don't  
9 think you have because you're not in a park up there,  
10 are you?

11  
12 MR. CARROLL: Oh, yeah.

13  
14 MADAME CHAIR ENTSMINGER: National Park  
15 or mostly Fish and Wildlife Service?

16  
17 MR. CARROLL: National Wildlife Refuge,  
18 yeah.

19  
20 MADAME CHAIR ENTSMINGER: You're safe.  
21 Don't go to the park though.

22  
23 MR. CARROLL: But still, that  
24 definition, it's interesting for me because -- yeah,  
25 there's a difference between shooting and trapping. We  
26 always assumed it was the same thing when you're  
27 ratting. Ratting usually includes trapping and  
28 shooting. That's the ratting season, which is June  
29 10th, you know, in our area. I'm in support of this  
30 proposal due to the fact that muskrats are an important  
31 part of a springtime diet and I think it's very healthy  
32 food. I support this, especially with the Native  
33 association there, AHTNA, supports it and those are all  
34 local users there. If they deem it's necessary for  
35 them, I'm totally in support of it.

36  
37 MADAME CHAIR ENTSMINGER: Well, we  
38 could move fastly along, but I guess -- could there be,  
39 as he stated -- I totally agree ratting includes  
40 shooting, as it would beaver, you know. The Park  
41 Service, that's one of those solicitor's opinion that  
42 also -- because that's where we get in trouble. A  
43 solicitor makes an opinion and then pretty soon you  
44 find out you can't do something. Barbara is here to  
45 tell us about it.

46  
47 MS. CELLARIUS: Madame Chair. It's a  
48 nationwide Park Service regulation that defines what a  
49 trap is and what kind of harvest means fall under the  
50 definition of a trap. It's not an Alaska specific

1 regulation.

2

3 MADAME CHAIR ENTSMINGER: Yeah, I  
4 understand. Unless we kind of look at one stuck in a  
5 corner, it's trapped.

6

7 MS. CELLARIUS: The easiest solution at  
8 this point is simply to create a hunting season and  
9 that way it makes everybody legal and that's why it's  
10 been modified.

11

12 MADAME CHAIR ENTSMINGER: I was just  
13 informing Richard the whole thing with wolves and the  
14 same-day airbornes is where that all came about. Any  
15 other input here, Council Members. The next thing  
16 would be to vote. Do I hear someone calling for the  
17 question.

18

19 MR. CARROLL: Call for the question.

20

21 MADAME CHAIR ENTSMINGER: The question  
22 is called for. I guess I'll just go for unanimous  
23 support. If anyone is opposed, they need to say so  
24 now.

25

26 (No opposing votes)

27

28 MADAME CHAIR ENTSMINGER: So unanimous  
29 support. The next one is Proposals 03 and 04 taken up  
30 together. Pete.

31

32 MR. DEMATTEO: Madame Chair. Proposal  
33 WP08-03 was submitted by Dean Wilson Jr., and Proposal  
34 WP08-04 was submitted by Keith Rowland. These request  
35 extending the Unit 11 Federal subsistence wolverine  
36 trapping season from November 10 to January 31 to a  
37 November 10 to February 28 season. This would add 28  
38 days to the existing season.

39

40 The proponent for Proposal 03 states  
41 that extending the wolverine trapping season to  
42 February 28, thereby aligning it with both the State  
43 and Federal lynx seasons, would make it legal to keep  
44 wolverines caught incidentally in traps set for lynx  
45 during the month of February. [Wolverines caught out of  
46 the wolverine season must be surrendered to the Alaska  
47 Department of Fish and Game. The proponent also states  
48 that because there are so few trappers pursuing  
49 wolverine there will be little to no impact on the  
50 population in Unit 11.

1                   The proponent for Proposal 04 believes  
2 that traps set for lynx are all potential wolverine  
3 sets. Lengthening the wolverine season to coincide  
4 with the lynx season would allow trappers to keep  
5 wolverines caught accidentally in lynx sets. The  
6 proponent also stated that wolverine appear to be quite  
7 healthy in Unit 11; that wolverines are killing Dall  
8 sheep lambs at an unacceptably high rate; and that  
9 because of the lack of roads, remoteness, and  
10 prohibition against using aircraft to trap in  
11 Wrangell-St. Elias National Park, there is very little  
12 trapping pressure on the wolverine population. In  
13 addition, most of the traplines are not accessible  
14 until late December after rivers freeze solid enough to  
15 travel upon. You can see the proposed season halfway  
16 down the page on Page 63.

17  
18                   All rural Alaska residents are eligible  
19 to trap wolverines under Federal subsistence  
20 regulations in Unit 11. However, National Park Service  
21 regulations restrict who is eligible to engage in  
22 subsistence activities on lands in the  
23 Wrangell-St. Elias National Park to individuals living  
24 in resident zone communities or areas, or have a 13.440  
25 subsistence permit issued by the Park Superintendent.

26  
27                   The current Federal subsistence  
28 wolverine trapping season in Unit 11 runs from November  
29 10 through January 31 and has no harvest limit. Only  
30 one other Federal subsistence wolverine trapping season  
31 is as short as the Unit 11 season, which is Unit 13;  
32 the other Federal subsistence wolverine trapping  
33 seasons, occurring in 30 units or subunits, are all  
34 longer and run later into the winter/spring part of the  
35 year. Likewise, there are 31 units or subunits where  
36 the State wolverine trapping seasons are longer and run  
37 later into the winter/spring than in Unit 11. You can  
38 see this in Table 1 at the top of Page 65. The current  
39 State and Federal wolverine hunting seasons in Unit 11  
40 are September 1 through January 31 and have a harvest  
41 limit of one animal.

42  
43                   Population information on wolverines in  
44 Unit 11 is limited to ADF&G sealing data and anecdotal  
45 information provided by trappers. Wolverine populations  
46 are considered healthy in the more remote mountainous  
47 areas of Unit 11 but are relatively scarce at lower  
48 elevations. A shortage of food is likely the primary  
49 limiting factor in keeping wolverine numbers low in  
50 forested valleys in the winter. Trappers responding to

1 a Fish and Game questionnaire considered wolverine  
2 scarce but stable in Unit 11. Currently, there are no  
3 conservation concerns with wolverines in Unit 11.

4

5                   Between 1985 and 2006, Unit 11  
6 wolverine harvests averaged nine animals per year. The  
7 highest harvest took place during the 1997/98 season  
8 when 27 wolverines were harvested. The catch per  
9 successful trapper has averaged between one and two  
10 wolverines annually over the last 20 years. One to two  
11 wolverines are caught per season in sets for lynx after  
12 the wolverine season is closed in Unit 11.

13

14                   The proposal, if adopted, would  
15 increase opportunity for Federally qualified  
16 subsistence users who trap wolverines by adding 28 days  
17 to the season, returning it to what it was in the early  
18 1990s. The proposal would also eliminate the necessity  
19 for trappers to surrender wolverines to the Department  
20 of Fish and Game that are incidentally taken in lynx  
21 sets during the month of February. A noticeable  
22 increase in the wolverine harvest is not expected  
23 because there is so little trapping pressure for  
24 wolverines in Unit 11, and because few trappers are  
25 actually successful at trapping them. Consequently,  
26 the proposed season extension would not likely affect  
27 the overall wolverine population.

28

29                   If adopted, the proposal would take the  
30 Federal wolverine trapping season out of alignment with  
31 the current State wolverine trapping season, which  
32 could potentially cause confusion for the trappers.  
33 However, changing the Federal subsistence wolverine  
34 trapping season ending date from January 31 to February  
35 28 would align it with the current State and Federal  
36 lynx trapping season end dates.

37

38                   Adopting a longer season is not  
39 expected to increase the harvest, but would allow  
40 trappers to keep wolverines caught incidentally in lynx  
41 sets after the wolverine season closes, instead of  
42 having to surrender them to the Department of Fish and  
43 Game.

44

45                   Madame Chair, the OSM preliminary  
46 conclusion for Proposal 03 and 04 is to support both  
47 proposals.

48

49                   Thank you.

50

1 MADAME CHAIR ENTSMINGER: Thank you,  
2 Pete. Next will be Alaska Department of Fish and Game.

3  
4 MR. HAYNES: Thank you, Madame Chair.  
5 As Pete pointed out, State regulations authorized  
6 wolverine trapping from November 10 to January 31 in  
7 Unit 11 and do not limit the number of wolverine that  
8 can be harvested. Trapping wolverine during the  
9 denning season in February would subject females to  
10 harvest when they're most vulnerable. Wolverines  
11 already occur at low densities in Unit 11 and seasons  
12 and bag limits were reduced in the recent past to  
13 stabilize the population.

14  
15 Differences in Federal and State  
16 regulations resulting from adoption of this proposal  
17 could create enforcement issues in areas with mixed  
18 land ownership. As I mentioned with the previous  
19 proposal, adoption of this proposal would require  
20 Federally qualified subsistence users to verify that  
21 wolverines harvested in February were taken on Federal  
22 public lands in Unit 11.

23  
24 Finally, no evidence is presented  
25 indicating that the proposed change, that is to add 28  
26 days to the season, is needed to provide for the  
27 continuation of subsistence uses of wolverine on  
28 Federal public lands by Federally qualified subsistence  
29 users.

30  
31 Thank you.

32  
33 Alaska Department of Fish and Game  
34 Preliminary Comments to the Regional Advisory Council.

35  
36 Wildlife Proposals WP08-03 and WP08-04:  
37  
38 Liberalize wolverine trapping season in  
39 Unit 11.

40  
41 Introduction:

42  
43 These proposals seek to extend the  
44 wolverine trapping season in Unit 11, which currently  
45 opens November 10 and closes January 31, so that it  
46 closes 28 days later on February 28.

47  
48 Impact on Subsistence Users:

49  
50 The reported wolverine harvest in Unit

1 11 during the past 10 years ranged from three to 27  
2 annually and averaged 10 per year. These are  
3 relatively low harvest figures in an area of about  
4 12,800 square miles. Only a few local residents  
5 currently participate in trapping in Unit 11, and  
6 extending the season would not be expected to  
7 significantly increase trapping effort. Increasing the  
8 season by 28 days and increasing harvests during  
9 February could provide additional opportunity for  
10 Federally-qualified subsistence users on Federal lands,  
11 but increasing harvests during February could also  
12 affect productivity and, thus, reduce opportunity for  
13 subsistence harvests in the long-term.

14

15                   Opportunity Provided by State:

16

17                   State regulations authorize wolverine  
18 trapping from November 10 to January 21 and do not  
19 limit the number of wolverine that can be harvested.

20

21                   Conservation Issues:

22

23                   Trapping wolverine during the denning  
24 season in February would subject females to harvest  
25 when they are most vulnerable. Wolverines already  
26 occur at low densities in Unit 11 and seasons and bag  
27 limits were reduced in the recent past to stabilize the  
28 population.

29

30                   Enforcement Issues:

31

32                   Differences in Federal and State  
33 regulations resulting from adoption of this proposal  
34 create enforcement issues in areas with mixed land  
35 ownership. Adoption of this proposal would require  
36 Federally-qualified subsistence users to verify that  
37 wolverines harvested in February were taken on Federal  
38 public lands in Unit 11.

39

40                   Part of the proponent's justification  
41 for the extension is that the lynx season is open  
42 through February 15, and wolverine caught incidentally  
43 in lynx traps between February 1 and February 15 must  
44 be turned over to the Alaska Department of Fish and  
45 Game. This would conceivably justify an extension of  
46 the season until February 15, no February 28 which  
47 would then leave wolverine traps open while lynx  
48 trapping season is closed.

49

50                   Other Comments:

1                   No evidence is presented indicating  
2 that the proposed change (adding 28 days) is needed to  
3 provide for the continuation of subsistence uses of  
4 wolverine on Federal lands by Federally-qualified  
5 subsistence users. Furthermore, the lynx seasons  
6 fluctuate over time according to their natural cycle.  
7 Lynx populations in Units 11 and 13 are currently at  
8 their peak and season reductions may be needed next  
9 year. If this proposal is adopted to lengthen the  
10 Federal wolverine trapping season and if the State  
11 shortens the lynx season, then the reverse situation  
12 will occur with lynx taken incidentally in wolverine  
13 traps unless the Federal Subsistence Board makes  
14 parallel season adjustments at that time.

15  
16                   Proposal WP08-04 justifies the expanded  
17 season as a predator control measure to protect dall  
18 sheep lambs, which would be inconsistent with the  
19 Federal Subsistence Board's predator policy adopted in  
20 2004.

21  
22                   Recommendation: This expanded Federal  
23 season unnecessarily complicates State and Federal  
24 trapping regulations, potentially increases harvest of  
25 vulnerable denning females, and is not necessary to  
26 provide continued subsistence users by Federally-  
27 qualified subsistence users on Federal lands.

28  
29                   MADAME CHAIR ENTSMINGER: Council  
30 Members, I failed to give you the opportunity to ask  
31 Pete questions, but if you have any questions of Pete  
32 when he's finished with his analysis, you need to let  
33 me know. Is there any questions of Pete or Terry at  
34 this time?

35  
36                   (No comments)

37  
38                   MADAME CHAIR ENTSMINGER: I'm thinking  
39 pretty hard. Terry, can you explain to me -- I know  
40 these trappers pretty well, what is the State's -- I'm  
41 not getting your concern here. Help me out.

42  
43                   MR. HAYNES: Madame Chair. Our staff  
44 in Glennallen just wanted to point out that female  
45 wolverine are vulnerable in February and to the extent  
46 that they may be taken if this proposal is adopted, it  
47 could have ultimately some biological consequences on  
48 wolverine populations.

49  
50                   MADAME CHAIR ENTSMINGER: Do they have

1 any data on what has been turned in for the month of  
2 February in the past several years for wolverine that  
3 were incidentally caught and had to be turned in  
4 because the season was closed?

5  
6 MR. HAYNES: Madame Chair. I don't  
7 believe many have been turned in and I don't know if  
8 they made note of the sex of the wolverine or not. I  
9 should point out that at the Southcentral Council  
10 meeting last week there was a fair amount of discussion  
11 of this proposal and the belief by people at that  
12 meeting that female wolverines were less likely to be  
13 taken in February because trapping activities were  
14 taking place in other areas and the females, because  
15 they were denning, were less accessible. That was just  
16 an observation made by some Council Members at that  
17 meeting.

18  
19 MADAME CHAIR ENTSMINGER: I appreciate  
20 you giving us that information because this is real  
21 important to making these decisions. Is there any  
22 other questions.

23  
24 (No comments)

25  
26 MADAME CHAIR ENTSMINGER: Thank you,  
27 Terry. Fish and Game Advisory Committees. A new  
28 person walked in. It happens to be my husband, Frank  
29 Entsminger. He's on the Upper Tanana/Fortymile  
30 Advisory Committee, but I don't think you guys took  
31 this up, correct?

32  
33 MR. ENTSMINGER: Madame Chair and  
34 Council Members. Appreciate you guys coming to Tok and  
35 maybe listen to a few people down in our area. As my  
36 wife had said, I'm a member of the Upper  
37 Tanana/Fortymile and we didn't specifically discuss  
38 this proposal, I don't believe, but in our game  
39 management units up here, which we kind of encompass  
40 Unit 12, 20E and a portion of 20D, our wolverine  
41 seasons run into March 15th, I believe. They've been  
42 that way for years and we're still catching wolverine  
43 up here. So I'm a little perplexed why the Department  
44 feels that this is going to damage the resource. It's  
45 been my observation over the years that the closer you  
46 get to the coast of Alaska it seems like the more  
47 wolverine there are. The coastal areas are real  
48 bountiful as far as fishlife and marine mammals and  
49 that sort of thing. It seems like our area up here  
50 would be more of a concern than on the coastal areas

1 down there. So that's basically what I've got to say  
2 for my input.

3  
4 MADAME CHAIR ENTSMINGER: Any  
5 questions.

6  
7 (No comments)

8  
9 MADAME CHAIR ENTSMINGER: Thanks,  
10 Frank. Next is the SRC's and they did not meet. So  
11 now we have a summary of written comments. Vince.

12  
13 MR. MATHEWS: Yes, Madame Chair.  
14 They're found on Page 67. Again, they're from AHTNA,  
15 Incorporated and Copper River Native Association. They  
16 both support Proposals 03 and 04 as written. They do  
17 not see this as a conservation concern, and it is  
18 expensive to travel by airplane to this unit. So those  
19 are the only written comments I'm aware of.

20  
21 Thank you.

22  
23 MADAME CHAIR ENTSMINGER: Now it's  
24 public testimony. Do we have any public testimony.  
25 Alex is the only one here, but this is Unit 11 again,  
26 Alex. Go ahead.

27  
28 MR. MATHEWS: Just to have the record  
29 reflect that Southcentral did take this up and Terry  
30 did a good job of summarizing the discussion on the  
31 gender that may be harvested during this extended time.  
32 But Southcentral supported Proposals 03 and 04 and  
33 discussed as Terry said what would be harvested during  
34 that time would mainly be males.

35  
36 MADAME CHAIR ENTSMINGER: Thanks,  
37 Vince. Go ahead.

38  
39 MR. UMPHENOUR: Move to adopt Proposal  
40 WP08-03/04.

41  
42 MADAME CHAIR ENTSMINGER: Do I hear a  
43 second.

44  
45 MR. FRENZL: Second.

46  
47 MR. GILBERT: Second.

48  
49 MR. GLANZ: Second.

50

1 MADAME CHAIR ENTSMINGER: Okay, we got  
2 three of them, so I think we've got it under control.  
3 Discussion.

4  
5 MR. UMPHENOUR: It doesn't appear  
6 there's a conservation concern in the area and I was  
7 looking at the State season, which is on Page 65 of our  
8 book. Just about everyone else, the next closest  
9 season closes February 28th, but I note that along the  
10 coast Unit 1 through 5 it closes April 30th and then up  
11 in Unit 22 and 23, and also part of that is on the  
12 Coast, it closes April 15, Unit 26 April 30th. So it's  
13 kind of a hodgepodge as to when the seasons close. It  
14 doesn't appear there's a biological concern over the  
15 females having young in the majority of the state, so  
16 it doesn't appear there's a conservation concern.

17  
18 I do know that from hunting sheep I've  
19 observed wolverine chasing sheep and I've seen that  
20 several times happen. So I can see the proponent's  
21 position that what they're really looking to do is be  
22 able to keep wolverine that are incidentally caught in  
23 the lynx season. Of course, if the lynx season does  
24 change, because lynx seasons are based on counting the  
25 hares and what their population is, then it wouldn't be  
26 an incidental take. But I see no problem with the  
27 proposal itself and it would afford more opportunity  
28 for users to catch wolverines. Madame Chair.

29  
30 MADAME CHAIR ENTSMINGER: Any other  
31 discussion. I'd just like to add a little bit because  
32 I'm fairly familiar with this area and these trappers.  
33 I'm just going to reiterate the land status here.  
34 There's only one road that goes into Unit 11 or that  
35 park area and most of that is all in the Wrangell-St.  
36 Elias Park and Preserve. Is that Chitina/McCarthy  
37 Road. The access is very limited because in the  
38 Preserve land you can use an airplane to get in there,  
39 but in what we call hard park in this area, the park  
40 lands you're limited to snowmachine and ground  
41 transportation. So I see it's very limiting and I  
42 imagine that the take in that month of February is  
43 going to be insignificant to the whole take. I  
44 appreciate Terry bringing out that Southcentral noted  
45 that a lot of these females would already be denning  
46 and unlikely to be caught. If there's any other  
47 discussion.

48  
49 MR. GLANZ: Call for the question.  
50

1 MADAME CHAIR ENTSMINGER: The question  
2 has been called for. Again, we'll go with unanimous  
3 support. If there's any objection, please note. Any  
4 objection to unanimous support.

5  
6 (No objections)

7  
8 MADAME CHAIR ENTSMINGER: Okay. I  
9 think it's time to break for lunch. What do you think?  
10 Vince has got something.

11  
12 MR. MATHEWS: Real quick here. For  
13 those that want to get their travel advance you better  
14 find me. Connie can tell you which facilities or  
15 businesses in town will allow you to cash those checks.  
16 One is the post office and the other one is the power  
17 company and I don't know where those are located. I'll  
18 issue your travel advance checks and there's enough  
19 cars here if you need to take them to that location.  
20 Then we just need a return time, Madame Chair.

21  
22 MADAME CHAIR ENTSMINGER: Well,  
23 Members, there's several places to eat here. I  
24 actually brought some stuff to feed us if you want to  
25 hang around. If not, there's Fast Eddie's, which is  
26 across the street and then there's Grumpy Griz. I'm  
27 not sure what else is in this town anymore. Is that  
28 it? That's it. How much time would you like for  
29 lunch. I suspect if you go to Fast Eddie's for lunch  
30 you're going to be waiting a little bit. We'll come  
31 back at 1:30.

32  
33 (Off record)

34  
35 (On record)

36  
37 MADAME CHAIR ENTSMINGER: We need to  
38 start again. There's a lot of paper come flying at me  
39 here, so I'm trying to be organized.

40  
41 MR. MATHEWS: I can explain the papers.  
42 The one is the Arctic Refuge and they wanted you to  
43 have a chance to look at it ahead of time, but you did  
44 talk earlier about the sheep. Then for remaining  
45 travel procedures, all I need is to talk to Virgil and  
46 yourself, Sue, to settle out the travel advances and  
47 then that's done. And Proposal 15, the analysis, is  
48 passed out to you and that will come up before 16, and  
49 then Staff are ready to present that.

50

1 Thank you.

2

3 MADAME CHAIR ENTSMINGER: Okay, thank  
4 you, Vince. In an effort to be organized, I'm  
5 disorganized. We are now on Proposal 12 to allow bear  
6 handicraft provisions for Unit 11. Polly is going to  
7 address that for the analysis.

8

9 MS. WHEELER: Okay, thank you, Ms.  
10 Chair. For the record, Polly Wheeler with the Office  
11 of Subsistence Management. I'm going to be presenting  
12 quite a few analyses this go around, but I'll start  
13 with Proposal 12. I understand that we're going to put  
14 off Proposals 01 and 05 until either tonight or  
15 tomorrow morning.

16

17 I did not do the actual analysis for  
18 Proposal 12, but I'm fully prepared to present the  
19 analysis to you. You can find it in your books on  
20 Pages 68 to 73. It's not a real lengthy one and I will  
21 hit the highlights on the analysis.

22

23 This proposal was submitted by Robert  
24 Cyr. It's a Unit 11 proposal again. It requests that  
25 Unit 11 be added to the list of units within which the  
26 skin, hide, pelt, or fur, including claws, of brown  
27 bears harvested under Federal subsistence regulations  
28 can be used to make handicrafts for personal use or  
29 sale.

30

31 As many of you know, the Federal  
32 Subsistence Board has considered numerous proposals  
33 regarding the sale of handicrafts made from non-edible  
34 byproducts of black and brown bear harvested under the  
35 Federal subsistence regulations. The Board has  
36 supported these regulations in other areas of the state  
37 as they are allowable under ANILCA Section .803.  
38 However, in so doing, the Board has consistently  
39 emphasized that regulations for brown bear handicrafts  
40 are not appropriate as statewide regulations and should  
41 only be adopted for those regions that consider them  
42 appropriate. The appropriateness, of course, is  
43 determined by the vote of the regional advisory  
44 council.

45

46 The Board has not supported these  
47 regulations for the Southcentral Region because the  
48 Southcentral Regional Advisory Council has consistently  
49 opposed them. However, this proposal requests a use  
50 that is allowable under ANILCA Section .803 and the

1 regulatory process is always open to the re-examination  
2 of issues. In other words, if the Council opposes a  
3 proposal, the Board defers to the Council  
4 recommendation on that proposal. The issue can be  
5 brought back before the Council and subsequently the  
6 Board. Councils change, opinions change, people  
7 change.

8  
9 For this reason, the Office of  
10 Subsistence Management preliminary staff conclusion,  
11 which you can find on Page 71 of your books, is to  
12 support this proposal. The thought being that it  
13 presents another opportunity to consider regulations  
14 for brown bear handicrafts in the Southcentral region.

15  
16 That, Madame Chair and RAC Members, is  
17 my presentation.

18  
19 MADAME CHAIR ENTSMINGER: Short and  
20 sweet and to the point.

21  
22 MS. WHEELER: Short and sweet and to  
23 the point.

24  
25 MADAME CHAIR ENTSMINGER: We like that.  
26 Any questions of Polly.

27  
28 (No comments)

29  
30 MADAME CHAIR ENTSMINGER: Hearing none.  
31 The next is agency comments, starting with Alaska  
32 Department of Fish and Game. Terry.

33  
34 MR. HAYNES: Thank you, Madame Chair.  
35 Most of the Council is familiar with the position that  
36 the Department has had on these Federal brown bear  
37 handicraft proposals and regulations over the past few  
38 years. We have submitted a statewide proposal that  
39 you'll be talking about later, WP08-05, which we would  
40 recommend as an alternative to this proposal and other  
41 brown bear handicraft proposals that the Regional  
42 Councils are reviewing during these winter meetings and  
43 that the Board will be acting on in the spring.

44  
45 Specifically regarding Proposal WP08-  
46 12, the Department argues that this proposal would not  
47 further subsistence uses of brown bears in Unit 11  
48 because we believe the sale of brown bear handicrafts  
49 is not a customary and traditional practice in Unit 11.  
50 Federal regulations already allow rural residents to

1 barter brown bear handicrafts with anyone. Therefore,  
2 this proposal is not needed to allow rural residents or  
3 urban Natives to obtain brown bear handicrafts for use  
4 in ceremonial, religious and cultural activities.

5  
6 The Department has argued that  
7 regulations allowing the sale of high-value bear claws  
8 creates a legal market for bear claws that is likely to  
9 mask illegal sales, which compounds problems with the  
10 international trade of endangered species and  
11 contributes to the illegal harvest, overharvest and  
12 waste of bears in other states and countries as well as  
13 Alaska.

14  
15 Allowing widespread sale of high-value  
16 bear parts without any kind of a tracking mechanism is  
17 an invitation to illegal harvest. Existing unit-  
18 specific Federal regulations are unenforceable and  
19 inconsistent with sound management principals.  
20 Adoption of this proposal would incrementally increase  
21 these problems.

22  
23 Another point is the State maintains  
24 the Federal government lacks jurisdiction to allow the  
25 sales of any wildlife handicrafts where such sales are  
26 not customary and traditional.

27  
28 So we would urge the Council to  
29 consider looking at what the State proposes in WP08-05.  
30 We don't support Proposal WP08-12 in part because the  
31 Southcentral Regional Council has consistently opposed  
32 regulations allowing the sale of brown bear handicrafts  
33 in its region because of cultural and enforcement  
34 concerns. No evidence is presented in either the  
35 proposal or the Federal staff analysis demonstrating  
36 that the production and sale of brown bear handicrafts  
37 is a customary and traditional activity in Unit 11.  
38 Such sales will create enforcement problems for  
39 subsistence users and are contrary to accepted  
40 principals of wildlife management in light of the  
41 endangered species and sustainability issues.

42  
43 Thank you.

44  
45 Alaska Department of Fish and Game  
46 Preliminary Comments to the Regional Advisory Council.

47  
48 Wildlife Proposal WP08-12:

49  
50 WP08-12 proposes to authorize sale of

1 handicrafts made from fur, including claws of brown  
2 bear harvested in Unit 11.

3

4 Introduction:

5

6 Federal regulations authorizing sale of  
7 handicrafts made from the skin, hide, fur, or pelt,  
8 including claws, of brown bears do not apply to brown  
9 bears taken in Unit 11. This proposal would allow such  
10 sales from brown bear taken in Unit 11. Where such  
11 sales are allowed under Federal law, they are limited  
12 only by unenforceable regulation that prohibits sales  
13 constituting a "significant commercial enterprise,"  
14 which is undefined. Under State law, sales and  
15 purchases of handicrafts made with brown bear claws are  
16 prohibited. Sales of bear fur handicrafts would be  
17 allowed under different circumstances without adoption  
18 of this proposal if Proposal WP08-05 is adopted.

19

20 Impact on Subsistence Users:

21

22 This proposal would not further  
23 subsistence use of brown bear because sales of brown  
24 bear handicrafts are not customary and traditional.  
25 The Southcentral Regional Advisory Council in 2005 only  
26 supported recognizing the sale of handicrafts made from  
27 non-edible parts of black bears and no sales from parts  
28 of brown bears largely based on testimony from an AHTNA  
29 tribal representative who stated that brown bear claws  
30 had never been used for making handicrafts by the  
31 AHTNA.

32

33 The Federal Subsistence Board's current  
34 allowance of such sales in other units was not based  
35 upon a determination that such sales are customary and  
36 traditional but upon the Board's contention that the  
37 Federal Board can authorize any use if they take is  
38 customary and traditional.<sup>1</sup> Federal regulations  
39 already allow rural residents to barter brown bear  
40 handicrafts with anyone; therefore, this proposal is  
41 not needed to allow rural residents or urban Natives to  
42 obtain such handicrafts for ceremonial, religious and  
43 cultural purposes. Adoption of this proposal will  
44 increase the likelihood that Federally-qualified  
45 subsistence users will face State prosecution for  
46 engaging in sales that are prohibited under State law  
47 when they occur on State or private lands.

48

49 Opportunity Provided by the State:

50

1 State regulations allow the purchase,  
2 sale and barter of handicrafts made from the fur of a  
3 bear, but the State's definition of fur does not  
4 include the claws. Under 5 AAC 92.900, handicrafts  
5 made with bear fur may be sold to anyone. However,  
6 sales of handicrafts made with claws are prohibited.

7

8 Conservation Issues:

9

10 Regulations allowing the sales of high  
11 value bear claws create a legal market for bear claws  
12 that is likely to mask illegal sales, thereby  
13 compounding problems with the international trade of  
14 Endangered Species and contributing to the illegal  
15 harvest, overharvest and waste of bears in other states  
16 and countries as well as Alaska. Brown bears develop  
17 slowly and have a low reproductive rate making small  
18 populations extremely susceptible to overharvest.  
19 Allowing widespread sale of high value bear parts  
20 without any kind of tracking mechanism is an invitation  
21 to illegal harvests. Existing unit-specific Federal  
22 regulations are unenforceable and inconsistent with  
23 sound management principles. Adoption of this proposal  
24 will incrementally increase these problems.

25

26 Enforcement Issues:

27

28 This proposal will increase enforcement  
29 issues in several ways. First, by expanding the pool  
30 of eligible sellers and potential numbers of legal  
31 sales of high value bear parts, it will contribute to  
32 increased masking of illegal sales and bolster the  
33 economic incentives for illegal harvest in other states  
34 and countries as well as Alaska. Second, it will add  
35 another unenforceable unit specific sales authorization  
36 without any tracking mechanism for tying handicrafts to  
37 the location where a bear is harvested. Third, it will  
38 increase the likelihood that Federally-qualified  
39 subsistence users will face prosecution for attempting  
40 to engage in sales on State or private land that are  
41 prohibited under State law.

42

43 Jurisdiction Issues:

44

45 The State continues to maintain that  
46 the Federal government lacks jurisdiction to allow  
47 sales of any wildlife handicrafts where such sales are  
48 not customary and traditional. In the past, the  
49 Federal Subsistence Board has rejected this argument,  
50 asserting that if any use is customary and traditional

1 the Board can authorize any other use. The Board's  
2 argument is inconsistent with its stance in the  
3 Chistochina Unit 12 moose litigation, where it argued  
4 that customary and traditional use is related to how a  
5 resource is used after it is taken and not to or a  
6 prerequisite condition for the taking itself.2

7

8

Recommendations:

9

10

Oppose Proposal WP08-12 and support  
11 WP08-05 instead. The Southcentral Regional Advisory  
12 Council has consistently opposed regulations allowing  
13 the sale of brown bear handicrafts in its region  
14 because of cultural and enforcement concerns. No  
15 evidence is presented in either the proposal or Federal  
16 Staff analysis demonstrating that the production and  
17 sale of brown bear handicrafts is a customary and  
18 traditional activity in Unit 11. Furthermore, such  
19 sales will create enforcement problems for subsistence  
20 users and are contrary to accepted principles of  
21 wildlife management in light of the endangered species  
22 and sustainability issues.

23

24

1. See example Chairman Demientieff  
25 Letter to ADF&G on January 17, 2006.

26

27

2. State v. Fleagle, (Case 3:06-cv-  
28 00107-HRH) Doc. 32 at 22.

29

30

MADAME CHAIR ENTSMINGER: Thank you,  
31 Terry. I'm going to ask both of them to stay here.  
32 Any questions of the State. Go ahead.

33

34

MR. GILBERT: With all due respect, of  
35 all the stories I've heard of subsistence, the whole  
36 legal history, I've studied my eyes out of subsistence  
37 in Alaska, I've never once ever heard the State of  
38 Alaska recognize or say or state the customary and  
39 traditional use of Native people. I'm just wondering  
40 why you did it now.

41

42

MR. HAYNES: Through the Chair.  
43 Anything I said pertaining to customary and traditional  
44 uses of brown bear in Unit 11 are consistent with what  
45 the AHTNA people have said at Regional Council and  
46 Board meetings, so I wasn't saying anything that hasn't  
47 been said by other parties in the region.

48

49

MADAME CHAIR ENTSMINGER: Any other  
50 questions.

1 (No comments)

2

3 MADAME CHAIR ENTSMINGER: I have a lot,  
4 but I think I want to take it up under number 05. I'm  
5 going to go ahead to Federal agencies. Is there any  
6 Federal agency here that's going to speak to it other  
7 than OSM.

8

9 (No comments)

10

11 MADAME CHAIR ENTSMINGER: Next would be  
12 Native, tribal, village or other.

13

14 (No comments)

15

16 MADAME CHAIR ENTSMINGER: Next is  
17 Interagency Staff Committee comments. We only have one  
18 here.

19

20 (No comments)

21

22 MADAME CHAIR ENTSMINGER: Okay. Now  
23 the advisory group comments. Neighboring regional  
24 advisory councils, we'll hear what has happened.

25

26 MR. MATHEWS: Southcentral did take up  
27 this Proposal 12 and they oppose it. Terry captured  
28 their main intent there was concern about violating  
29 cultural taboos plus law enforcement and there was no  
30 records of this transpiring, I gather. So Southcentral  
31 opposes Proposal 12.

32

33 MADAME CHAIR ENTSMINGER: Vince, what  
34 was the vote?

35

36 MR. MATHEWS: I don't have that vote.

37

38 MADAME CHAIR ENTSMINGER: Go ahead.

39

40 MS. WHEELER: The Council voted 2/8 to  
41 support the proposal, so it failed.

42

43 MADAME CHAIR ENTSMINGER: Is it okay to  
44 ask you who the two were? I'll ask you later. Next is  
45 the local Fish and Game Advisory Committee. Is there  
46 any comments.

47

48 (No comments)

49

50 MADAME CHAIR ENTSMINGER: Then the SRC

1 did not meet. Summary of written comments.

2

3 MR. MATHEWS: Madame Chair. They're on  
4 Page 73 and both are in opposition. Copper River  
5 Native Association opposes this proposal. Allowing the  
6 sale of handicrafts made from the skin, hide, pelt or  
7 fur including claws of a brown bear goes against our  
8 customary and traditional way of living. The AHTNA,  
9 Inc. opposed it also. To allow the sale of handicrafts  
10 made from the skin, hide, pelt or fur including claws  
11 of a Unit 11 brown bear goes against our customary and  
12 traditional ways of living. So both were in opposition  
13 to this proposal.

14

15 MADAME CHAIR ENTSMINGER: Is there any  
16 public testimony? Did we cover everything, Vince?

17

18 MR. MATHEWS: Yes.

19

20 MR. UMPHENOUR: Move to adopt WP08-12.

21

22 MADAME CHAIR ENTSMINGER: Do I hear a  
23 second.

24

25 MR. GLANZ: I'll second it.

26

27 MADAME CHAIR ENTSMINGER: It's moved  
28 and seconded. Discussion. Go ahead, Virgil.

29

30 MR. UMPHENOUR: We just heard what the  
31 vote of the local RAC was, which was two for the  
32 proposal and eight against, so that's a pretty good  
33 amount of opposition to it. Plus the two Native  
34 corporations were opposed to it. So it's hard to  
35 support something if the people that live there don't  
36 really support it, so I don't think I'm going to  
37 support it. I don't think there is -- well, I don't  
38 know if there's a conservation concern there or not,  
39 but I don't much think there is on the bears because  
40 they're not that easy to hunt. As far as their  
41 recommendation, it's supported by substantial evidence,  
42 including traditional ecological knowledge if you read  
43 what the two Native corporations said. So I think I  
44 will oppose the proposal. Madame Chair.

45

46 MADAME CHAIR ENTSMINGER: Any other  
47 discussion. Matthew.

48

49 MR. GILBERT: I'm going to oppose it  
50 too.

1 MADAME CHAIR ENTSMINGER: Okay.  
2  
3 MR. GLANZ: Call the question.  
4  
5 MADAME CHAIR ENTSMINGER: The question  
6 has been called for. All in favor say aye.  
7  
8 (No aye votes)  
9  
10 MADAME CHAIR ENTSMINGER: All opposed.  
11  
12 IN UNISON: Aye.  
13  
14 MADAME CHAIR ENTSMINGER: Okay, failed.  
15 The next one is 13/14. Go ahead, Polly.  
16  
17 MS. WHEELER: Thank you, Ms. Chair.  
18 For the record, Polly Wheeler. I will be presenting  
19 the analysis for Proposals 13 and 14. It's a combined  
20 analysis because both of these proposals address  
21 similar issues. You can find the analysis on Pages 74  
22 to 80 in your books.  
23  
24 Proposal WP08-13 was submitted by  
25 Robert Cyr and Proposal WP08-14 was submitted by Dean  
26 Wilson. Both proposals request a change in salvage  
27 requirements for brown bear in Unit 11. Proposal 13  
28 requests that for the period from August 10 to December  
29 31 only the skull and hide of a brown bear must  
30 be salvaged. Just for your reference, the proposed  
31 regulations for each of the two proposals are on Page  
32 76 in your books if you want to look at those.  
33  
34 In support of his proposal, the  
35 proponent of Proposal 13 states that brown bear meat  
36 harvested in fall is not fit for human consumption and  
37 that people do not harvest brown bear under Federal  
38 regulations because of the salvage requirements. The  
39 proponent further states that adoption of this proposal  
40 would help raise some numbers of ungulates, which  
41 suggests that part of the intent of this proposal may  
42 be predator control. If predator control is the intent  
43 of the proposal, it falls outside of the purview of the  
44 Board, but within the purview of Federal land  
45 management agencies, as described in the Predator  
46 Management Policy adopted by the Board in 2004. I  
47 actually do have copies of that. It's a two-pager if  
48 anybody is interested.  
49  
50 Proposal 14 requests that only the hide

1 and skull of a brown bear must be salvaged for the  
2 duration of the season. The proponent for that  
3 proposal states traditionally, the local Ahtna people  
4 have not harvested brown bear meat for human  
5 consumption. The hide and other parts have been  
6 traditionally used for clothing, handicrafts, tools and  
7 for making other traditional items. Section .803 of  
8 ANILCA provides the basis for Federal subsistence  
9 regulations. Section .803 defines subsistence uses as  
10 the customary and traditional uses by rural Alaska  
11 residents of wild renewable resources for direct  
12 personal or family consumption as food, shelter, fuel,  
13 clothing, tools, or transportation. Harvesting brown  
14 bear for use as food, shelter, clothing and tools as  
15 suggested by the proponent of Proposal 14 is consistent  
16 with ANILCA Section .803, if the practices are  
17 customary and traditional.

18  
19                   The ethnographic literature and public  
20 testimony regarding brown bear in Unit 11 point to a  
21 variety of uses and beliefs about brown bear.  
22 Practices and beliefs guiding the harvest of brown  
23 bears and the consumption of the meat appear to be  
24 varied throughout the Ahtna community. Some people eat  
25 it, some don't. None of the ethnographic information  
26 or public testimony cited indicated the practice of  
27 harvesting brown bear only for its skull or hide was  
28 practiced.

29  
30                   The ethnographic literature and  
31 Southcentral Alaska Subsistence Regional Advisory  
32 Council transcripts also indicate that it is customary  
33 and traditional for some residents of Unit 11 to  
34 harvest brown bear meat and fat for food and the non-  
35 edible parts of these bears are used to make other  
36 items.

37  
38                   The Southcentral Council supported the  
39 notion of full utilization of most animals harvested  
40 under subsistence  
41 regulations, including the use of non-edible parts as  
42 handicrafts. They have not, however, supported this  
43 use for brown bear, only black bear.

44  
45                   The current Federal season for brown  
46 bear in Unit 11 runs from August 10 to June 15, with a  
47 harvest limit of one bear. Federal regulations state  
48 that if you take brown bear for subsistence you must  
49 salvage the hide and edible meat except you don't have  
50 to take the hide in some units actually.

1 State of Alaska brown bear hunting  
2 regulations in Unit 11 are more liberal than in many  
3 other areas of the state. In Unit 11, the brown bear  
4 hunting season is August 10 to June 15 for both  
5 residents and nonresidents, with a harvest limit of one  
6 brown bear every regulatory year. Brown bear hunters  
7 are not required to salvage the meat of bears taken in  
8 Unit 11, although the skull and hide must be sealed  
9 within 30 days of the kill. These regulations apply to  
10 Wrangell-St. Elias National Preserve lands which are 24  
11 percent of Unit 11.

12  
13 It appears that it is a customary and  
14 traditional practice in Southcentral Alaska to harvest  
15 brown bears throughout the year and that they were/are  
16 harvested for their meat, fat and other parts but not  
17 solely for hides or skulls. It is likely that in fall,  
18 bear meat may not be considered palatable by some  
19 people although this may depend on whether the bear is  
20 harvested in highland or lowland areas. For those who  
21 eat it, brown bear fat is preferable in the fall.

22  
23 Section .803 of ANILCA is not intended  
24 to mandate that people eat everything they harvest.  
25 However, the Southcentral Regional Advisory Council  
26 transcripts and the ethnographic record do not indicate  
27 it was or is customary and traditional to harvest brown  
28 bears only for their skulls and hides in the fall.

29  
30 The Office of Subsistence Management  
31 preliminary conclusion, which you can find on Page 78,  
32 is to oppose Proposals 13 and 14. Madame Chair, that  
33 concludes my presentation.

34  
35 MADAME CHAIR ENTSMINGER: Council  
36 Members, any questions.

37  
38 (No comments)

39  
40 MADAME CHAIR ENTSMINGER: Well, I just  
41 want to note, I know you did hit on it, but bears in  
42 the fall eating berries is some of the best bear meat  
43 you're going to eat. And grizzlies are equally as good  
44 as blacks.

45  
46 MS. WHEELER: I think the thought was  
47 if they're real fishy bears, then people may not want  
48 to eat the meat, but it depends on where they're  
49 harvested and what they've been eating.

50

1 MADAME CHAIR ENTSMINGER: Exactly.  
2 Thank you, Polly. Terry, you're up next.

3  
4 MR. HAYNES: Thank you, Madame Chair.  
5 The Department does not support this proposal. As  
6 Polly indicated, State regulations don't require the  
7 salvage of meat from brown bears harvested in Unit 11,  
8 but the hide and skull must be sealed. The 10-month  
9 State season and one brown bear per year harvest limit  
10 apply to all Federal lands in Unit 11 except for the  
11 Wrangell-St. Elias National Park. Very few brown bears  
12 are being harvested in Unit 11 under either Federal or  
13 State regulations. So, in our opinion, an exception to  
14 the statewide requirement in the Federal regulations  
15 that the edible meat of brown bear be salvaged is  
16 unnecessary.

17  
18 Federal subsistence regulations require  
19 that the edible meat of brown bears be salvaged in all  
20 areas of the state. If Federally qualified subsistence  
21 users want to harvest brown bears and not salvage the  
22 edible meat, State regulations provide that opportunity  
23 during nearly a 10-month season and with a one brown  
24 bear per year bag limit everywhere in Unit 11 except  
25 for Wrangell-St. Elias National Park lands.

26  
27 Alaska Department of Fish and Game  
28 Preliminary Comments to the Regional Advisory Council.

29  
30 Wildlife Proposals WP08-13 and 14:

31  
32 WP08-13 and 14 liberalize the brown  
33 bear salvage requirements in Unit 11.

34  
35 Introduction:

36  
37 Federal subsistence regulations require  
38 that the edible meat of harvested brown bears must be  
39 salvaged for human use. These proposals would remove  
40 this requirement in Unit 11, either for part of the  
41 season, August 10 through December 31, as proposed in  
42 WP08-13 or for the entire season, August 10 through  
43 June 15, as proposed in WP08-14. The proponents state  
44 that brown bears traditionally were not harvested for  
45 their meat in this area and that the meat of the brown  
46 bears is inedible during the fall when brown bear diet  
47 consists primarily of salmon.

48  
49 Impact on Subsistence Users:

50

1 Both Federally-qualified and State  
2 subsistence users can harvest brown bears on State land  
3 and on Federal land outside of Wrangell-St. Elias  
4 National Park in Unit 11 under State regulations from  
5 August 10 to June 15 and are not required to salvage  
6 the meat. Very few brown bears are harvested in Unit  
7 11 under either Federal or State regulations, so an  
8 exception to the statewide requirement in the Federal  
9 regulations that the edible meat of brown bears be  
10 salvaged is unnecessary.

11  
12 Opportunity Provided by State:

13  
14 State regulations do not require the  
15 salvage of meat from brown bears harvested in Unit 11,  
16 but the hide and skull must be sealed. The 10 month  
17 season and one brown bear per year harvest limit apply  
18 to all Federal lands in Unit 11 except for the  
19 Wrangell-St. Elias National Park.

20  
21 Recommendation:

22  
23 Oppose. The Federal subsistence  
24 regulations require that the edible meat of brown bears  
25 be salvaged in all areas of the state. If Federally-  
26 qualified subsistence users want to harvest brown bears  
27 and not salvage the edible meat, State regulations  
28 provide that opportunity during a long season (August  
29 10 to June 15) and with a one brown bear per year bag  
30 limit.

31  
32 MADAME CHAIR ENTSMINGER: Just quick,  
33 what is it in the Wrangell Park lands? What's  
34 different?

35  
36 MR. HAYNES: Just a minute.

37  
38 MADAME CHAIR ENTSMINGER: Barb, you  
39 have the answer really quickly I take it.

40  
41 MS. CELLARIUS: For the record, Barbara  
42 Cellarius, Wrangell-St. Elias National Park. I think  
43 what Terry is referring to is the fact that the State  
44 regulations do not apply on park lands, so then you  
45 would be harvesting under the Federal regulations and  
46 the Federal regulations require that the meat is  
47 salvaged.

48  
49 MADAME CHAIR ENTSMINGER: Okay. That's  
50 the difference. I'm having a hard time wrapping my

1 head around all this stuff all of a sudden. Any other  
2 questions.

3

4 (No comments)

5

6 MADAME CHAIR ENTSMINGER: So next would  
7 be any Federal agencies.

8

9 (No comments)

10

11 MADAME CHAIR ENTSMINGER: Native,  
12 tribal or village.

13

14 (No comments)

15

16 MADAME CHAIR ENTSMINGER: Interagency  
17 Staff. Any comments.

18

19 (No comments)

20

21 MADAME CHAIR ENTSMINGER: If none, then  
22 we go to advisory groups, neighboring RAC.

23

24 MR. MATHEWS: People will correct me if  
25 I get this wrong. For Proposal 14 Southcentral  
26 supported it because it provided additional opportunity  
27 is what I was told. Proposal 13 appears to be they  
28 took no action.

29

30 MS. WHEELER: Madame Chair. My  
31 understanding is that Southcentral Regional Advisory  
32 Council supported Proposal 14 as amended. The  
33 amendment was for brown bear hide and skull to be  
34 salvaged year round, but not to require salvage of meat  
35 August 10 through December 31. I would add that you  
36 have to salvage the hide and skull year round anyway  
37 under existing regulations. Their amendment is  
38 consistent with what the proposal is.

39

40 MR. EASTLAND: Madame Chair, Polly.  
41 What they did was -- because Proposal 13 speaks of  
42 predator control, they ignored it. They went to  
43 Proposal 14. They essentially changed 14 into 13 and  
44 then passed it. So they supported amending 14 so that  
45 it looked like 13 and then supported the proposal as  
46 amended. So what they did is support 13, but it's not  
47 called 13, it's modified 14 and that got them away from  
48 any mention of predator control, which is present in  
49 part of the justification for 13.

50

1 MADAME CHAIR ENTSMINGER: So their  
2 justification to do it that way was -- do you know what  
3 I'm saying, what the subsistence portion.

4  
5 MR. EASTLAND: Yes, ma'am. They were  
6 basing their entire rationale solely upon subsistence  
7 uses and no basis at all whatsoever under predator  
8 control, which was part of the reason for submitting  
9 13, so they left 13 alone and went solely with 14.

10  
11 Thank you.

12  
13 MADAME CHAIR ENTSMINGER: Any other  
14 questions from the Council.

15  
16 MR. UMPHENOUR: I want to make sure I'm  
17 clear here. Currently the State season is August 10th  
18 to June 15th. Under State regulations it's an  
19 either/or. You have to salvage the hide and the skull  
20 on a brown bear period and if you want to salvage the  
21 meat you can. Okay. So my question is this, on the  
22 Federal lands in Unit 11, don't the State regulations  
23 apply unless there's a Federal regulation that somehow  
24 changes it?

25  
26 MS. WHEELER: Through the Chair. That  
27 is correct that State regulations are in place unless  
28 Federal regulations supersede it, but we do have  
29 Federal regulations in place for Unit 11, which are in  
30 place on park lands.

31  
32 MADAME CHAIR ENTSMINGER: Which  
33 means.....

34  
35 MS. WHEELER: Which means that the  
36 Federal regulations are in place where you have to  
37 salvage the meat and it's a slightly different season.  
38 And the hide and the skull.

39  
40 MADAME CHAIR ENTSMINGER: I think we're  
41 terribly confused here. I've got Terry and Barbara and  
42 Frank feels like he knows something from the public  
43 side.

44  
45 MS. CELLARIUS: Most of the Federal  
46 lands in Unit 11 are in Wrangell-St. Elias National  
47 Park and Preserve. On those lands that are designated  
48 as national preserve you can hunt either under the  
49 State general hunting regulations or under the Federal  
50 subsistence regulations. On those lands designated as

1 national park, only the Federal subsistence regulations  
2 apply. So that's where currently you have to salvage  
3 the meat of a brown bear in addition to the hide and  
4 the skull.

5  
6 MADAME CHAIR ENTSMINGER: I take it you  
7 agree with that.

8  
9 MR. HAYNES: Yes, Madame Chair. And I  
10 think that's an important point, is that on preserve  
11 lands hunters have the choice. If they hunt under the  
12 Federal regulations.....

13  
14 MADAME CHAIR ENTSMINGER: They have to  
15 bring in the meat.

16  
17 MR. HAYNES: ....they have to. So  
18 there's no compelling reason to hunt under the Federal  
19 regulations unless you want to salvage the meat. But  
20 the Federal regulations apply only in the park lands.  
21 The State regulations do not apply in Wrangell-St.  
22 Elias National Park.

23  
24 MADAME CHAIR ENTSMINGER: What we call  
25 the hard park, yeah. Do you have anything to add,  
26 Frank.

27  
28 MR. ENTSMINGER: Madame Chair and  
29 Council Members. I don't know if I have anything to  
30 add, but I want to further the dialogue here.  
31 Basically I think the proponent is a qualified  
32 subsistence user for Wrangell-St. Elias and, by the  
33 way, you have to have a customary and traditional  
34 standing in order to hunt in the hard park in Unit 11.  
35 Our family has a C&T standing to hunt dall sheep and  
36 mountain goats in the Wrangell-St. Elias south of the  
37 Sanford River as well as north of the Sanford, but you  
38 have to have this C&T finding and able to hunt there.  
39 What this proponent is asking, I believe, is he goes  
40 hunting in the hard park down there in the fall, he has  
41 opportunity to shoot brown bear or grizzly bear, but he  
42 hasn't because of the meat requirement. He's probably  
43 hunting in an area where the bears are eating fish,  
44 they're not really that edible, but he would like to  
45 take a brown bear but he cannot do it under existing  
46 regulation. So he's asking for the salvage of the meat  
47 to be not a requirement anymore so when he hunts down  
48 there he can shoot a brown or a grizzly bear and be  
49 legal just by salvaging the hide and the skull. Does  
50 that help clarify things?

1 MADAME CHAIR ENTSMINGER: Very good.  
2 Very good. So what is the Council's wishes.

3  
4 MR. FRENZL: Madame Chair, could I have  
5 a clarification of what is a hard park. That term is  
6 new to me.

7  
8 MS. CELLARIUS: A hard park is a term  
9 that you sometimes heard used. If you look at the map,  
10 it's on Page 58 of the Federal regulations. You'll see  
11 that there's some land that's a light purple and some  
12 land that's a dark purple. Those lands that are dark  
13 purple are what's being referred to as the hard park.  
14 They're designated as National Park and they're  
15 basically -- hunting under the State general hunting  
16 regulations is not allowed there. There's also a  
17 prohibition on the use of aircraft to engage in  
18 subsistence in the hard park and eligibility to engage  
19 in subsistence in the National Park is limited, as Pete  
20 mentioned earlier, to people who live in a resident  
21 zone community or have a subsistence eligibility permit  
22 from the superintendent. So there's basically stricter  
23 rules related with the park.

24  
25 MADAME CHAIR ENTSMINGER: For those of  
26 us who can hunt there, the only hunting allowed -- and  
27 we call it the hard park, and someone told me the real  
28 hard park is Denali because there's no hunting at all,  
29 but the only hunting allowed in what we call hard park  
30 is subsistence. So it's quite a big chunk of Unit 11.  
31 So the only people that can qualify for subsistence in  
32 that park are people who are in designated resident  
33 zone communities and it's been a long battle in this  
34 area to keep that for us. We actually worked very hard  
35 on that, Frank and his advisory committee, to get these  
36 Upper Tanana communities included in those boundaries  
37 because they weren't originally. It took eight years  
38 to get them in there.

39  
40 MR. FRENZL: Thank you.

41  
42 MADAME CHAIR ENTSMINGER: So that  
43 probably helps you to understand.

44  
45 MR. FRENZL: It does.

46  
47 MADAME CHAIR ENTSMINGER: Okay. I wish  
48 we had taken this one up first before the last one, but  
49 that's okay. Another long battle here. Council  
50 Members, I need more input from you. Go ahead, Matt.

1 MR. GILBERT: It seems as it's written,  
2 13 says only the skull and hide to be salvaged. And  
3 both AHTNA and Copper River opposed it when it said  
4 only the skull and hide and edible meat to be salvaged.  
5 And 14 they supported it and there's additional stuff  
6 to it. It looks like it was amended. It says supports  
7 the salvage of only the hide and skull because very few  
8 people hunt in Unit 11 due to accessibility in addition  
9 to the predator rate in Unit 11 upon calves and moose  
10 and caribou. The second one says the same. So were  
11 they like opposed to it when it was just the hide and  
12 edible meat to be salvaged from all harvested bears and  
13 then they were supporting it when it mentioned the fact  
14 that very few people could hunt these bears and  
15 something about the predator rate on calves.

16  
17 MADAME CHAIR ENTSMINGER: Someone else  
18 is going to have to answer that besides myself.

19  
20 MS. WHEELER: Member Gilbert, you're  
21 referring to the public comments on Page 80 and I  
22 actually can't speak to the written public comments. I  
23 don't know if Vince can.

24  
25 MR. MATHEWS: The only thing I see  
26 there is they didn't want at any time during the season  
27 to harvest brown bear that they'd have to salvage  
28 edible meat, so they support 14.

29  
30 MR. GILBERT: I'm clear on it now.  
31 Thanks.

32  
33 MADAME CHAIR ENTSMINGER: Virgil.

34  
35 MR. UMPHENOUR: Procedurally, we  
36 haven't moved to adopt either one of these, so I think  
37 procedurally I would rather do them separately than try  
38 to stick them together because they're two different  
39 things.

40  
41 MADAME CHAIR ENTSMINGER: We never made  
42 a motion, right?

43  
44 MR. UMPHENOUR: Right. That's what I'm  
45 getting at. So, with your permission, I'd like to  
46 separate them. I move to adopt Proposal WP08-13.

47  
48 MADAME CHAIR ENTSMINGER: We'll need a  
49 second to do that.

50

1 MR. GLANZ: I'll second.

2

3 MR. UMPHENOUR: Now I'll speak to  
4 Proposal 13. What I suggest we do is Proposal 13 and  
5 14 are very similar, so what I would like to do is move  
6 that we take no action on Proposal 13 and then move on  
7 to Proposal 14 and discuss the issue and use it for the  
8 vehicle to address this issue.

9

10 MADAME CHAIR ENTSMINGER: So now you  
11 created a procedural question in my mind. We have a  
12 motion on the floor and we want to vote no action?

13

14 MR. UMPHENOUR: Right. That's what I  
15 want to do. I want to make a motion to take no action  
16 on Proposal 13.

17

18 MADAME CHAIR ENTSMINGER: I need a  
19 parliamentarian. You just moved to adopt it.

20

21 MR. UMPHENOUR: Right. I made a motion  
22 to adopt it because that's how we have to get it on the  
23 floor to talk about it. Now what we need to do --  
24 we've got it on the floor, so now we can do anything we  
25 want with it. We can make a motion to -- I can speak  
26 for it or against it or I can make a motion like I just  
27 got through doing that we take no action. I move that  
28 we take no action. I need a second and then I'll  
29 explain it.

30

31 MADAME CHAIR ENTSMINGER: That means  
32 that you think we're doing this right and I think you  
33 should have just made one motion. The motion should  
34 have been to take no action on 13.

35

36 MR. UMPHENOUR: I'm doing it right.

37

38 MADAME CHAIR ENTSMINGER: Do you want  
39 to read this? Go ahead, Vince.

40

41 MR. GLANZ: I second, but I also was  
42 wondering if we have to have a proposal to separate  
43 them. Are these a unit?

44

45 MADAME CHAIR ENTSMINGER: He's doing  
46 13.

47

48 MR. UMPHENOUR: Right. We're only  
49 doing 13. I made a motion to bring 13 to the table.  
50 After I did that I made a motion we take no action. My

1 justification for making the motion we take no action  
2 is that these two proposals are very much alike and  
3 Proposal 14 in my mind is the best vehicle to address  
4 this issue. So I made the motion to take no action on  
5 Proposal 13. Madame Chair.

6

7 MADAME CHAIR ENTSMINGER: I understand  
8 that. You know what, Virgil, I'm not going to arm  
9 wrestle you over this one.

10

11 MR. MATHEWS: Does the Council Members  
12 understand then that the motion is to adopt it, so  
13 they've got to vote it up or down or abstain.

14

15 MADAME CHAIR ENTSMINGER: Exactly.  
16 That's why I'm concerned.

17

18 MR. MATHEWS: So they'd have to vote it  
19 down.

20

21 MADAME CHAIR ENTSMINGER: I want you to  
22 do me a favor, Virgil. I'll arm wrestle you. Remove  
23 the first motion and then make your motion to take no  
24 action.

25

26 MR. UMPHENOUR: Okay. I'd like to  
27 withdraw my motion to take no action.

28

29 MR. GLANZ: I'll withdraw my second  
30 then.

31

32 MR. UMPHENOUR: Now I'll speak against  
33 Proposal 13.

34

35 MADAME CHAIR ENTSMINGER: Whoa, whoa,  
36 whoa, you didn't understand me. We can either do this  
37 on the record or not. All you need to do is the first  
38 motion -- did I get a second on the first motion?

39

40 MR. GLANZ: I seconded it and I  
41 withdrew it.

42

43 MADAME CHAIR ENTSMINGER: Okay. Remove  
44 them both. Now make your motion. They're both off the  
45 floor, the gavel has been hit, the lights go dim. Now  
46 take and make your motion to take no action.

47

48 MR. UMPHENOUR: Move to adopt Proposal  
49 WP08-14.

50

1 MADAME CHAIR ENTSMINGER: Did I hear  
2 him right?  
3  
4 MR. UMPHENOUR: We skipped it. We're  
5 going to 14.  
6  
7 MADAME CHAIR ENTSMINGER: No, no, no.  
8  
9 MR. UMPHENOUR: Look, if we take action  
10 on Proposal 14, then we can take no action on Proposal  
11 13 based on the action taken on 14.  
12  
13 MADAME CHAIR ENTSMINGER: Okay.  
14  
15 MR. GLANZ: I'll second the 14  
16 proposal.  
17  
18 MADAME CHAIR ENTSMINGER: Moving  
19 rapidly along. Is that clear? That means we're not  
20 taking any action on 13. All right. No action.  
21 Speaking to -- and I got a second on 14?  
22  
23 MR. GLANZ: Yes.  
24  
25 MR. UMPHENOUR: I want to speak to 14.  
26 What Proposal 14 seeks to do is make the Federal  
27 regulation the same as the State regulation, which  
28 means that you don't have to salvage the meat on a  
29 brown bear. The season stays the same, everything  
30 stays the same. If I'm wrong, I'd like one of the  
31 staff to tell me. To me, when I look at Proposal 14,  
32 it just seeks to make the Federal regulation identical  
33 to the State regulation. Is that not correct?  
34  
35 MS. WHEELER: Through the Chair. Based  
36 on my understanding, you're correct, Mr. Umphenour.  
37  
38 MR. UMPHENOUR: So what that does is  
39 that makes it easier for the user to understand the  
40 regulations because both regulations are identical and  
41 there won't be any confusion as to the regulations.  
42  
43 MS. WHEELER: The one caveat I would  
44 have, Madame Chair, excuse me, is that under State  
45 regulations the hide and skull must be sealed within 30  
46 days of the kill and I don't know offhand what the reg  
47 is for Federal regulations, but I will check  
48 right now.  
49  
50 MR. UMPHENOUR: Okay, that sounds good.

1 Is there a conservation concern. There's a very  
2 liberal season here and the reason for a very liberal  
3 season is because these animals evidently are doing  
4 quite well over there and there's not much hunting  
5 pressure because you have to be harder than woodpecker  
6 lips to get out there and hunt them.

7  
8 MADAME CHAIR ENTSMINGER: That's pretty  
9 hard.

10  
11 MR. UMPHENOUR: Yeah. And so it's just  
12 adding opportunities there. What this does is take  
13 away the requirement to salvage the meat part of the  
14 year and it's during the part of the year, like we  
15 heard testimony a while ago, when a fair percentage of  
16 the bears are probably eating salmon and probably don't  
17 smell very good or taste too good. So I'll be in  
18 support of Proposal 14. Madame Chair.

19  
20 MADAME CHAIR ENTSMINGER: Thank you,  
21 Virgil. Job well done.

22  
23 MS. WHEELER: Just to clarify, sealing  
24 requirements are in place for brown bear for Unit 11.

25  
26 MADAME CHAIR ENTSMINGER: Exactly the  
27 same, 30 days. Okay. That's good to know. Would  
28 anyone else like to add to what Virgil has said or any  
29 other comments or disagree.

30  
31 (No comments)

32  
33 MR. GLANZ: I'll call the question.

34  
35 MADAME CHAIR ENTSMINGER: The question  
36 has been called for. All in favor say aye.

37  
38 IN UNISON: Aye.

39  
40 MADAME CHAIR ENTSMINGER: Anyone  
41 opposed.

42  
43 (No opposing votes)

44  
45 MADAME CHAIR ENTSMINGER: Okay.

46  
47 MR. UMPHENOUR: Madame Chair. I move  
48 we take no action on Proposal 13 due to the action  
49 taken on Proposal 14.

50

1 MR. GLANZ: I'll second that.  
2  
3 MADAME CHAIR ENTSMINGER: Thank you.  
4 Any discussion.  
5  
6 (No comments)  
7  
8 MR. GLANZ: Call for the question.  
9  
10 MADAME CHAIR ENTSMINGER: The question  
11 has been called for. All in favor.  
12  
13 IN UNISON: Aye.  
14  
15 MADAME CHAIR ENTSMINGER: Anyone  
16 opposed.  
17  
18 (No opposing votes)  
19  
20 MADAME CHAIR ENTSMINGER: Okay. We're  
21 done with that one. Does anybody need a break or do  
22 you want to continue.  
23  
24 MR. UMPHENOUR: Virgil said we can take  
25 a short break since Vince is busy on the phone.  
26  
27 (Off record)  
28  
29 (On record)  
30  
31 MADAME CHAIR ENTSMINGER: Are we ready  
32 to come back. Call the meeting back to order. We're  
33 going to take up this other trapping proposal. Council  
34 Members, this one was handed out to you. It's Proposal  
35 15. I believe Pete is going to handle the analysis.  
36  
37 MR. DEMATTEO: Proposal 15 was  
38 submitted by Dean Wilson, Jr. requests an expansion of  
39 the beaver trapping season for Unit 11 from the  
40 existing November 10 through April 30 to September 25  
41 through May 31 season and change the harvest limit to  
42 no limit.  
43  
44 The proponent's intent is to provide an  
45 additional 77 days of opportunity for Federally  
46 qualified users to trap beaver for human consumption of  
47 the meat and also for the pelts under Federal trapping  
48 regulations in Unit 11. The proposed regulatory change  
49 would provide Federally qualified users opportunity to  
50 trap beaver on Federally managed lands and waters

1 before and after freeze up occur.

2

3                   You can see halfway down the page the  
4 proposed season expansion and also the expansion of the  
5 harvest limit.

6

7                   All rural residents are eligible to  
8 harvest beaver in Unit 11 under NPS regulations and the  
9 same applies where only residents who live in the  
10 resident zone communities or within park boundaries of  
11 the Wrangell-St. Elias National Park are eligible to  
12 harvest in the park. All remaining Federally qualified  
13 subsistence users are eligible to harvest beaver in the  
14 Preserve or in that small portion of the Chugach  
15 National Forest in Unit 11.

16

17                   Like Proposal 02, subsequent to the  
18 publication of this proposal in the booklet, the  
19 proponent provided additional comments for Proposal 15.  
20 The proponent stated that an expansion of the June 1  
21 through October 10 beaver hunting season in Unit 11,  
22 instead of an expansion of the existing trapping  
23 season, would better address the intent of Proposal 15.  
24 The proponent stated that because Park Service  
25 regulations do not allow for the harvest of furbearers  
26 with a firearm on NPS lands during the trapping season,  
27 he felt it necessary to provide additional information  
28 to better address the intent.

29

30                   Although beaver cache surveys are not  
31 conducted by the Department of Fish and Game in Unit  
32 11, frequent field observations of beaver impoundments  
33 and food caches made during aerial big game surveys  
34 suggest that beaver numbers are high within unit.

35

36                   Estimates of trapping pressure made by  
37 the Department of Fish and Game for Unit 11 are  
38 produced from the ADF&G Trapper Questionnaire, sealing  
39 data, and also staff contacts with trappers. Currently  
40 trapping of beaver within unit is relatively low.  
41 There are no conservation concerns of beaver for that  
42 unit.

43

44                   The intent of Proposal 15 would not  
45 accomplish the proponent's objectives since the  
46 National Park Service regulations do not allow for  
47 harvest of furbearers by firearm under the trapping  
48 license or on NPS managed lands and waters. The  
49 proponent's comments on the establishment of hunting  
50 season in conjunction with the existing June 1 through

1 October 10 hunting season would provide for essentially  
2 a year-round opportunity for Federally qualified users  
3 to shoot beaver on Federally managed lands and waters  
4 in Unit 11.

5  
6 The establishment of a beaver hunting  
7 season from September 25 through May 31 with a no  
8 harvest limit would essentially provide a year-round  
9 hunting season with a no limit harvest from September  
10 25 through May 31` and a one beaver per day limit, one  
11 in possession, for June 1 through September 24. The  
12 establishment of a September 25 through May 31 hunting  
13 season would also provide the option to harvest beaver  
14 by firearm during the period from spring thaw and  
15 breakup through May 31, through and contiguous with the  
16 existing June 1 to October 10 beaver hunting season.  
17 Federally qualified subsistence users would need to  
18 adhere to the harvest limit during June 1 through  
19 September 24 season.

20  
21 The expansion of the current hunting  
22 season with a no limit harvest could jeopardize beaver  
23 that occupy road-accessible impoundments in the  
24 affected portion of Unit 11. Because these habitats  
25 are very accessible by licensed highway vehicles,  
26 adoption of a no harvest limit could lead to  
27 overharvest and wounding loss. Because there is easy  
28 access to Unit 11 beaver along the road system within  
29 the affected area, a year-round hunting season and no  
30 harvest limit during September 25 through May 31 could  
31 have adverse impacts on users who trap beaver under  
32 State regulations in Unit 11. Adoption of the proposed  
33 regulatory change would align Federal and State  
34 trapping regulations for beaver in Unit 11.

35  
36 With that, Madame Chair, the OSM  
37 preliminary conclusion is to support the Proposal 15 as  
38 stated.

39  
40 Thank you.

41  
42 MADAME CHAIR ENTSMINGER: Thank you,  
43 Pete. Fish and Game.

44  
45 MR. HAYNES: Thank you, Madame Chair.  
46 You don't have our written comments in your little  
47 packet because I didn't know this proposal was going to  
48 come up, so I didn't bring my comments. We don't have  
49 a position on this proposal. Pete has very clearly  
50 laid out what it will do and what it will not do. By

1 adopting this proposal, the result would be to align  
2 the State and Federal trapping regulations, which is a  
3 good thing. It may not address the proponent's  
4 interest in using firearms to take beavers, but I think  
5 the Staff analysis and the justification suggests that  
6 there should be some caution used in opening up an area  
7 easily accessible to shooting at beavers with firearms  
8 and there would be a potential for wounding loss and  
9 public perception that there might be more efficient  
10 and effective ways to take beavers.

11  
12 So adopting this proposal as written  
13 would align the State and Federal regulations and we  
14 certainly don't have a problem with that.

15  
16 Thank you.

17  
18 Alaska Department of Fish and Game  
19 Preliminary Comments to the Regional Advisory Council.

20  
21 Wildlife Proposal WP08-15:

22  
23 Liberalize the beaver trapping  
24 regulations in Unit 11.

25  
26 Introduction:

27  
28 This proposal would align the Federal  
29 beaver trapping season and harvest limit in Unit 11  
30 with current State regulations.

31  
32 Impact on Subsistence Users:

33  
34 The proponent says the longer season  
35 and unlimited harvest limit would provide more  
36 opportunity before and after freeze up for trappers and  
37 consumers of beaver meat. If the intent is to promote  
38 more harvest of beaver with firearms under the trapping  
39 regulations, however, this proposal would apply only to  
40 Federal public lands in Unit 11 outside of Wrangell-St.  
41 Elias National Park and Preserve. National Park  
42 Service regulations do not allow the harvest of  
43 furbearers with firearms under trapping license on NPS  
44 lands.

45  
46 Opportunity Provided by State:

47  
48 State regulations authorize beaver  
49 trapping in Unit 11 from September 25 to May 21, with  
50 no limit on the number of beavers that can be taken.

1 Other Comments:

2

3 Adoption of this proposal would align  
4 the State and Federal beaver trapping regulations in  
5 Unit 11 but would not provide additional opportunity on  
6 Federal lands outside of Wrangell-St. Elias National  
7 Park because that opportunity is already available in  
8 State regulations.

9

10 Recommendations:

11

12 As discussed above, this proposal would  
13 not provide additional opportunity on limited Federal  
14 public lands outside of Wrangell-St. Elias National  
15 Park and Preserve (already provided by State  
16 regulations) and is not necessary to provide continued  
17 customary and traditional subsistence use.

18

19 MADAME CHAIR ENTSMINGER: I have a  
20 question, Terry. Are you saying that it aligns the  
21 seasons but then you're concerned about something on  
22 the road being a black eye?

23

24 MR. HAYNES: Madame Chair. If the  
25 proponent wants to use firearms to take beavers, he  
26 can't accomplish that on park lands under the terms of  
27 a trapping license. This proposal would change the  
28 trapping regulations.

29

30 MADAME CHAIR ENTSMINGER: Right. As  
31 far as the muskrat is concerned, you can't hunt with a  
32 firearm in the park for trapping, so it has to be under  
33 hunting.

34

35 MR. HAYNES: Right. So what the  
36 proposal and OSM's preliminary recommendation are to  
37 adopt the proposal to change the trapping regulations.  
38 My only comment was that may not address what the  
39 proponent wanted, but there's certain cautions to be  
40 used in some areas.

41

42 MADAME CHAIR ENTSMINGER: Okay. Any  
43 other questions. Pete.

44

45 MR. DEMATTEO: Yes. Just to reiterate  
46 what Mr. Haynes said, the original proposal is to  
47 expand the trapping season. Later on we spoke with the  
48 proponent and he said, you know, come to think of it,  
49 because of the National Park Service regulations we  
50 need to come up with a hunting season so you could

1 harvest beaver with a firearm when there's open water.  
2 What he didn't realize at the time, there already is a  
3 Federal beaver hunting season in Unit 11 and the season  
4 is June 1 through October 10, one beaver per day, one  
5 in possession. So his intent is already met in  
6 regulation. Expanding that beyond.....

7  
8 MADAME CHAIR ENTSMINGER: Or is it  
9 October 1 to June 1?

10  
11 MR. DEMATTEO: June 1 to October 10.

12  
13 MADAME CHAIR ENTSMINGER: That's in the  
14 summer.

15  
16 MR. DEMATTEO: Beaver hunting season.  
17 And that's what he wanted, was to be able to shoot  
18 beaver before freeze-up.

19  
20 MADAME CHAIR ENTSMINGER: Okay. So  
21 he's covered is what you're saying.

22  
23 MR. DEMATTEO: Right. The fear is  
24 expanding beyond that time could cause inadvertent  
25 adverse impacts along the road system in Unit 11. So  
26 with that concern and the intent is already met in  
27 current regulation, the preliminary conclusion is to  
28 adopt the original proposal, which is expand the  
29 trapping season only.

30  
31 Thank you.

32  
33 MADAME CHAIR ENTSMINGER: Okay. Thank  
34 you. Any other questions.

35  
36 (No comments)

37  
38 MADAME CHAIR ENTSMINGER: All right.  
39 Federal agencies.

40  
41 (No comments)

42  
43 MADAME CHAIR ENTSMINGER: Native,  
44 tribal village, other.

45  
46 (No comments)

47  
48 MADAME CHAIR ENTSMINGER: Interagency  
49 Staff.

50

1 (No comments)  
2  
3 MADAME CHAIR ENTSMINGER: Advisory  
4 group comments, neighboring RAC.  
5  
6 MR. MATHEWS: I consulted the  
7 transcripts and there may be others that can verify it,  
8 but basically Southcentral supported the proposal as  
9 written.  
10  
11 MADAME CHAIR ENTSMINGER: Local ACs.  
12  
13 (No comments)  
14  
15 MADAME CHAIR ENTSMINGER: SRCs.  
16  
17 (No comments)  
18  
19 MADAME CHAIR ENTSMINGER: Summary of  
20 written comments.  
21  
22 MR. MATHEWS: Yes, Madame Chair.  
23 They're found on Page 88 in your book. Again, they're  
24 from the Copper River Native Association and AHTNA,  
25 Inc. They both support the proposal because it would  
26 allow Unit 11 beaver season commencing September 25  
27 through May 31 with no limit of taking beaver since  
28 it's not a conservation concern. Basically they both  
29 support Proposal 15 as written.  
30  
31 MADAME CHAIR ENTSMINGER: It's not 88  
32 in our book. It would have been 88 on a handout which  
33 we don't have in front of us.  
34  
35 MR. MATHEWS: I'm sorry. They're not  
36 in your book.  
37  
38 MADAME CHAIR ENTSMINGER: Any public  
39 testimony.  
40  
41 (No comments)  
42  
43 MADAME CHAIR ENTSMINGER: Now,  
44 recommendations, positive motion. Go ahead, Virgil.  
45  
46 MR. UMPHENOUR: Move to adopt Proposal  
47 WP08-15.  
48  
49 MADAME CHAIR ENTSMINGER: Is there a  
50 second.

1 MR. FRENZL: Second  
2  
3 MADAME CHAIR ENTSMINGER: Moved and  
4 seconded. Discussion.  
5  
6 MR. UMPHENOUR: Is there a conservation  
7 concern. I'm looking at Table 1 in our handout, which  
8 is on Page 85, and it has the sealing records for Unit  
9 11 beaver. It doesn't appear that many people went to  
10 hunt or trap beaver over there. The 2005/2006 season  
11 just one beaver was sealed and 2006/2007 season seven,  
12 the most of any year was 2004/2005, which was 15, so it  
13 doesn't appear that many people want to go out and get  
14 beavers.  
15  
16 I can understand the Department of Fish  
17 and Game and the Office of Subsistence Management's  
18 concern that there could be local depletion along the  
19 road system, but I don't think that that will probably  
20 happen, otherwise I think they'd be getting more  
21 beavers in the area than they are. So I am in support  
22 of the proposal. I don't feel that they're going to  
23 wipe out or have this localized depletion like they  
24 think they might. That's just a guess anyway of  
25 something that could happen.  
26  
27 MADAME CHAIR ENTSMINGER: Well, it's  
28 already legal to do the hunting part anyway, right?  
29  
30 MR. DEMATTEO: Yes, that is correct,  
31 but during June 1 through October 10.  
32  
33 MADAME CHAIR ENTSMINGER: But not  
34 during May.  
35  
36 MR. DEMATTEO: But not during May, no.  
37  
38 MADAME CHAIR ENTSMINGER: That's odd,  
39 because that's the last time I would want a beaver. I  
40 imagine that's not hurting anything. Let me get this  
41 clear in my mind. So he did not get the May season  
42 that he was looking for for hunting purposes.  
43  
44 MR. DEMATTEO: Correct, not for  
45 hunting. His intent is to be able to harvest beaver  
46 with a firearm prior to freeze-up.  
47  
48 MADAME CHAIR ENTSMINGER: Which he does  
49 have.  
50

1 MR. DEMATTEO: Yes.  
2  
3 MADAME CHAIR ENTSMINGER: Okay. Go  
4 ahead, Virgil.  
5  
6 MR. UMPHENOUR: This question is to  
7 either Terry or Jeff. For the Board of Game meeting  
8 that just ended in Region 3, which Unit 11 is not part  
9 of Region 3, but they just extended the trapping season  
10 for beaver and they made it so you could use firearms  
11 for the entire trapping season. So my question is  
12 this, in Unit 11 during the trapping season by State  
13 regulation can you shoot beavers, take them with  
14 firearms as well or not?  
15  
16 MADAME CHAIR ENTSMINGER: I would  
17 imagine so. It's just that in the Park they cannot.  
18  
19 MR. UMPHENOUR: I understand that.  
20  
21 MR. HAYNES: Through the Chair.  
22 Virgil. Firearms cannot be used to take beaver or any  
23 other furbearer on park and preserve lands in Unit 11  
24 under the Federal regulations.  
25  
26 MR. UMPHENOUR: I understand that. I'm  
27 asking about that's only on the park land, but the rest  
28 of the land there they can be used, is that correct?  
29  
30 MR. HAYNES: No, I think the firearm  
31 prohibition applies to park and preserve lands.  
32  
33 MADAME CHAIR ENTSMINGER: Yeah,  
34 preserve also because it's a National Park and Preserve  
35 and the preserve has the same regs for trapping.  
36  
37 MR. UMPHENOUR: Right. I'm not coming  
38 across properly. On the land that is not park and  
39 preserve, say on State land, whatever State lands  
40 there, if there is any.....  
41  
42 MADAME CHAIR ENTSMINGER: There isn't.  
43 Very little.  
44  
45 MR. UMPHENOUR: Okay. Under State  
46 regulations can you shoot a beaver under trapping  
47 license? That's my question.  
48  
49 MR. HAYNES: Yes.  
50

1 MR. UMPHENOUR: That's what I thought.  
2 So now my next question is, how much road is actually  
3 -- because they're concerned about the beavers along  
4 the road system -- how much road system is there inside  
5 the park?

6  
7 MADAME CHAIR ENTSMINGER: Right there.

8  
9 MR. UMPHENOUR: That's it, right? Not  
10 much.

11  
12 MADAME CHAIR ENTSMINGER: Not much.

13  
14 MR. UMPHENOUR: There's not much, so I  
15 don't have the concern that the beavers are going to  
16 get wiped out. The Chitina Road is the only place it  
17 looks like and maybe a little bit more going towards  
18 Nabesna is the only two roads there, so I don't have  
19 that concern. So I'll be in support of the proposal.  
20 Madame Chair.

21  
22 MADAME CHAIR ENTSMINGER: Thank you.

23  
24 MR. HAYNES: Madame Chair. I think  
25 with the existing bag limit and Federal regulation of  
26 one beaver and one in possession, that removes the  
27 potential for somebody to be shooting a lot of beaver  
28 at one time under hunting regulations. So I think the  
29 current Federal regulation does kind of minimize the  
30 potential for that to happen.

31  
32 MADAME CHAIR ENTSMINGER: Pete, did you  
33 have something to add.

34  
35 MR. DEMATTEO: Yes. I'd like to  
36 clarify something Mr. Umphenour said. You said you're  
37 supporting the proposal, right? If I understand you,  
38 you're not supporting the original trapping proposal.  
39 You're supporting Mr. Wilson's modification, which is  
40 to adopt a hunting season, correct?

41  
42 MR. UMPHENOUR: Maybe I'm getting  
43 confused here, but I thought what it was was to extend  
44 the hunting season so that it went from September -- I  
45 mean the trapping. From September 25 to May 31.  
46 That's trapping.

47  
48 MR. DEMATTEO: Correct.

49  
50 MR. UMPHENOUR: They've already got the

1 hunting season but it's one beaver a day from the 1st  
2 of June until the 1st of October, correct?

3

4 MR. DEMATTEO: (Nods affirmatively)

5

6 MR. UMPHENOUR: So if they want to go  
7 shoot a beaver to eat, they can go shoot one a day to  
8 eat.

9

10 MR. DEMATTEO: (Nods affirmatively)

11

12 MR. UMPHENOUR: And all the way up  
13 until the 1st of October. But starting on the 25th of  
14 September they can start putting out their traps and  
15 snares for trapping. That's the way I understand it.

16

17 MR. DEMATTEO: That is correct.

18

19 MR. UMPHENOUR: I support that.

20

21 MR. DEMATTEO: So you support just  
22 expanding the trapping season, but you do not support  
23 an expanded hunting season, correct?

24

25 MADAME CHAIR ENTSMINGER: You're not  
26 talking to that, right?

27

28 MR. UMPHENOUR: No, I wasn't speaking  
29 to an expanded hunting season.

30

31 MR. DEMATTEO: Very good.

32

33 MADAME CHAIR ENTSMINGER: And I don't  
34 know if we want to, do we.

35

36 MR. UMPHENOUR: No.

37

38 MADAME CHAIR ENTSMINGER: Any other  
39 discussion by the Council

40

41 (No comments)

42

43 MR. GLANZ: I'll call for the question.

44

45 MADAME CHAIR ENTSMINGER: All in favor  
46 of this proposal say aye.

47

48 IN UNISON: Aye.

49

50 MADAME CHAIR ENTSMINGER: Anyone

1 opposed.

2

3

(No opposing votes)

4

5

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50

MADAME CHAIR ENTSMINGER: Hearing none, it's passed as written. The next proposal is Proposal 16 on mountain goats in Unit 11. We're busy on Unit 11 here. Go ahead, Pete.

MR. DEMATTEO: Madame Chair. The analysis begins on Page 82. This is being presented to you because if adopted by the Board it would provide additional opportunity for the residents of Dot Lake in your region.

This was submitted by Dean Wilson Jr. again and this requests changing the Unit 11 Federal subsistence mountain goat season dates from August 25 through December 31 to an August 10 through December 31 season.

The proponent for Proposal 16 states that beginning the mountain goat hunting season on August 10, thereby aligning it with the beginning of the sheep season, would provide more opportunity for Federally qualified subsistence hunters. The proponent also states that many subsistence hunters are in the field before August 25 to make sure they do not get caught in snowstorms. The proponent states that there is very little hunting pressure on mountain goats in Unit 11 at this time, and that if there is an increase in hunting pressure the established quota would take effect.

The proposed regulations are halfway down the page on 82.

The estimated mountain goat population on MacColl Ridge has ranged from 54 to 74 goats with an average of 65 from 1998 2007. There are currently no conservation concerns for mountain goats in Unit 11.

Since 1998, an average of 9.4 mountain goats has been taken annually by an average of 51 hunters during the State registration hunt. During this same time period, an average of 2 mountain goats has been taken by an average of 29 Federally qualified subsistence users each year hunting under Federal regulations for a total combined average annual take of 11.4 mountain goats. State and Federal hunters

1 together are harvesting on average less than 2 percent  
2 of the total mountain goat population in Unit 11  
3 annually, well below Department of Fish and Game's  
4 harvest objective.

5  
6 If this proposal was adopted, it would  
7 lengthen the Federal subsistence season by 15 days at  
8 the beginning of the season. It would also align the  
9 mountain goat season with the start of both the State  
10 and Federal sheep hunting seasons, allowing Federally  
11 qualified subsistence hunters to hunt mountain goats  
12 and Dall sheep at the same time and during the most  
13 accessible part of the season.

14  
15 If Proposal 16 is adopted, a small  
16 increase in the total harvest may result because  
17 mountain goats are typically more successfully hunted  
18 during the early part of the season when the  
19 precipitous terrain that they inhabit is easier and  
20 safer to access.

21  
22 Combined State and Federal harvest  
23 accounts for approximately 25 percent of the Unit 11  
24 annual harvest quota of 45 goats. Because mountain  
25 goats are difficult to hunt due to the remoteness of  
26 their habitat that is difficult to access, few  
27 Federally qualified subsistence users pursue them.

28  
29 No adverse impacts to the population  
30 are anticipated as a result of an adoption of this  
31 proposed regulation. With that, the OSM preliminary  
32 conclusion is to support the proposal.

33  
34 Thank you.

35  
36 MADAME CHAIR ENTSMINGER: Thank you,  
37 Pete. Any questions of Pete.

38  
39 (No comments)

40  
41 MADAME CHAIR ENTSMINGER: I might just  
42 add that there's not just Dot Lake that can hunt there.  
43 Believe it or not, we have a special C&T for  
44 individuals in the park. My family got one of those  
45 and so did the Granguard family. I don't know if there  
46 are others.

47  
48 Go ahead, Terry, for Fish and Game.

49  
50 MR. HAYNES: Thank you, Madame Chair.

1 The unit 11 goat population is the northern-most goat  
2 population in Alaska and the Department believes  
3 conservative management is necessary. Most of the  
4 accessible goat hunting areas are marginal goat habitat  
5 and goat numbers are low in these areas in Unit 11.  
6 Only about half the goats in Unit 11 are found in areas  
7 accessible to hunters.

8  
9                   Implementing an earlier Federal season  
10 would subject goat populations in some of these  
11 accessible areas where local residents also hunt Dall  
12 sheep to overharvest. An earlier season opening would  
13 encourage the incidental harvest of goats by Federally  
14 qualified subsistence users who fail to harvest a Dall  
15 sheep and who are not specifically targeting goats.  
16 For example, goat numbers are low but very accessible  
17 in the Kotsina-Kuskulana area and would be vulnerable  
18 to overharvest.

19  
20                   The Department doesn't support this  
21 proposal. We believe the existing Federal season  
22 provides ample goat hunting opportunity for Federally  
23 qualified subsistence users. Neither the proposal nor  
24 the preliminary conclusion in the Federal staff  
25 analysis provide for close in-season monitoring if this  
26 proposal is adopted. Such monitoring is critical in  
27 order to assess the potential effects of increased goat  
28 harvests in specific goat hunting areas and to  
29 facilitate in-season closures if necessary for  
30 conservation purposes.

31  
32                   I might add just a couple of comments  
33 from the Southcentral Council meeting, although you'll  
34 be getting more of that later, but they did not feel  
35 strongly that there would be conservation issues given  
36 the allocation of goats available now and the actual  
37 documented harvest levels in recent years. The Federal  
38 goat harvest would have to increase substantially to  
39 reach the quota that's being allocated for harvest.  
40 Our area biologist feels that there are particular  
41 areas where goats are readily accessible and his  
42 concern is that there could be overharvest of goats in  
43 particular areas, not of the population generally. So  
44 we'd just urge some caution be exercised if this  
45 proposal is adopted.

46  
47                   MADAME CHAIR ENTSMINGER: Terry, do you  
48 know -- I hunt goats, so I know a little bit about  
49 that. He closes his pockets. When that many goats  
50 have been taken that he will allow in that area, it's

1 closed. Does he have that latitude here?

2

3 MR. HAYNES: Madame Chair. There needs  
4 to be a special provision in the Federal regulations  
5 for the part of the season that is outside the State  
6 season now to ensure that we have monitoring during  
7 that earlier part in August because that's not part of  
8 the State season right now. What's being proposed here  
9 is an earlier opening to the Federal season.

10

11 MADAME CHAIR ENTSMINGER: But where  
12 does the jurisdiction of the area biologist for the  
13 State come in to play for saying -- can he go to the  
14 Park Service biologist and say I think there's enough  
15 goats been taken in this area and then you can no  
16 longer hunt there? That's what happens all over the  
17 region.

18

19 MR. HAYNES: Well, there's provision  
20 for the Wrangell-St. Elias Park Superintendent to close  
21 the season after a maximum number of goats have been  
22 taken, but I don't know if there are unwritten  
23 provisions that say our area biologist can go to the  
24 Park Superintendent and say there is evidence that a  
25 certain number of goats have been taken from a  
26 particular area, this area needs to be closed. I don't  
27 see that in the provisions in the regulation.

28

29 MADAME CHAIR ENTSMINGER: I'm going by  
30 memory here because I know that he personally can close  
31 an area because they've got how many goats they will  
32 allow being taken in all these different areas. If you  
33 go like say in October to go hunt goats, you go to pick  
34 up a goat registration permit in Unit 11, you may not  
35 be hunting in an area you want to hunt because it's  
36 closed because they've got the allocation.

37

38 So what I'm asking, I'm going to ask it  
39 again, I'm sorry, but we don't have this answer, I  
40 don't think, where, you know, the Park biologist and  
41 the State biologist says there's too many taken say in  
42 an isolated area that you're concerned about Kotsina-  
43 Kuskulana.

44

45 MR. HAYNES: Madame Chair. No, I don't  
46 have the answer to that question but I would just point  
47 out that if this proposal is adopted it provides  
48 additional opportunity in Federal regulation that's not  
49 provided in State regulation. So it would -- and with  
50 this hunt being administered by Federal permit, it

1 would be up to the Federal authorities to be monitoring  
2 those activities. We would -- the harvest data would  
3 not be coming to the Department.

4  
5 MADAME CHAIR ENTSMINGER: So what  
6 you're saying, this would create another new permit,  
7 what isn't existing right now, a Federal permit.

8  
9 MR. HAYNES: No, I'm just saying that  
10 there is a Federal permit requirement, this would just  
11 extend the period of time during which this Federal  
12 permit is in place. And I don't know, in looking at  
13 the regulations it doesn't tell me when the permit has  
14 to be turned in so I don't know when harvest reporting  
15 actually occurs, if the Park superintendent is  
16 monitoring things very closely because permits need to  
17 be returned within so many days of the harvest, that's  
18 not stated in the.....

19  
20 MADAME CHAIR ENTSMINGER: Did the SRC  
21 -- okay, well, we'll just go on from there. Thanks,  
22 Terry. We may have some other questions. so the next  
23 would be Federal agencies.

24  
25 MS. CELLARIUS: For the record, Barbara  
26 Cellarius, Wrangell-St. Elias National Park and  
27 Preserve. I'll try to respond to a couple of the  
28 questions you seem to have had.

29  
30 The Park superintendent has the  
31 mandate to manage for natural and healthy populations  
32 and I think that if the biologists came to her and said  
33 we have some concerns about some subpopulations, she  
34 would seriously think about what's the most appropriate  
35 management strategy. And in terms of the reporting,  
36 and I haven't been back to my office since the meeting  
37 in Cordova so I wasn't able to look up whether it's 5,  
38 10 or 15 days, whatever the reporting period is, but if  
39 somebody does harvest a goat, they have to send in a  
40 card within, it's no more than 15 days and it may be  
41 less.

42  
43 MADAME CHAIR ENTSMINGER: It's pretty  
44 short, yeah.

45  
46 MS. CELLARIUS: I just haven't had a  
47 chance to look at that. And those come back to the  
48 local area, for logical reasons they go to Glennallen  
49 and then to us, but we get them fairly quickly and we  
50 do take a look at them and look at the harvest levels.

1 I think this year we've had two reported harvests and  
2 there's a quota of 45, so we haven't gotten anywhere  
3 near the quota but there were, you know, discussions  
4 about biological concerns, it's certainly something we  
5 look at it.

6  
7 MADAME CHAIR ENTSMINGER: Any other  
8 questions.

9  
10 (No comments)

11  
12 MADAME CHAIR ENTSMINGER: Okay, it's  
13 awful quiet in here.

14  
15 (No comments)

16  
17 MADAME CHAIR ENTSMINGER: Local AC's.

18  
19 (No comments)

20  
21 MADAME CHAIR ENTSMINGER: SRC.

22  
23 (No comments)

24  
25 MADAME CHAIR ENTSMINGER: Next is the  
26 summary of -- wait did I miss something, I did again,  
27 sorry, neighboring RAC.

28  
29 MR. MATHEWS: Again, Southcentral, just  
30 supported the proposal is my understanding, they  
31 supported it as written and if you need further  
32 justification I think Barbara or others who were at the  
33 meeting could provide that.

34  
35 MADAME CHAIR ENTSMINGER: If I  
36 understood it correctly from what Terry said, they  
37 didn't feel there was a conservation concern.

38  
39 MR. HAYNES: (Nods affirmatively)

40  
41 MADAME CHAIR ENTSMINGER: Summary of  
42 written comments.

43  
44 MR. MATHEWS: Yes, Madame Chair,  
45 they're found on Page 86 of your book, make sure I've  
46 got the right book here. But anyway it's great to see  
47 that Copper River Native Association and AHTNA are  
48 monitoring these proposals. But they do support  
49 Proposal 16 as written. This would allow Federally-  
50 qualified subsistence users greater opportunity to hunt

1 goat and sheep in Unit 11 at the same time, and, again  
2 that's parallel for Copper River Native Association.

3

4 MADAME CHAIR ENTSMINGER: Okay. Public  
5 testimony.

6

7 Go ahead, Frank. This is kind of fun,  
8 family affair.

9

10 MR. ENTSMINGER: Madame Chair. Council  
11 members. Staff. Yeah, our family is one of the  
12 families in the upper Tanana area that has a customary  
13 C&T to hunt mountain goat down in Unit 11. And  
14 originally I know the Park Service threw out a  
15 recommendation -- or actually it was AHTNA that threw  
16 out a recommendation that upper Tanana should be  
17 allowed to hunt mountain goats north of Sanford River,  
18 well, there are virtually no mountain goats north of  
19 the Sanford River. There are a few, you know, young  
20 billies that stray up there periodically but for all  
21 practical purposes there aren't that many mountain  
22 goats north of the Sanford River, but of course south  
23 of the Sanford that's when you start running into the  
24 goats.

25

26 But unfortunately upper Tanana, as a  
27 whole, did not get C&T for mountain goats down there.

28

29 But from past experience, being a user  
30 and hunting the boat populations down there, at this  
31 point in time I don't think there's really a  
32 conservation concern. I do think that maybe possibly  
33 somewhere down the road that I would actually like to  
34 see maybe a break down of so many goats being harvested  
35 in the Nazina, Chitastone, so many goats being allowed  
36 to hunt on the Chitina and the upper Chitina, so many  
37 goats being able to taken down on the southern portion  
38 down off of the Copper River, but right now even with  
39 the Federal take and the State take at 45 animals, I  
40 don't think they've come even close to that number of  
41 harvest, so it's really basically not a concern.

42

43 And actually we've seen that mountain  
44 goat population build up to quite a large number of  
45 animals, lots and lots of goats only for Mother Nature  
46 to take them out, you know, a couple bad winters and  
47 they all die off and nobody gets any usage out of the  
48 critters so I would certainly be in favor of this  
49 particular proposal because, you know, at this point in  
50 time it will not be a conservation issue to have people

1 be allowed to harvest goats a little bit earlier.

2

3 Thank you.

4

5 MADAME CHAIR ENTSMINGER: Any questions  
6 of Frank.

7

8 MR. ENTSMINGER: Questions.

9

10 MADAME CHAIR ENTSMINGER: I don't -- do  
11 I hear any, I guess not.

12

13 (No comments)

14

15 MADAME CHAIR ENTSMINGER: I doubt  
16 there's any other public testimony out here.

17

18 So go ahead, Virgil.

19

20 MR. UMPHENOUR: Move to adopt Proposal  
21 WP8-16.

22

23 MADAME CHAIR ENTSMINGER: Do I hear a  
24 second.

25

26 MR. FRENZL: Second.

27

28 MADAME CHAIR ENTSMINGER: Discussion.

29

30 MR. UMPHENOUR: Well, looking at the  
31 Staff comments in the book somewhere -- they've got a  
32 whole bunch of percentages here that are kind of hard  
33 to understand but I'm looking on Page 84 and it tells  
34 the number of people that hunted -- it tells the  
35 permits and then the number that did not hunt, and then  
36 the hunters that hunted unsuccessfully and successful,  
37 and then the break down males to females and total  
38 harvest.

39

40 One of the things that strikes me is  
41 the number of people that get permits and don't go  
42 hunting and that's both the subsistence people that get  
43 permits and the -- I guess it'd be general hunt people  
44 that get permits and then don't go hunting. I can  
45 understand that because it seems like they would  
46 understand that because goat hunting probably isn't  
47 easy.

48

49 MADAME CHAIR ENTSMINGER: That's an  
50 understatement.

1 MR. GLANZ: They probably figured that  
2 out after they got the permit.

3  
4 (Laughter)

5  
6 MR. UMPHENOUR: But then they're saying  
7 what the -- let's see somewhere I saw here, maybe it  
8 was the biological part, what the number of -- the  
9 percent of harvest that's an objective for goats for  
10 management, a lot of animals, it's around five to seven  
11 percent, to remove from the population, I think here it  
12 says, it says on Page 83, State and Federal hunters  
13 together are harvesting an average of less than two  
14 percent of the total mountain goat population in Unit  
15 11 so that doesn't sound like there's much of a  
16 biological problem as far as being overharvested. And  
17 of course this could cause a higher harvest.

18  
19 But I think a person would have to  
20 decide whether they're going to shoot a sheep or a  
21 goat, they might see a goat first and shoot a goat and  
22 so I think that's about the only way they're going to  
23 get more of them because you're not going to pack a  
24 goat and a sheep both out, one guy's not.

25  
26 So I think I'll be in favor of the  
27 proposal.

28  
29 Madame Chair.

30  
31 MADAME CHAIR ENTSMINGER: Thank you for  
32 that analogy. That's what I was going to add actually.  
33 You need some help to pack out two animals like that.

34  
35 Anyone else want to add to Virgil's  
36 comments.

37  
38 (No comments)

39  
40 MADAME CHAIR ENTSMINGER: We're just so  
41 quiet today.

42  
43 MR. FRENZL: It's peaceful over here.

44  
45 (Laughter)

46  
47 MADAME CHAIR ENTSMINGER: Yeah.

48  
49 MR. GLANZ: I'd like to ask for the  
50 question.

1 MR. UMPHENOUR: He called the question.  
2  
3 MADAME CHAIR ENTSMINGER: The question  
4 has been called for. All in favor of the proposal say  
5 aye.  
6  
7 IN UNISON: Aye.  
8  
9 MADAME CHAIR ENTSMINGER: Anyone  
10 opposed.  
11  
12 (No opposing votes)  
13  
14 MADAME CHAIR ENTSMINGER: Hearing none,  
15 it passes. So do we need another break, because now we  
16 are to the point where I'd like to take those proposals  
17 up after this public comment tonight, hoping that we  
18 have some, but Terry is here to talk to us.  
19  
20 Let's hear what he has to say.  
21  
22 MR. HAYNES: Consistent with my history  
23 I've made at least one mistake today.  
24  
25 MADAME CHAIR ENTSMINGER: Okay.  
26  
27 MR. HAYNES: I need to bring to your  
28 attention some misinformation I gave you regarding  
29 Proposal 15.  
30  
31 MADAME CHAIR ENTSMINGER: On the  
32 beavers.  
33  
34 MR. HAYNES: On the beavers. The Board  
35 of Game made changes to the beaver trapping regulations  
36 in Unit 11 that took effect this year. The current  
37 beaver trapping regulations in Unit 11 September 25 to  
38 May 31 season with no bag limit, no firearms allowed ,  
39 and from September 25th through November 9th, beavers  
40 can be taken only with under water traps or snares.  
41  
42 MADAME CHAIR ENTSMINGER: Do you want  
43 to repeat that.  
44  
45 MR. HAYNES: The main point is that  
46 under the trapping regulations firearms may not be used  
47 to take beavers in Unit 11. So any statement I made to  
48 the contrary I apologize for.  
49  
50 MADAME CHAIR ENTSMINGER: Uh-huh.

1 MR. HAYNES: And if that.....  
2  
3 MADAME CHAIR ENTSMINGER: And what --  
4 the dates were what again?  
5  
6 MR. HAYNES: September 25 to May 31,  
7 that's the State trapping season. So if my  
8 misstatements had any bearing on the Council's action  
9 on Proposal 15 you certainly may want to reconsider  
10 that proposal.  
11  
12 MADAME CHAIR ENTSMINGER: Did  
13 Southcentral have the same information?  
14  
15 MR. HAYNES: no, ma'am.  
16  
17 MADAME CHAIR ENTSMINGER: Ooooh.  
18  
19 MR. HAYNES: And I'm going to notify  
20 their coordinator as soon as I can.  
21  
22 MADAME CHAIR ENTSMINGER: Virgil.  
23  
24 MR. UMPHENOUR: Well, that's part of  
25 the reason why I asked the question.....  
26  
27 MADAME CHAIR ENTSMINGER: Thank you,  
28 Terry.  
29  
30 MR. UMPHENOUR: .....I asked because  
31 Region 2 really revamped the beaver regulations at the  
32 Board of Game meeting in the last couple of weeks, I  
33 mean Region 3 -- but actually so what we just did is we  
34 made the beaver season, Federal season the same as the  
35 State season, is what we just got through doing.  
36  
37 MADAME CHAIR ENTSMINGER: Uh-huh.  
38  
39 MR. UMPHENOUR: Correct.  
40  
41 MADAME CHAIR ENTSMINGER: Correct.  
42  
43 MR. UMPHENOUR: So that part's fine.  
44 And so the only difference is, is the only time they  
45 can shoot beavers or take beaver on a trapping  
46 license.....  
47  
48 MADAME CHAIR ENTSMINGER: They can't.  
49  
50 MR. HAYNES: They can't.

1 MR. UMPHENOUR: They can't take them  
2 with a firearm on a trapping license, but under the  
3 Federal system they can still take beaver, hunt  
4 beaver.....  
5  
6 MADAME CHAIR ENTSMINGER: No.  
7  
8 MR. UMPHENOUR: Yes, under the Federal  
9 system, what we passed, they can hunt beaver from the  
10 1st of June to the 1st of October.  
11  
12 MADAME CHAIR ENTSMINGER: Okay.  
13  
14 MR. DEMATTEO: October 10.  
15  
16 MR. UMPHENOUR: So they can hunt beaver  
17 the first -- one a day bag limit, 1 June and 1 October,  
18 and they can start trapping on the 25th of September,  
19 both State and Federal regulations until the last of  
20 May, correct?  
21  
22 MR. HAYNES: (Nods affirmatively)  
23  
24 MR. UMPHENOUR: Okay. Well, I'm fine  
25 with that then. I don't know if anybody else is fine  
26 with that but that's basically what I -- you know I  
27 didn't know that the State season had been changed, I  
28 kind of suspected it might have been liberalized like  
29 Region 3 was but I didn't know so I'm fine with that.  
30  
31 MADAME CHAIR ENTSMINGER: So on the  
32 State is there a hunting season for beaver at all.  
33  
34 MR. HAYNES: No.  
35  
36 MADAME CHAIR ENTSMINGER: No.  
37  
38 MR. UMPHENOUR: Not in Unit 11.  
39  
40 MADAME CHAIR ENTSMINGER: Okay.  
41  
42 MR. HAYNES: And, Madame Chair, I  
43 appreciate Virgil pointing out that at the Board of  
44 Game substantially revamp, to a large extent,  
45 standardize the beaver trapping regulations for much of  
46 Interior Alaska but that does not take in Unit 11 of  
47 course and that might be something that could be done  
48 in the future.  
49  
50 But I just wanted to make sure that my

1 misstatements didn't affect how you voted on that  
2 proposal.

3  
4 Thank you.

5  
6 MADAME CHAIR ENTSMINGER: Thanks for  
7 sharing that, that's great. Are we about to fall  
8 asleep.

9  
10 MR. UMPHENOUR: We can take a short  
11 break.

12  
13 MADAME CHAIR ENTSMINGER: Take a short  
14 break because the next thing I think I want to take up  
15 is the hard one.

16  
17 MR. CARROLL: Yeah, we got time.

18  
19 MADAME CHAIR ENTSMINGER: Okay, take a  
20 short break.

21  
22 MR. CARROLL: Uh-huh.

23  
24 MADAME CHAIR ENTSMINGER: Okay, we'll  
25 take a short break then.

26  
27 (Off record)

28  
29 (On record)

30  
31 MADAME CHAIR ENTSMINGER: Okay, all the  
32 Council members are here, we're back to order. And  
33 there is -- this next proposal, it's not -- I know that  
34 they're lumped together but 53 is the only one that  
35 concerns us, it's on brown bear handicrafts. It only  
36 applies to us because Stevens Village has -- it's  
37 another one of these proposals like our region here,  
38 where it's overlapping, it's -- and Stevens Village has  
39 a C&T for that area.

40  
41 Council members, would you like to hear  
42 it, even though we don't have anyone here, I think in  
43 all fairness we might as well hear it.

44  
45 Yes, uh-huh, Polly.

46  
47 MS. WHEELER: Thank you. Madame Chair.  
48 Again, for the record, Polly Wheeler, with Office of  
49 Subsistence Management.

50

1                   This is another one, there were two  
2 proposals, one was submitted by the Northwest Arctic  
3 Regional Council and the other one was by the North  
4 Slope Regional Council. Because the content was  
5 similar, that is, bear handicrafts, being added to the  
6 list of units where you could use -- adding those units  
7 to the list of areas from which the skin, hide, pelt,  
8 or fur, including claws of brown bears harvested under  
9 Federal subsistence regs can be used to make  
10 handicrafts for personal use or sale. Because the  
11 content was similar we put them into the same analysis.  
12 I think we've learned, based on the discussion of  
13 Proposals 13 and 14, it's probably better from here on  
14 out to keep the analysis separate because it gets a  
15 little confusing for the record when you cram two  
16 proposals into one analysis and then which proposal are  
17 you actually voting on.

18  
19                   So for your purposes, today, again, the  
20 reason why the analysis for Proposals 52 and 53 is in  
21 front of you, is because it's Stevens Village is one of  
22 the areas that has a positive customary and traditional  
23 use determination use for brown bear in a portion of  
24 Unit 24 south of Caribou Mountain and on Federal public  
25 lands within and adjacent to the Dalton Highway  
26 Corridor Management area.

27  
28                   So I think for today, rather than focus  
29 on the Northwest Arctic proposal, which there's no link  
30 to this Council, I'll just focus on Proposal 53,  
31 because that is the proposal for which there is a link  
32 to this Council.

33  
34                   The analysis you can find on Pages 87  
35 to 93 in your books. And is usual I will try and be  
36 short and sweet and to the point.

37  
38                   Proposal 08-53 was submitted by the  
39 North Slope Regional Advisory Council. It requests the  
40 addition of Units 24B and 26 to the list of areas from  
41 which the above -- those parts that I just listed, the  
42 skin, hide, pelt or fur, including claws of brown bears  
43 harvested under Federal subsistence regulations can be  
44 used to make handicrafts for personal use or sale. In  
45 submitting the proposal the North Slope Regional  
46 Advisory Council stated that it submitted these  
47 proposals so that subsistence users may more completely  
48 utilize brown bears they harvest under Federal  
49 subsistence regulations.

50

1                   As I covered earlier with the analysis  
2 for Proposal 12, I believe it was, the Federal Board  
3 and all the various Regional Advisory Councils have  
4 considered several proposals related to brown bear  
5 handicrafts and have repeatedly emphasized the  
6 importance of the region specific nature of bear  
7 handicraft regulations. The North Slope Regional  
8 Advisory Council has consistently supported region  
9 specific regulations for brown bear handicrafts. The  
10 addition of Units 24B and 26 to the list of units with  
11 brown bear handicrafts would be consistent with Section  
12 .803 of ANILCA. And that language, just for your  
13 reference is on.....

14

15                   MADAME CHAIR ENTSMINGER: 89.

16

17                   MS. WHEELER: .....let's see, yes, on  
18 Page 89, at the top of Page 89, Section .803 of ANILCA.  
19 And basically the North Slope RAC supported its own  
20 proposal. The Western Interior Council did meet  
21 several weeks ago and they wanted to modify Proposal 53  
22 to defer Unit 26 to the home region and they had a  
23 problem with supporting bear handicrafts in Unit 24B,  
24 so this is an issue.

25

26                   I guess because the North Slope RAC  
27 included in 24B in their proposal because Anaktuvuk  
28 Pass is in their Council region and Anaktuvuk is kind  
29 of right on the border of 24B so they did include  
30 Anaktuvuk to include them in their region, Western  
31 Interior Council has consistently gone on record being  
32 opposed to the sale of bear handicrafts for cultural  
33 reasons. So there's various ways you could do it.

34

35                   You know you could support the proposal  
36 as is and say, well, if people in that area don't want  
37 to do it, I supposed they don't have to. We could also  
38 maybe excise 24B or name the community, there's various  
39 options to do it. But at the end of the day the OSM  
40 preliminary conclusion for Proposal 53 is to support  
41 the proposal because it did come through the Regional  
42 Advisory Council, the North Slope Regional Advisory  
43 Council home region talked about this at length when  
44 they put in the proposal last fall and they believe  
45 that it is consistent with practices in that area.

46

47                   Madame Chair, that's my conclusion --  
48 my presentation rather.

49

50                   MADAME CHAIR ENTSMINGER: Thank you,

1 Polly. Polly, is 24 in the Western Interior region or  
2 the North Slope.  
3  
4 MR. UMPHENOUR: Western.  
5  
6 MS. WHEELER: 24 is Western Interior.  
7  
8 MR. UMPHENOUR: I have a question.  
9  
10 MADAME CHAIR ENTSMINGER: So they  
11 put.....  
12  
13 MS. WHEELER: 24 -- because Anaktuvuk  
14 -- you can see Anaktuvuk is the dot on the line.  
15  
16 MADAME CHAIR ENTSMINGER: Uh-huh.  
17  
18 MS. WHEELER: Anaktuvuk is in the North  
19 Slope Regional Advisory Council.  
20  
21 MADAME CHAIR ENTSMINGER: Oh.  
22  
23 MS. WHEELER: So it's kind of a little  
24 goofy problem with line drawing.  
25  
26 MADAME CHAIR ENTSMINGER: They're on  
27 the other side of the boundary, is that what you're  
28 saying, they're in 26 or they're in 24?  
29  
30 MR. MATHEWS: It depends on where you  
31 are in the village.  
32  
33 MADAME CHAIR ENTSMINGER: Oh.  
34  
35 (Laughter)  
36  
37 MR. MATHEWS: So they're right on the  
38 boundary and that's why they're considered North Slope,  
39 because of their cultural.....  
40  
41 MADAME CHAIR ENTSMINGER: So part of  
42 them are in one and part of them are in the other  
43 you're telling me?  
44  
45 MR. MATHEWS: Yeah.  
46  
47 MADAME CHAIR ENTSMINGER: Okay, Virgil.  
48  
49 MR. UMPHENOUR: Okay, I don't have the  
50 State book in front of me with the maps, but my

1 question, Polly, is Caribou Mountain about 40 miles  
2 north of the Yukon River on the Haul Road, I think it  
3 is, I think the truckers call it Finger Mountain, but I  
4 actually think that's actually Caribou Mountain. Does  
5 anyone know where Caribou Mountain for sure is?  
6

7 MS. WHEELER: I don't know the answer  
8 to that question, Mr. Umphenour, but I believe Mr.  
9 DeMatteo is coming up to the microphone because he  
10 does.  
11

12 MR. DEMATTEO: Madame Chair. Mr.  
13 Umphenour. You're correct, is it about 40 miles up the  
14 Haul Road on the west side of the road, correct.  
15

16 MR. UMPHENOUR: Okay, that's what I  
17 thought. And that's Unit 20F south of there then so  
18 the analysis is incorrect and I think just north of  
19 there, I don't think that's 24.....  
20

21 MADAME CHAIR ENTSMINGER: That would be  
22 26A.  
23

24 MR. UMPHENOUR: No. And I believe --  
25 I'm going to go get a State regulation map so I can  
26 look at it, I don't think that's 24B there either, I  
27 think that's 24A so I think the analysis is incorrect  
28 in describing the area.  
29

30 (Pause)  
31

32 MADAME CHAIR ENTSMINGER: Well, I think  
33 Virgil confused me pretty good.  
34

35 MS. WHEELER: What I would say is that  
36 I know that the North Slope Regional Advisory Council  
37 included Anaktuvuk in their proposal because they  
38 wanted to make sure that Anaktuvuk -- I mean it's in  
39 their region and so that is -- I'm.....  
40

41 MADAME CHAIR ENTSMINGER: And the  
42 Federal lands that takes in Anaktuvuk is the Gates of  
43 the Arctic if I'm looking at -- you know, if somebody  
44 wanted to pull out land mass and say, okay, the only  
45 proposal this would -- I mean the only land mass that  
46 it would affect would be that land mass for Anaktuvuk  
47 is in the Gates of the Arctic.  
48

49 MR. MATHEWS: Right.  
50

1 MADAME CHAIR ENTSMINGER: And so Virgil  
2 is trying to tell us that it's not 24B but it's  
3 something else, but I think.....

4  
5 MR. MATHEWS: Well, the issue here is  
6 Anaktuvuk Pass' use pattern, their use pattern is  
7 basically the John River when they go down south to  
8 hunt moose, so I'll have to lean on Polly, but that's  
9 why may or Pete, that may be when they're going to go  
10 for bear, so that's why they're saying 24B as in Boy.  
11 24A is next to the Dalton Highway Corridor which is  
12 next to your region, but the C&T determination, I'm on  
13 thin ice now, the C&T determination has not been  
14 modified, it's all for Unit 24. So that's why this is  
15 before you and so Virgil is right, but the pattern  
16 brings i Eastern Interior because of the C&T.

17  
18 MADAME CHAIR ENTSMINGER: Right.

19  
20 MS. WHEELER: Right, for Stevens  
21 Village.

22  
23 MR. MATHEWS: For Stevens Village.

24  
25 MADAME CHAIR ENTSMINGER: Oh, and their  
26 proposal doesn't include 24A it only includes 24B.

27  
28 MR. MATHEWS: Because of the use  
29 pattern of Anaktuvuk.

30  
31 MS. WHEELER: And because 24B is in --  
32 Anaktuvuk Pass is in 24B, Anaktuvuk is in the North  
33 Slope Regional Advisory Council, that was why they  
34 brought in 24B, that is only why, because it's within  
35 the -- the proposal was submitted by the North Slope  
36 Regional Advisory Council, they wanted to be all  
37 inclusive of their area.

38  
39 MR. MATHEWS: Madame Chair. If my  
40 memory is correct and Staff can correct me, the reason  
41 Stevens Village was added to Unit 24 is because their  
42 use, which was -- where's Pete at, was very close to  
43 the border there with the Dalton Highway Corridor.

44  
45 MADAME CHAIR ENTSMINGER: Right.

46  
47 MR. MATHEWS: So if that is true then,  
48 not to say you cannot take action on this, then in  
49 actuality the use pattern of Stevens Village, which you  
50 represent, does not go into 24B, assuming that other

1 Staff agree that Stevens Village was basically that  
2 small area -- I can't remember the drainage, but it was  
3 not very far from the Dalton Highway Corridor.

4  
5 MADAME CHAIR ENTSMINGER: Are we just  
6 talking about bear C&Ts, Vince, when you say that or  
7 are we talking about other C&Ts, or just bears?

8  
9 MR. MATHEWS: At this point we're just  
10 talking about bear C&T, which is why you're bringing  
11 this proposal, just bear, brown bear.

12  
13 MADAME CHAIR ENTSMINGER: So any of our  
14 other northern villages, like Arctic Village, do they  
15 have a bear C&T for 26?

16  
17 MS. WHEELER: No, I just checked.

18  
19 MADAME CHAIR ENTSMINGER: All right.

20  
21 MR. UMPHENOUR: Let me say something.

22  
23 MADAME CHAIR ENTSMINGER: Go ahead,  
24 Virgil.

25  
26 MR. UMPHENOUR: Okay, I'm reading where  
27 it says customary and traditional use determinations.  
28 It says:

29  
30 Unit 24B consists of the Koyukuk River  
31 Drainage up stream from Dog Island to  
32 the Unit 24A boundary. Rural residents  
33 of Unit 24 and Stevens Village have a  
34 positive customary and traditional use  
35 determination for brown bear in the  
36 portion of Unit 24, south of Caribou  
37 Mountain.

38  
39 Caribou Mountain is right on the  
40 boundary. South of Caribou Mountain is Units 20F, and  
41 so that's what's confusing.

42  
43 MADAME CHAIR ENTSMINGER: Well, doesn't  
44 it include 24. It includes 24.

45  
46 MR. UMPHENOUR: It says in the portion  
47 of Unit 24, south of Caribou Mountain. Unit 24 is  
48 north of Caribou Mountain.

49  
50 MS. WHEELER: Madame Chair, if I could.

1 Well, if you look at the Federal reg book, the C&T  
2 finding:  
3  
4 Unit 24, that portion south of the  
5 Caribou Mountain and on Federal public  
6 lands within and adjacent to the Dalton  
7 Highway Corridor Management area.  
8  
9 So it's the two components.  
10  
11 MADAME CHAIR ENTSMINGER: So it  
12 includes 24B, right?  
13  
14 MS. WHEELER: Right, that's my  
15 understanding.  
16  
17 MR. UMPHENOUR: None of 24B is in the  
18 Dalton Highway Management Area, that's my point, that's  
19 24A. That's what's confusing me because.....  
20  
21 MADAME CHAIR ENTSMINGER: Oh, I see  
22 what you're saying.  
23  
24 MR. UMPHENOUR: .....that's 24A, not  
25 24B.  
26  
27 MR. GILBERT: I just want to add one  
28 thing, Madame Chair.  
29  
30 MADAME CHAIR ENTSMINGER: Just one  
31 second, Mathew, I think we want to clear this up for  
32 which GMU that we're in.  
33  
34 Okay, she wants a time out, but what is  
35 it that you have on your mind, Mathew, go ahead.  
36  
37 MR. GILBERT: I just want to know if  
38 Stevens Village C&T is in 24A, that's all I want to  
39 know.  
40  
41 MADAME CHAIR ENTSMINGER: Okay, do you  
42 need a time out for that you guys.  
43  
44 (Pause)  
45  
46 MADAME CHAIR ENTSMINGER: Every now and  
47 then we find out these interesting facts.  
48  
49 (Pause)  
50

1 MR. UMPHENOUR: That's 24A, Dalton  
2 Highway Corridor.  
3  
4 MADAME CHAIR ENTSMINGER: Right, so  
5 this wouldn't even affect us, Vince.  
6  
7 MR. GLANZ: I don't even know why we're  
8 debating this, it doesn't even affect us, that's the  
9 way I look at it.  
10  
11 MADAME CHAIR ENTSMINGER: Vince.  
12  
13 MR. MATHEWS: That's what they're  
14 trying to confirm here.  
15  
16 MADAME CHAIR ENTSMINGER: So we wasted  
17 time.  
18  
19 (Pause)  
20  
21 MR. GLANZ: In the meeting, no.  
22  
23 (Laughter)  
24  
25 MADAME CHAIR ENTSMINGER: Well, we  
26 learned something, 24A is all we're concerned about for  
27 our region for C&Ts.  
28  
29 (Pause)  
30  
31 MADAME CHAIR ENTSMINGER: Okay, while  
32 they're doing that -- okay, here's what I'm going to do  
33 so we can continue going forward.  
34  
35 MR. UMPHENOUR: Sue.  
36  
37 MADAME CHAIR ENTSMINGER: Yes.  
38  
39 MR. UMPHENOUR: The Proposal's for 24B,  
40 not 24A.  
41  
42 MADAME CHAIR ENTSMINGER: I understand  
43 that, yeah. I think the time out's over and we got a  
44 solution.  
45  
46 (Laughter)  
47  
48 MADAME CHAIR ENTSMINGER: Polly and  
49 Terry are agreeing that this proposal is for 24B, it  
50 does not -- 24A is the only C&T we have, that we would

1 be overlapping.  
2  
3 MS. WHEELER: Yes. Right.  
4  
5 MADAME CHAIR ENTSMINGER: So we do not  
6 need to take up this proposal.  
7  
8 MS. WHEELER: As I said to you before  
9 we took the break, my recommendation would be to not  
10 take up this proposal because it's a very obscure tie,  
11 if the tie exists at all.  
12  
13 MADAME CHAIR ENTSMINGER: Right.  
14 Right.  
15  
16 MS. WHEELER: And.....  
17  
18 MADAME CHAIR ENTSMINGER: Well, you  
19 know, we got to wrap our head around these things once  
20 in awhile.  
21  
22 MS. WHEELER: Obviously we do too, we  
23 all do.  
24  
25 (Laughter)  
26  
27 MADAME CHAIR ENTSMINGER: I like that.  
28  
29 MS. WHEELER: The C&T axle continues to  
30 spin.  
31  
32 MADAME CHAIR ENTSMINGER: Yes. Yes.  
33 Okay.  
34  
35 MS. WHEELER: Thank you.  
36  
37 MADAME CHAIR ENTSMINGER: It's good.  
38 It's good. Like you said, we're not wasting any time,  
39 right, Bill.  
40  
41 MR. GLANZ: No.  
42  
43 (Laughter)  
44  
45 MADAME CHAIR ENTSMINGER: Virgil, very  
46 good.  
47  
48 MR. GLANZ: Good job Virgil.  
49  
50 MADAME CHAIR ENTSMINGER: So we're

1 going to move on to -- I need your input here, do you  
2 want to do some housekeeping stuff or do you want to go  
3 right into this.

4  
5 MR. CARROLL: Well, we can do our  
6 housekeeping stuff first.

7  
8 MADAME CHAIR ENTSMINGER: Okay. Vince,  
9 had a couple housekeeping things up here on Page 3 at  
10 the top, he's going to talk us through that.

11  
12 MR. FRENZL: Excuse me, Sue.

13  
14 MADAME CHAIR ENTSMINGER: Yes.

15  
16 MR. FRENZL: Did Mathew's question get  
17 addressed. I don't remember if.....

18  
19 MADAME CHAIR ENTSMINGER: Yes.

20  
21 MR. FRENZL: Oh, did it, okay.

22  
23 MADAME CHAIR ENTSMINGER: Do you  
24 understand.

25  
26 MR. FRENZL: No, I didn't understand, I  
27 guess.....

28  
29 MADAME CHAIR ENTSMINGER: What happened  
30 is we have these overlapping jurisdictions.....

31  
32 MR. FRENZL: I understood that part.

33  
34 MADAME CHAIR ENTSMINGER: .....if  
35 somebody in our region, 24A is not in this proposal.

36  
37 MR. FRENZL: I didn't hear his question  
38 I guess, so.....

39  
40 MADAME CHAIR ENTSMINGER: Okay. All  
41 right. So are we ready to move on then, any questions.

42  
43 (No comments)

44  
45 MR. GLANZ: Move. Let's move on.

46  
47 MADAME CHAIR ENTSMINGER: Okay. Vince.

48  
49 MR. MATHEWS: Okay, we're going to move  
50 on to -- we've moved when you select your next meeting

1 locations for your fall meeting in a year now to this  
2 time so I can get on the phone and call the other  
3 regions to tell them when you selected because we're  
4 trying to have only two Council meetings per week.

5

6                   If you look in your green folder,  
7 you're going to find a nice lavender, I call it  
8 lavender, lilac piece of paper, and I'm going to be  
9 referring to that to make sure that we have the same  
10 presentation to all Regional Councils.

11

12                   But due to budgetary reductions.....

13

14                   MADAME CHAIR ENTSMINGER: Is this it?

15

16                   MR. MATHEWS: Yes, that's the one. It  
17 looks like this.

18

19                   Basically due to budgetary reductions  
20 with the Office of Subsistence Management, we're  
21 requesting that the Regional Councils meet in regional  
22 hubs. And for your region, I'll cut to the chase, for  
23 your region Eastern Interior, your hubs are Fairbanks  
24 or the road system. So it doesn't mean you can't  
25 select another place, it means that if you do select  
26 another place, which you have already, which is Ft.  
27 Yukon, unless you decide to meet on the road system or  
28 in Fairbanks for next fall, you will need to provide  
29 some justifications as to why you want to meet in Ft.  
30 Yukon, and then I have to go through a cost analysis,  
31 between that and these hubs, and then that goes to the  
32 Assistant Regional Director, Pete Probasco, and he  
33 decides if your request to not meet in a hub, and meet  
34 in another location is justified.

35

36                   So with that, you'll see what the  
37 definition for hubs, it's up on the top, your region  
38 somewhat applies to this, that a hub community is one  
39 that requires only one leg of travel from a point of  
40 origin to the hub community and it may not be that all  
41 travelers but a majority do, and that the hub  
42 communities -- I already covered that -- and then that  
43 it's not a burden to the communities or community.

44

45                   So with that, on Page 94 and 95 of your  
46 book, you selected October 14th and 15th to meet in Ft.  
47 Yukon. I suppose the easiest way of doing this is do  
48 you still want to maintain the dates of October 14th  
49 and 15th and then we can get to location.

50

1 MADAME CHAIR ENTSMINGER: That's a done  
2 deal.

3  
4 MR. GLANZ: Yeah, I think so.

5  
6 MADAME CHAIR ENTSMINGER: We cannot  
7 meet in Ft. Yukon.

8  
9 MR. MATHEWS: No, it's not a done deal.  
10 I'm not going to be as diplomatic as the ARD, but there  
11 means that there has to be additional justifications.  
12 I can assist you with those justifications if you so  
13 desire, but it's his decision based on budget to see if  
14 Ft. Yukon would be a wise expenditure beyond the hub  
15 community of Fairbanks or the road system.

16  
17 MADAME CHAIR ENTSMINGER: It's  
18 interesting because I believe, you know, with moving  
19 all the Federal employees around, that's an expense  
20 versus moving us around.

21  
22 MR. GLANZ: Right.

23  
24 MR. MATHEWS: I have to factor in the  
25 OSM Staff, I don't factor in the other agency Staff  
26 because they don't come out of OSM's budget but I do  
27 have to factor in.....

28  
29 MADAME CHAIR ENTSMINGER: So did you  
30 factor in which is most expensive, is it moving OSM and  
31 us to a remote location or moving us all to a hub?

32  
33 MR. MATHEWS: Well, that's what I would  
34 have to do if you decide not to go with Fairbanks or  
35 road system. I don't have the figures in front of me  
36 to say but obviously lodging in Fairbanks is -- I think  
37 it's \$99 a day, and in Ft. Yukon, I think it's less  
38 than 99. Meeting rooms in Fairbanks are \$300 a day.  
39 And Ft. Yukon, when we met there last, I think it was  
40 50 or 75. But then there's all the travel costs.

41  
42 MR. GLANZ: That's the main thing.

43  
44 MADAME CHAIR ENTSMINGER: Well, that's  
45 the main cost is the travel. So I need your help,  
46 Council members, how do you feel about this and how do  
47 you want to go about it.

48  
49 MR. CARROLL: Well, have we gotten any  
50 indication from the western side of our area, like any

1 from Nenana, that's on the road, or Minto, you know,  
2 have we gotten any invites, has anybody expressed any  
3 desire to hear from the RAC in those areas.

4  
5 MADAME CHAIR ENTSMINGER: We've met in  
6 Nenana before.

7  
8 MR. CARROLL: Okay.

9  
10 MADAME CHAIR ENTSMINGER: Virgil.

11  
12 MR. UMPHENOUR: That October meeting  
13 we'll be discussing the fishery proposals, so there's a  
14 lot of fishermen in Nenana but there's a lot of  
15 fishermen in Ft. Yukon as well. It doesn't make any  
16 difference to me, I'm just wondering what the  
17 possibility is of us going to Ft. Yukon, does it look  
18 like it's probable or not probable based on, I guess,  
19 financial concerns.

20  
21 MR. MATHEWS: My guess is it's less  
22 than 50 percent.

23  
24 (Laughter)

25  
26 MR. MATHEWS: The reason I'm hesitating  
27 is it all depends on the fishery proposals that go  
28 forth, that's my personal opinion, not OSMs. Whatever  
29 proposals that come out of this round will generate a  
30 lot of interest. If there's not proposals of interest  
31 then justifications for meeting in Ft. Yukon on the  
32 river system drops. So maybe Polly has some more input  
33 on this but I want to convey to you what the ARD  
34 Probasco conveyed at Western Interior, it doesn't mean  
35 that you can't meet in these other communities, it's  
36 just got to have good justifications and cost analysis.

37  
38 MADAME CHAIR ENTSMINGER: If I may,  
39 before, Polly, Mathew, what did you have.

40  
41 MR. GILBERT: Virgil, kind of answers  
42 it a little bit. I was going to say we should pick an  
43 area depending on, like the problem, like issues in  
44 that area, and if salmon is going to be -- fisheries is  
45 going to be an issue, I think Ft. Yukon would be really  
46 good.

47  
48 MADAME CHAIR ENTSMINGER: Okay, Polly.

49  
50 MS. WHEELER: I would just reiterate

1 what other Council members said and my advice is that,  
2 you know, you're all well aware we're -- I mean we're  
3 having budget cuts, I mean we've gotten a large  
4 \$500,000 cut this year, who knows what will happen next  
5 year, but there's a few other things going on with the  
6 Federal government, so I suspect we're not going to get  
7 a budget increase. That said, my recommendation is to  
8 have a first choice and a second choice, saying that  
9 maybe the issues are going to drive the choice, but  
10 that way you sort of have a back up plan, if you need  
11 it, and there are budget issues but also issue issues  
12 come into play, too, and clearly if there's fish  
13 proposals before this Council and other Councils, then  
14 you'd want to be in a place where people that fish can  
15 attend the meeting. So I'd come up with a first choice  
16 and a second choice and then have it driven by the  
17 issues and the cost.

18

19 MADAME CHAIR ENTSMINGER: Right. Well,  
20 I guess one of the things that I'd like to bring out.  
21 When it comes to government spending, I guess I feel  
22 like the Council members really do need to be in the  
23 locations of the villages and is it necessary to bring  
24 all the Staff in, maybe you could just do it  
25 teleconference. Maybe we could go out there for one  
26 day of the meeting, I don't know, I just feel that it's  
27 important to go to the villages, it's important to go  
28 to the areas and hear from the people.

29

30 MR. FRENZL: Madame Chair. I concur  
31 wholeheartedly, I think that's a good idea.

32

33 I personally would like to meet in Ft.  
34 Yukon in October. I think we were going to meet there,  
35 of course due to circumstances beyond our control we  
36 weren't able to, but I think that's be my first choice.

37

38 MADAME CHAIR ENTSMINGER: Virgil.

39

40 MR. UMPHENOUR: Yeah, I think we should  
41 have three choices.

42

43 (Laughter)

44

45 MR. UMPHENOUR: I think we should have  
46 Ft. Yukon, Tanana and Nenana in that order, is what I  
47 think.

48

49 MADAME CHAIR ENTSMINGER: Okay, that's  
50 a suggestion.

1 MR. UMPHENOUR: And the reason why is  
2 because those are the places where we're going to get  
3 the most users that I think will actually come to the  
4 meetings and participate in the meeting and give input  
5 to the Council on the issues that will be before us and  
6 that's why I picked those in that order.

7  
8 MADAME CHAIR ENTSMINGER: Because of  
9 the fisheries.

10  
11 MR. UMPHENOUR: Because of the  
12 fisheries, they're the people.....

13  
14 MADAME CHAIR ENTSMINGER: Uh-huh.

15  
16 MR. UMPHENOUR: Those are the villages  
17 and places where people depend the most on the fish and  
18 the issue is very important to them.

19  
20 MADAME CHAIR ENTSMINGER: Uh-huh. Go  
21 ahead, Richard.

22  
23 MR. CARROLL: Okay. I, myself, would  
24 prefer -- Tanana I wasn't -- I didn't -- but Nenana --  
25 Tanana would be my first, Nenana and then Ft. Yukon.  
26 I'm from Ft. Yukon and it's too bad, the people are  
27 disappointed up there, but with our fishery issues,  
28 actually I think we would sway more people in the  
29 direction we want to go with smaller mesh size, less  
30 mesh depth if, I think, we got people from Tanana,  
31 they'll be heard further down river, Nenana the same.  
32 People from upper Yukon, who listens to us, yeah, they  
33 don't pay no -- it's like we're on the other side of  
34 the world from them.

35  
36 MADAME CHAIR ENTSMINGER: They need to  
37 listen to you.

38  
39 MR. CARROLL: Honestly. They need to  
40 but they don't. Let's face it they ain't going to -- I  
41 think you'd get more political pull.....

42  
43 MADAME CHAIR ENTSMINGER: Really.

44  
45 MR. CARROLL: Yeah. From people on the  
46 Tanana River and Tanana Village itself, I think, then  
47 maybe the Western Interior people will be more likely  
48 to go along with -- you know take a stand. That's what  
49 I'm thinking, you know, it will be more beneficial.  
50 Although the folks back home will be disappointed and I

1 go on record and say, I'm sorry, but that's.....  
2  
3 (Laughter)  
4  
5 MADAME CHAIR ENTSMINGER: I'm going to  
6 write them a letter.....  
7  
8 MR. CARROLL: .....you know, I'm  
9 looking at the big picture.  
10  
11 MADAME CHAIR ENTSMINGER: .....Richard  
12 said this.  
13  
14 (Laughter)  
15  
16 MADAME CHAIR ENTSMINGER: All right.  
17 So, Richard, what I'm hearing from you is, you would  
18 say Tanana first, then Nenana second and then Ft. Yukon  
19 last, and you're willing to take the heat for that.  
20  
21 MR. CARROLL: Oh, yeah, yeah, I would.  
22  
23 MR. GLANZ: I would go along with  
24 Richard on that myself.  
25  
26 MR. CARROLL: I'd rather see that.  
27  
28 MADAME CHAIR ENTSMINGER: Bill, you're  
29 agreeing.  
30  
31 MR. GLANZ: Yes.  
32  
33 MADAME CHAIR ENTSMINGER: You want to  
34 do that on the record.  
35  
36 MR. GLANZ: If you want me to put it on  
37 the record, I can.  
38  
39 MADAME CHAIR ENTSMINGER: Bill.  
40  
41 MR. GLANZ: I agree with Richard on a  
42 travel itinerary like that is possible, it would be  
43 Tanana, Nenana and Ft. Yukon, my choice.  
44  
45 MADAME CHAIR ENTSMINGER: And what did  
46 you have to add Mathew.  
47  
48 MR. GILBERT: Well, I was just going to  
49 tell Richard, suggest to him Minto, because Minto's  
50 closer to the Yukon River. I think that's actually a

1 good idea.

2

3 MADAME CHAIR ENTSMINGER: What  
4 Richard's proposing?

5

6 MR. GILBERT: Yeah. Yeah.

7

8 MADAME CHAIR ENTSMINGER: Okay. I  
9 guess what I need from the Council, do we all agree on  
10 Richard's proposal here, Tanana first, Nenana and then  
11 Ft. Yukon.

12

13 MR. CARROLL: If I may add, there's  
14 probably a pretty good chance that we'll see  
15 representatives from Ft. Yukon. I think if they want  
16 to voice something that bad, there's always somebody  
17 willing to go down and travel out for an issue like  
18 this.

19

20 MADAME CHAIR ENTSMINGER: Really,  
21 they'd actually leave the village and come to our  
22 meeting.

23

24 MR. CARROLL: I think so. I think  
25 they'd get a representative over there.

26

27 MADAME CHAIR ENTSMINGER: And if they  
28 didn't, I think we should make them full aware that  
29 they could be teleconferenced in.

30

31 MR. CARROLL: There you go.

32

33 MR. GLANZ: That's perfect.

34

35 MR. CARROLL: Sure. Yeah.

36

37 MADAME CHAIR ENTSMINGER: Okay. All  
38 Council members agree to this, and, Vince, do you need  
39 some compelling.....

40

41 MR. MATHEWS: No, I'm not trying to  
42 change your vote, but you've not been invited to Tanana  
43 and Nenana so when I approach them, if they say, no,  
44 just realize there's no one here for those communities,  
45 but we would.....

46

47 MADAME CHAIR ENTSMINGER: So we would  
48 be back to Ft. Yukon.

49

50 MR. CARROLL: Lester Erhart.

1 MR. GILBERT: Isn't Lester -- okay.  
2  
3 MADAME CHAIR ENTSMINGER: Lester  
4 Erhart's from Tanana.  
5  
6 MR. MATHEWS: Yes, Lester's from Tanana  
7 and then, of course, you all know the former Federal  
8 Subsistence Board Chairman, Mitch Demientieff is from  
9 Nenana so.....  
10  
11 MADAME CHAIR ENTSMINGER: I don't think  
12 we have to worry about being invited, do you?  
13  
14 MR. MATHEWS: We've invited ourselves  
15 before, I'm just letting you know that.....  
16  
17 (Laughter)  
18  
19 MR. MATHEWS: .....that.....  
20  
21 MADAME CHAIR ENTSMINGER: That it might  
22 happen again.  
23  
24 MR. MATHEWS: Right.  
25  
26 MADAME CHAIR ENTSMINGER: So that's  
27 your job, Vince, you have to contact the village regs  
28 and.....  
29  
30 MS. WHEELER: He has to go invite  
31 himself.  
32  
33 (Laughter)  
34  
35 MADAME CHAIR ENTSMINGER: Yeah.  
36  
37 MR. MATHEWS: No. At this stage, and,  
38 Polly can correct me, I would have to do an analysis of  
39 those three communities compared to Fairbanks.  
40  
41 MADAME CHAIR ENTSMINGER: Well, I would  
42 give you a.....  
43  
44 MR. MATHEWS: And then from there go  
45 from there, and then a contact. Once the ARD would  
46 agree to one or two or three on there, if he agrees to  
47 any of those three then I would contact the village,  
48 not beforehand, because then that creates.....  
49  
50 MADAME CHAIR ENTSMINGER: Well, Nenana

1 is on the road system.  
2  
3 MR. MATHEWS: That's where I was  
4 leaning, that's a compromise position, so I can go back  
5 to the office.  
6  
7 MADAME CHAIR ENTSMINGER: So they're  
8 going to say no to Tanana.....  
9  
10 MR. MATHEWS: That would be a  
11 compromise.  
12  
13 MADAME CHAIR ENTSMINGER: .....unless  
14 we have a compelling reason.  
15  
16 MR. GILBERT: Well, what about the  
17 reason he just mentioned.  
18  
19 MADAME CHAIR ENTSMINGER: Well, you  
20 have what he just mentioned, so that's our reason.  
21  
22 MR. GLANZ: We have a Plan B.  
23  
24 MADAME CHAIR ENTSMINGER: Okay. So,  
25 Vince, help us out here, do we, as a Council, have to  
26 worry about inviting ourselves.  
27  
28 MR. MATHEWS: No, I just want to let  
29 you know that we -- you know we don't want to give the  
30 impression to these communities, we're going to meet in  
31 your place, so what I usually do is contact the tribal  
32 Council and say that the Western Interior Council, or  
33 Eastern Interior, would like to meet there.  
34  
35 MADAME CHAIR ENTSMINGER: Have  
36 they.....  
37  
38 MR. MATHEWS: No, they've never  
39 refused, I'm just saying.....  
40  
41 MADAME CHAIR ENTSMINGER: Okay.  
42  
43 MR. MATHEWS: .....you're inviting  
44 yourself, I'm just getting it on the record that they  
45 didn't invite you.  
46  
47 (Laughter)  
48  
49 MADAME CHAIR ENTSMINGER: But we've  
50 been invited to Ft. Yukon and we didn't go. All right,

1 I think it's clear, Vince, what our intentions are.

2

3 MR. MATHEWS: Yes.

4

5 MADAME CHAIR ENTSMINGER: And I think  
6 it's clear what might happen.

7

8 MR. MATHEWS: Right. And with that,  
9 then that moves us up to the winter one, which is on  
10 Page 95, now that's looking a year out. The reason we  
11 do a year out is to help with staffing and all that.  
12 So if you look at it, your sheet is blank, I got to  
13 help you fill in the sheet.

14

15 So if you look at February 10th and  
16 11th, Seward Peninsula is meeting on that date, and  
17 Staff if you know different dates, please chime in.

18

19 North Slope is meeting on February 17th  
20 and 18th.

21

22 Western Interior is meeting on 18th and  
23 19th.

24

25 Southeast is meeting on February 24th,  
26 25th and 26th.

27

28 And I don't know the dates of  
29 Southcentral, does anybody know?

30

31 MS. CELLARIUS: March 3 to 5 is what I  
32 wrote down.

33

34 MR. MATHEWS: March 3 to 5 is  
35 Southcentral. Why do I bring that up, we're trying to  
36 maintain two meetings per week. YRDFA has requested --  
37 now, I just have to bring forth their request, they  
38 have their annual meeting generally during the last  
39 week in February, which would be February 23rd, say, to  
40 the 27th, it's four days in there somewhere. They try  
41 to avoid meeting when the Regional Council meets but  
42 they're also trying to maintain a pattern, so they've  
43 asked if Eastern, Western, and Yukon-Kuskokwim Regional  
44 Councils could avoid that week. So if you honor that,  
45 you could meet the week of February 8th because there's  
46 only one Council meeting there, or the week of March  
47 1st or the week of March 8th and then you could just  
48 keep going down the calendar.

49

50 MADAME CHAIR ENTSMINGER: Well, I

1 personally am in favor of later than early.  
2  
3 MR. GLANZ: Me, too.  
4  
5 MADAME CHAIR ENTSMINGER: Also, Bill.  
6  
7 MR. GLANZ: Yes, me, also.  
8  
9 MADAME CHAIR ENTSMINGER: Anyone else.  
10  
11 MR. GLANZ: Travel for me, from Central  
12 down to Fairbanks to get a plane or whatever.  
13  
14 MADAME CHAIR ENTSMINGER: Okay. Well,  
15 I'd say just because there's -- Southcentral's the one  
16 a lot of times that we have this overlapping stuff so  
17 maybe we wouldn't want to overlap with them so I'd kind  
18 of recommend March 10 and 11. What does the Council  
19 think of that.  
20  
21 MR. GLANZ: Sounds good to me, March 10  
22 and 11.  
23  
24 MR. MATHEWS: Sorry to interrupt.  
25  
26 MADAME CHAIR ENTSMINGER: Is that  
27 it.....  
28  
29 MR. GILBERT: That's a conflict with  
30 me.  
31  
32 MR. GLANZ: Okay.  
33  
34 MADAME CHAIR ENTSMINGER: Put it on the  
35 record.  
36  
37 MR. GILBERT: That's probably a  
38 conflict with me because that's around the time of the  
39 TCC convention.  
40  
41 MR. GLANZ: Okay.  
42  
43 MADAME CHAIR ENTSMINGER: Okay. So it  
44 is that week you're pretty sure of.  
45  
46 MR. GILBERT: Yeah.  
47  
48 MS. BROWN: It's usually the second  
49 week in March.  
50

1 MADAME CHAIR ENTSMINGER: Okay. Oh,  
2 we've got clear to the 3rd of April.  
3  
4 MR. GLANZ: Yes.  
5  
6 MADAME CHAIR ENTSMINGER: What else is  
7 conflicting in March, I wonder, besides wolf trapping.  
8  
9 (Laughter)  
10  
11 MADAME CHAIR ENTSMINGER: When's the  
12 Board of Game meet, that's another thing that usually  
13 comes up.  
14  
15 MR. GLANZ: End of February, end of  
16 March.  
17  
18 MADAME CHAIR ENTSMINGER: Oh, yeah,  
19 okay.  
20  
21 MR. UMPHENOUR: The Board doesn't  
22 address our region next year.  
23  
24 MR. GLANZ: Yeah, it won't be here next  
25 time.  
26  
27 MADAME CHAIR ENTSMINGER: That's right.  
28 That's right. Suggestions.  
29  
30 MR. GLANZ: 17th and 18th of March.  
31  
32 MADAME CHAIR ENTSMINGER: Any  
33 opposition.  
34  
35 (No objections)  
36  
37 MADAME CHAIR ENTSMINGER: We can look  
38 at this again, Vince.  
39  
40 MR. MATHEWS: Yes. I just got to give  
41 some tentative ones.  
42  
43 MADAME CHAIR ENTSMINGER: Uh-huh.  
44  
45 MR. MATHEWS: And then Polly's  
46 suggestion was very wise, is alternate meeting  
47 locations but also alternate meeting locations, but  
48 also alternate dates a year out would also help.  
49  
50 MR. GLANZ: Okay.

1 MR. MATHEWS: So if you want to look at  
2 alternate dates for March 17th and 18th, just as your  
3 second choice.  
4  
5 MR. GLANZ: March 24th and 25th.  
6  
7 MADAME CHAIR ENTSMINGER: Okay. Any  
8 objection.  
9  
10 (No objections)  
11  
12 MADAME CHAIR ENTSMINGER: Okay, that's  
13 tentative.  
14  
15 MR. MATHEWS: Now, the question is  
16 where do you want to meet, on the road system or  
17 Fairbanks or outside of that and it's a wildlife  
18 meeting, which is the action items, but your meetings  
19 are always fish and wildlife.  
20  
21 MADAME CHAIR ENTSMINGER: But wait a  
22 minute, have we determined we are going to be taking up  
23 wildlife proposals then, with this two year cycle  
24 thing.  
25  
26 MR. MATHEWS: No, we haven't determined  
27 that. So it might be.....  
28  
29 MADAME CHAIR ENTSMINGER: It might be  
30 just a meeting.  
31  
32 MS. WHEELER: Right.  
33  
34 MR. MATHEWS: Right. Which would allow  
35 us to explore more topics and depth and it allows Staff  
36 to let loose on some of the presentations they've been  
37 hold back on, which has happened.  
38  
39 (Laughter)  
40  
41 MADAME CHAIR ENTSMINGER: Slide show  
42 city.  
43  
44 (Laughter)  
45  
46 MR. MATHEWS: No, it's an opportunity  
47 to look in-depth seriously.  
48  
49 MADAME CHAIR ENTSMINGER: But it's  
50 possible because that's what we're coming to. We're

1 going to be having two meetings a year, from my  
2 understanding and one could be just a meeting and then  
3 one would be one year fisheries and then one year game.

4

5 MR. MATHEWS: Yes.

6

7 MADAME CHAIR ENTSMINGER: Okay. So  
8 where would you like to meet, gang, does it matter, is  
9 the hub Fairbanks suitable for just a meeting.

10

11 MR. GILBERT: We could meet in Minto.

12

13 MADAME CHAIR ENTSMINGER: Go to Minto.

14

15 MR. GILBERT: Yeah.

16

17 MADAME CHAIR ENTSMINGER: We'll keep  
18 our Staff happy.....

19

20 MR. GLANZ: I have a question, can  
21 Minto accommodate all of us or are we going to be  
22 sleeping in tents, that's the only problem it's a  
23 little -- about the size of Central.

24

25 MADAME CHAIR ENTSMINGER: You sound  
26 like you're speaking from experience.

27

28 MR. GLANZ: Yes. On fire stuff.

29

30 (Laughter)

31

32 MR. GILBERT: I just think it would be  
33 better if we met in a rural community, that way we  
34 would get more -- we'd get more testimony because  
35 Fairbanks, I don't think a lot of people care about a  
36 RAC meeting, you know.

37

38 MADAME CHAIR ENTSMINGER: Well,  
39 sometimes there's -- yeah, I know what you mean, and it  
40 comes down to the money spending, I guess, from the  
41 government. There's a hot springs close by.

42

43 (Laughter)

44

45 MR. GLANZ: That's really even less  
46 accommodations.

47

48 MADAME CHAIR ENTSMINGER: Okay.

49

50 Okay, I need help here.

1 MR. FRENZL: Madame Chair.  
2  
3 MR. GLANZ: Okay, how about we do his  
4 Minto and as a secondary Fairbanks as a back up.  
5  
6 MR. FRENZL: I was going to suggest the  
7 other way around, Fairbanks then Minto. It doesn't  
8 make any difference to me but I can understand Matt's  
9 point about rural.....  
10  
11 MR. GLANZ: I do too.  
12  
13 MR. FRENZL: .....but for just a  
14 meeting.....  
15  
16 MADAME CHAIR ENTSMINGER: Well, between  
17 now and then we might learn more, this is going to be  
18 just tentative, so let's just come up with two place  
19 and then we'll talk about it at the next meeting, who's  
20 first, Minto and Fairbanks.  
21  
22 MR. GLANZ: Flip a coin.  
23  
24 (Laughter)  
25  
26 MR. GLANZ: I don't care.  
27  
28 MADAME CHAIR ENTSMINGER: Again, I  
29 guess we need to be invited.  
30  
31 MR. GLANZ: With go with Minto first  
32 and Fairbanks second.  
33  
34 MADAME CHAIR ENTSMINGER: We'll just  
35 keep Staff happy.  
36  
37 MR. CARROLL: I'd agree with that,  
38 yeah.  
39  
40 MR. GLANZ: Okay.  
41  
42 MR. CARROLL: I'd go along with Minto  
43 first.  
44  
45 MADAME CHAIR ENTSMINGER: Any  
46 opposition.  
47  
48 (No objection)  
49  
50 MADAME CHAIR ENTSMINGER: That's what

1 we have.

2

3

Okay, what else is next.

4

5

MR. MATHEWS: I appreciate that, that helps. Then as we talked on break, would be to go down to, if I've got it correctly, OSM reports on the C&T policy. And the reason for Staff and the crowd that we're doing this is because Proposals 1 and 5 are going to be taken up tomorrow, so we can't make a 25 hour day tomorrow, so we're just moving some topics up that are less controversial.

12

13

We do have the EIS presentation, I'm sorry. Yes, I'm sorry, we do have the EIS presentation first before we move. Sorry, I stepped out of line there, I apologize to the Refuge Staff.

18

19

So now we would take just a few seconds to present the -- to set up the presentation for the EIS, and I apologize again to Staff that we jumped over them.

22

23

MADAME CHAIR ENTSMINGER: Yeah, because

25

26

we're looking forward to doing that. But before we go on there were two issues that I just -- this is to help our meeting to go a little faster tomorrow. Mining claims was brought up and I would like Bill to speak to that, I think it is going to call for an action.

31

32

33

Bill.

34

35

MR. GLANZ: I'd like our Board to send a letter to the Solicitor General for the State for the BLM or whatever you call it, to give us a determination, is mining claims Federally administered and eligible to be hunted on, if they do -- it's only the mineral rights on the mining claim, it has nothing to do with keeping people off of it, which would be public access.

42

43

So I'd like our Board to address a letter to the -- as I stated there, and do I have a second.

46

47

48

49

MADAME CHAIR ENTSMINGER: Do I hear a

second.

50

1 MR. UMPHENOUR: Yeah, second.  
2  
3 MADAME CHAIR ENTSMINGER: Okay, you're  
4 going to speak to the motion just a little bit.  
5  
6 MR. GLANZ: Well, the reason why I'm  
7 speaking the motion about it -- Wennona Brown's been  
8 aware of it and a few other people in the government  
9 and the State people and we really don't have a  
10 determination and up there by us in the November  
11 subsistence hunt everybody was up on Switch Creek and  
12 Deadwood Creek and all the Federal claims just wailing  
13 on caribou, I mean the subsistence hunters from  
14 different areas and it doesn't take Einstein to figure  
15 out Federal mining claims by looking at a map. And  
16 according to the State, I was talking to some of the  
17 brown shirts, they're just as confused as we are and  
18 we're just afraid they're going to be making a test  
19 case out of some poor subsistence hunter who is living  
20 in Circle or somewhere and he has no money to represent  
21 himself and he's going to go down. So that's why I'd  
22 like to have that letter, so we can say, yes, it is or  
23 no it isn't, it's posted and that would keep everybody  
24 out of trouble. I'm not going to say it's going to say  
25 it's going to stop them from going on the claims and  
26 wailing on them, but it's going to make it legally that  
27 they know that they're wrong, or they're justifiable.  
28  
29 That's the only reason I'd like to  
30 speak on that and have it sent that way. Because it's  
31 -- I mean there wasn't that many taken, I believe there  
32 was 18 that they admitted to me that they had harvested  
33 on Federal mining claims this last November, which is  
34 just a drop in the bucket if you compared to what was  
35 taken out of there December 1st to the 2nd.  
36  
37 That's about all I have really on that.  
38  
39 MADAME CHAIR ENTSMINGER: Okay. So we  
40 have a motion on the floor, Vince, do you understand  
41 that, and a second.  
42  
43 MR. MATHEWS: Yes. The question is, is  
44 public lands, correct, it's not access, it's that they  
45 could hunt under Federal regulations on those mining  
46 claims which is.....  
47  
48 MADAME CHAIR ENTSMINGER: Isn't Federal  
49 lands.  
50

1 MR. MATHEWS: .....which is not Federal  
2 lands.

3  
4 MR. GLANZ: No, no, no, no, I'm talking  
5 about community mining claims, which is administered by  
6 the BLM and the Northern District Office. They have  
7 their inspectors go out on those claims. The State  
8 does not inspect Federal mining claims, the Federal  
9 takes care of their own mining claims, which is Federal  
10 to me, I mean if it's not, then why are the Federal  
11 mining inspectors on the ground, they say, oh, no,  
12 that's going on by State hunting regulations -- so, do  
13 you have an answer to that Polly.

14  
15 MS. WHEELER: No.

16  
17 MR. GLANZ: Oh, okay, I was going to  
18 say, oh, all right.

19  
20 MS. WHEELER: I have the problem  
21 identified.

22  
23 (Laughter)

24  
25 MADAME CHAIR ENTSMINGER: She's just  
26 trying to clarify how the letter would be written.

27  
28 MR. GLANZ: Oh, okay, I understand that  
29 now.

30  
31 MADAME CHAIR ENTSMINGER: And Polly  
32 says she understands how we would like it written.

33  
34 MR. GLANZ: Okay, yeah.

35  
36 MADAME CHAIR ENTSMINGER: Because we  
37 just want to know if you can hunt -- is mining claims  
38 Federal lands.

39  
40 MR. GLANZ: For subsistence Federal  
41 hunting. That's my question. Not State claims, we  
42 know that's on State grounds.

43  
44 MADAME CHAIR ENTSMINGER: And does this  
45 regulation apply on mining claims.

46  
47 MR. GLANZ: Okay.

48  
49 MADAME CHAIR ENTSMINGER: Okay.

50

1 MR. GLANZ: Yeah.  
2  
3 MADAME CHAIR ENTSMINGER: Is everybody  
4 clear on this.  
5  
6 Go ahead.  
7  
8 MR. UMPHENOUR: Well, I'd like to know  
9 if State regulations apply on mining claims, too, I  
10 think they do but I'd like to know that.  
11  
12 MADAME CHAIR ENTSMINGER: Well, of  
13 course they would.  
14  
15 MR. UMPHENOUR: What hunting  
16 regulations apply on mining claims and.....  
17  
18 MADAME CHAIR ENTSMINGER: They both do  
19 if it's Federal lands, that's my understanding.  
20  
21 MS. WHEELER: We'll get a letter.  
22  
23 MADAME CHAIR ENTSMINGER: Yeah, okay.  
24  
25 MR. GLANZ: I know, Virgil, I believe  
26 the State -- nobody's ever had any problem on the State  
27 ground, I mean there's never been a test case or no --  
28 nobody's been arrested or, how can I say it, you know,  
29 been arrested for trespassing because it's possible on  
30 the mining claim, they only have the mineral rights.  
31 So you can go in there and cut trees down, catch fish,  
32 do anything you want in there as long as you're not  
33 gold mining or getting minerals out of the ground,  
34 according to the State regulations, and that's hard  
35 rock, you know, placer.  
36  
37 MADAME CHAIR ENTSMINGER: Okay. I  
38 believe we understand that. Does anyone have anything  
39 to add  
40  
41 (No comments)  
42  
43 MADAME CHAIR ENTSMINGER: A call for  
44 the question.  
45  
46 MR. CARROLL: Yeah, I call for the  
47 question.  
48  
49 MADAME CHAIR ENTSMINGER: Question's  
50 been called for. All in favor of writing the letter to

1 find out of mining claims are Federal lands and apply  
2 with this subsistence book, all in favor aye.  
3  
4 IN UNISON: Aye.  
5  
6 MADAME CHAIR ENTSMINGER: Anyone  
7 opposed.  
8  
9 (No opposing votes)  
10  
11 MADAME CHAIR ENTSMINGER: All right, no  
12 one's opposed.  
13  
14 All right, Council members I was trying  
15 to pick up some stuff that would help us so we could  
16 move along tomorrow, and then we're going to take up  
17 that -- this duck stamp one that you had.....  
18  
19 MR. GLANZ: Madame Chair. I was  
20 talking to someone from Fish and Wildlife about the  
21 duck stamp, I think we'll let that one rest. I'd like  
22 to withdraw that.  
23  
24 MADAME CHAIR ENTSMINGER: Great.  
25  
26 MR. GLANZ: Because I think this will  
27 be taken care of down in Anchorage when the meeting  
28 comes around, the Migratory Bird meeting.  
29  
30 MADAME CHAIR ENTSMINGER: Okay, we  
31 resolved something, great.  
32  
33 (Laughter)  
34  
35 Okay, so we'll move on to the proposed  
36 land exchange Yukon Flats, and the EIS.  
37  
38 MR. MATHEWS: We just need a minute  
39 to.....  
40  
41 MADAME CHAIR ENTSMINGER: Unless we  
42 need a break.  
43  
44 MR. MATHEWS: Just a minute to move the  
45 equipment.  
46  
47 MADAME CHAIR ENTSMINGER: Okay, a short  
48 break to move the equipment.  
49  
50 (Off record)

1 (On record)  
2  
3 MADAME CHAIR ENTSMINGER: Let's go  
4 ahead and get started. We're going to take up this  
5 land exchange, and Wennona.  
6  
7 Oh, I'm sorry.  
8  
9 MR. JESS: That's okay.  
10  
11 MADAME CHAIR ENTSMINGER: She looked so  
12 official and she was closer.  
13  
14 MR. JESS: She is official.  
15  
16 (Laughter)  
17  
18 MADAME CHAIR ENTSMINGER: Okay, go  
19 ahead.  
20  
21 MR. JESS: Alrighty. We appreciate,  
22 Madame Chair, to have the opportunity to be able to  
23 present this to you all. This is the proposed land  
24 exchange on the Yukon Flats National Wildlife Refuge.  
25  
26 And for the record my name is Rob Jess,  
27 Refuge Manager for Yukon Flats.  
28  
29 Just to give a brief overview of what  
30 the Refuge is about, our ANILCA purposes include to  
31 conserve fish and wildlife populations and habitats in  
32 their natural diversity, including but not limited to  
33 migratory birds, canvasbacks, dall sheep, bear, moose,  
34 wolves, wolverine, and other furbearers, caribou and  
35 salmon. The primarily mission is to conserve fish and  
36 wildlife habitat and populations.  
37  
38 We have some of the most productive  
39 wetlands in Alaska, some 20,000 lakes, 3,000 miles of  
40 rivers and streams. This adds up to one to two million  
41 ducks, 18,000 loons, some 100,000 grebes.  
42  
43 This also includes passerines and other  
44 birds, some 160 plus species. Also furbearer habitat,  
45 everything from marten, lynx all the way down to wolf  
46 and wolverine. I've heard we have big game on the  
47 Refuge, moose I'm not sure about.  
48  
49 (Laughter)  
50

1 MR. JESS: No, we do have moose.  
2 Declining numbers. We do have caribou, grizzly bear,  
3 black sheep and -- or black bear and dall sheep.

4  
5 (Laughter)

6  
7 MR. JESS: Yeah, black sheep and dall  
8 bear.

9  
10 (Laughter)

11  
12 MR. JESS: 19 species of fish including  
13 one of the only known sheefish spawning areas on the  
14 Yukon River.

15  
16 So why are we proposing a land  
17 exchange.

18  
19 Doyon Limited has, for the last 30  
20 years, and I wish Norm Phillips was here to present his  
21 half of the story. We've got a little bit of divisive  
22 history but we'll try to work through it. For a lot of  
23 years Doyon has had their eye, prior to the Refuge and  
24 then post-Refuge on these lands that were given to the  
25 Refuge. Doyon came to the Refuge with an offer and I  
26 don't want to say that it's exactly what we have now  
27 but there was a principal agreement -- agreement in  
28 principal that was given. And essentially what would  
29 happen is the Service would -- we have an obligation to  
30 respond to proposals, such as this. There would be a  
31 net gain, a priority habitat lands, essentially more  
32 wetlands. This would increase the Refuge managed lands  
33 and then it would also, more importantly consolidate  
34 some of the land ownership within the Interior of the  
35 Refuge. What Doyon would, in turn, receive is economic  
36 opportunities through the potential of drilling lands  
37 within their own lands plus added lands from the Refuge  
38 in the trade. It would also create a rural economy and  
39 then also consolidate their land ownerships within the  
40 interior of the Refuge.

41  
42 Now, to understand what land ownership  
43 is about, they are the largest private land owner in  
44 Alaska within the 11 million acre Refuge. They have  
45 approximately 1.25 million acres of surface and sub-  
46 surface. And then also a million acres with oil and  
47 gas potential.

48  
49 Now, what they do have is they have  
50 full development rights within those lands that are in

1 the interior of the Refuge and they are not subject to  
2 Refuge laws or regulations. What's important to note  
3 about that is that Doyon has made it very clear to us  
4 that regardless of the land exchange or not, that Doyon  
5 wants to move forward with development of their oil and  
6 gas potential particular emphasis on oil and because  
7 they are interior to the Refuge we, by law, have to  
8 give them access ingress, egress to that, that land and  
9 oil if they were to find oil. One thing to note is  
10 after the exchange, the surface ownership of Doyon  
11 would be reduced by 18 percent.

12

13 Now, here's a map, this map shows the  
14 Refuge boundaries, which are lined out in green. These  
15 are selective lands here, this is Chalkyitsik, Ft.  
16 Yukon, Birch Creek, Beaver, Stevens Village. This  
17 polygon here represents the potential area of oil  
18 within the Refuge and within Doyon and Native allotment  
19 lands.

20

21 MADAME CHAIR ENTSMINGER: Could I just  
22 clarify one thing.

23

24 MR. JESS: Yes.

25

26 MADAME CHAIR ENTSMINGER: Brown, you  
27 said selected, it's probably conveyed land, right.

28

29 MS. BROWN: The dark brown is conveyed.

30

31 MR. JESS: Conveyed.

32

33 MS. BROWN: The brown is selected, but  
34 yet conveyed.

35

36 MR. JESS: Yes.

37

38 MADAME CHAIR ENTSMINGER: Okay. Just  
39 for the record.

40

41 MR. JESS: Absolutely.

42

43 MADAME CHAIR ENTSMINGER: Yeah, okay,  
44 go ahead.

45

46 MR. FRENZL: Those were six mile  
47 squares you have are townships or.....

48

49 MR. JESS: These are townships.

50

1 MR. FRENZL: Okay.

2

3 MADAME CHAIR ENTSMINGER: Sorry to  
4 interrupt.

5

6 MR. JESS: No, that's fine, go ahead.  
7 If there are questions we are happy to answer them.

8

9 Now, all of this was based on a USGS  
10 oil and gas assessment. It determined technically  
11 recoverable resources and it was estimated at 173  
12 million barrels of oil within that halo effect or  
13 polygon, if you will. Potentially 5.5 trillion cubic  
14 feet of natural gas and a 127 million barrels of  
15 natural gas liquids.

16

17 Next.

18

19 Doyon, they took the same information  
20 that USGS had, they took it out to some professionals  
21 in the Lower 48, and their estimates came in a lot  
22 higher. They came in at the potential as 800 million  
23 barrels of oil versus the 173 million that we -- USGS  
24 came up with, with a total basin reserve of 1 billion  
25 barrels. So obviously there's not a discrepancy but  
26 there's certainly a slight difference there in  
27 interpretation.

28

29 Thus, here we are with an environmental  
30 impact statement. We have enlisted BLM because Fish  
31 and Wildlife Service, being that our main mission is to  
32 conserve habitat and species and not necessarily  
33 emphasis on oil, we got BLM as a cooperating agency to  
34 help us through the oil phase of the EIS. Scoping  
35 meetings began in 2006. The released draft EIS was  
36 sent out in January of this year. And essentially what  
37 it does is it has analyzed and disclosed the effects of  
38 the exchange, plus development. Doyon has not come out  
39 much with development aspects of it. We, in turn,  
40 through the EIS, have tried to, to the best of our  
41 abilities to interpret the potential of development.  
42 So essentially what we've done is we've got a proposed  
43 action and then we have a range of alternatives. We  
44 have three alternatives and we'll go through that. And  
45 then also opportunities for public input. We just  
46 recently completed 11 public meetings. One in  
47 Anchorage, one in Fairbanks, and then the nine in the  
48 villages.

49

50 Now, looking at the development

1 scenarios, the Draft EIS analyzed the effects of three  
2 things, the land exchange, exploration and then  
3 development. Now, given that Yukon Flats, that area is  
4 very unique in composition, both with wetlands,  
5 topography in general, climatic conditions, there's  
6 really no typical scenarios that could be evaluated so  
7 just for pure oil well development we looked at the  
8 large fields on the North Slope of Alpine and then also  
9 some small fields, Tarn, Meltwater and Badami. These  
10 aren't really comparative to what could occur on Yukon  
11 Flats, but they do give some example of recent oil  
12 development in the last 20 to 30 years.

13

14 Now, the Draft EIS alternatives, we  
15 have the proposed action or the agreement in principal.

16

17

18 The next thing that was evaluated was a  
19 land exchange with non-development easements and the  
20 concern was, was that perhaps too much Native land  
21 would be turned over to the Federal government. It's  
22 not a land grab, if you will, because we've had a very  
23 good working relationship with willing sellers on the  
24 ground who would like to sell their land and we've  
25 bought it where subsistence uses still continued on  
26 those lands, whereas somebody potentially from the  
27 Lower 48 were to buy the land it would be shut off to  
28 all public use.

29

30 The second alternative was a land  
31 exchange excluding the White Crazy Mountains and we'll  
32 go into a little more depth on that.

33

34 And then the third and final  
35 alternative would be a no action which means no land  
36 exchange, nothing would occur.

37

38 The proposed action was broken down  
39 into two phases. There was an initial phase and then  
40 the second phase would occur if oil were found.

41

42 In the initial phase, Phase I, Doyon  
43 would receive 110,000 acres of surface and sub-surface  
44 land and then additionally 97,000 acres of oil and gas  
45 interests with no surface occupancy. We would still  
46 have the land occupied -- owned and occupied but they  
47 would have sub-surface rights to that, that would be  
48 the halo lands. Phase I, also, the Refuge would  
49 receive a minimum of 150,000 acres of Doyon lands.  
50 Now, this is an equal value and what takes into account

1 of equal value, why is it not acre for acre, because  
2 the fact is that Doyon is looking for land that has  
3 potential oil development and that potential oil  
4 development in the realty process results that that has  
5 to be taken into account in the appraisal process and  
6 the appraisal process is done by a third-party Federal  
7 entity. We have no input or effect on their decisions  
8 as well as Doyon would have no effect or input on their  
9 decision of the appraised value of the lands. But the  
10 fact is, is that we would get at least 150,000 acres of  
11 Doyon lands.

12

13                   Additionally 56,500 acres of ANCSA  
14 entitlements would be reallocated outside of the  
15 Refuge. And I think that was 28, do you remember, 28  
16 different villages would get that, somewhere there, 22  
17 to 28.]

18                   MS. BROWN: (Nods affirmatively)

19

20                   MR JESS: And then also finally it  
21 would consolidate the exchange of lands and we'll show  
22 that on a map here shortly.

23

24                   Again, this is a standard Refuge map  
25 and you'll notice that there are numbered allotments  
26 here or.....

27

28                   MS. BROWN: Townships.

29

30                   MR. JESS: Townships. One to all the  
31 way up to 16 down here and the 150,000 acres would  
32 essentially be one through eight.

33

34                   And then you'll also notice here this  
35 would be the land that would be exchanged to Doyon from  
36 the Refuge to Doyon, a little bit of halo land.  
37 There's also, in this area, is proposed wilderness.

38

39                   MS. BROWN: The green line.

40

41                   MR. JESS: The green line right there,  
42 see, I always forget stuff.

43

44                   MADAME CHAIR ENTSMINGER: Question, did  
45 you say proposed wilderness?

46

47                   MR. JESS: Yes.

48

49                   MADAME CHAIR ENTSMINGER: So it's not  
50 wilderness right now. Administration -- current

1 administration is not for wilderness; I'm trying to be  
2 subtle here.

3

4 MADAME CHAIR ENTSMINGER: I guess I  
5 thought wilderness designations were done in ANILCA, I  
6 didn't realize that they could continue to have a  
7 process to have more wilderness areas.

8

9 MS. BROWN: Yes, Madame Chair, Wennona  
10 Brown. In the CCP the Refuge did back in, I believe it  
11 was '89, one of the things that they did have to  
12 examine was potential lands -- or lands within the  
13 Refuge that would potentially could be recommended for  
14 wilderness designation. All the areas under the --  
15 between the green line and the Refuge boundary there,  
16 the Refuge did recommend be designated wilderness, that  
17 proposal was forwarded to the Secretary of the Interior  
18 and there it has sat ever since. It has not been  
19 forwarded, you know, to Congress or the President for  
20 consideration. So it still remains a proposed  
21 designated wilderness.

22

23 MR. JESS: And then also what we see on  
24 the map here two proposed routes if this land exchange  
25 were to occur, there'd be a northern route or a  
26 southern route, and we'll get into a little more depth  
27 on those.

28

29 Okay, what are the habitats in Phase I.

30

31 Lands to Doyon would be more uplands  
32 and these also contain deeper bodies of water, lower  
33 density of waterfowl and wetland dependent species.  
34 The wetlands would be two percent of the area, mid-land  
35 lake zone habitat would consist of loons, buffelheads  
36 and golden eyes and lands to the Refuge would be more  
37 low lands, higher density of waterfowl, wetland  
38 dependent species and wetlands comprise 12 percent of  
39 the area. One of the things that we are evaluating  
40 right now is with the impacts and effects of global  
41 warming. And one of the things that we're evaluating  
42 is are we potentially giving up lands that could be dry  
43 in 20 to 30 years, and are there also, in these  
44 uplands, where you have these mid-land lake zones, how  
45 critical are those zones necessary to keep these  
46 lowlands or wetlands below them wet. And so that's  
47 part of the EIS that we want to evaluate that we have  
48 yet to evaluate.

49

50 Next.

1                   One of the things also in going back to  
2 the other map -- back a map, sorry about that, one  
3 more, is Beaver Creek. This area right in here. One  
4 of the things thought was important was to be able to  
5 have that public use easement continue. And so along  
6 Beaver Creek in this proposed exchanged area, .5 miles  
7 on each side of Beaver Creek would have a public use  
8 easement, and allow the public to utilize Beaver Creek.

9  
10                   In addition, subsistence access  
11 easement, Doyon retains an access easement for  
12 subsistence purposes, and then all subsistence  
13 activities in accordance with Federal subsistence  
14 regulations would still occur. So subsistence on these  
15 exchanged lands would not change.

16  
17                   As far as the consolidation is  
18 concerned. Doyon and the Refuge would exchange certain  
19 townships to consolidate land ownerships and then  
20 additionally it would be an increase continuity of  
21 Refuge habitats and better defined management  
22 boundaries. And what this shows is between the two  
23 maps, if you look at the green right here, which is  
24 Doyon land and the pink or purple would be Service  
25 lands that would go to Doyon, then there's a few over  
26 here as well, mainly around Chalkyitsik.

27  
28                   The next map shows a consolidation  
29 effect.

30  
31                   Okay.

32  
33                   Now, if oil -- in the proposed action,  
34 if oil were to be found, this would be Phase II would  
35 kick in. If no oil were found Phase II would not  
36 occur. Oil found Phase II would occur. There would be  
37 a production payment of 1.25 percent at the well head  
38 value. And this money could only be used for certain  
39 things. And in essence, though, it isn't legally  
40 called mitigation, it's an offset payment for the  
41 impacts that most likely would occur. The Service  
42 would acquire additional lands in Alaska Refuges. It  
43 would allow -- those funds would allow us to acquire,  
44 not just lands within Yukon Flats but all Refuges  
45 within Alaska. And additionally Doyon has committed to  
46 selling an additional 120,000 acres to us. And then  
47 also the other thing that it would allow the service to  
48 do is construct needed facilities throughout Alaska.  
49 One of the things to note is that there would be no  
50 loss of public lands in Phase II.

1 In Phase II, again, it would be nine  
2 through 16 would be the other lands that would be  
3 purchased. And, again, we see two proposed routes.  
4 One route goes through the -- the northern route goes  
5 through proposed wilderness area, through the Refuge,  
6 the southern route goes through BLM. The preferred  
7 route from Doyon is the southern route.

8  
9 Now, right-of-way. Doyon's preferred  
10 pipeline route, again, is the Victoria Creek through  
11 the White Mountains National Recreation area. Now, if  
12 it goes through the Refuge, then there's going to be  
13 additional financial compensation. What's been  
14 calculated out, essentially one of the things is that  
15 it's 640 acres of habitat per linear mile of right-of-  
16 way, and the production in payments would increase from  
17 1.25 percent to 1.5 percent and essentially that would  
18 be three additional townships, I believe.

19  
20 MS. BROWN: One township.

21  
22 MR. JESS: Huh?

23  
24 MS. BROWN: It's one township.

25  
26 MR. JESS: One township. I thought she  
27 said it was -- I thought Cindy was saying three. Okay,  
28 one township.

29  
30 MS. BROWN: 23,000 acres.

31  
32 MR. JESS: You're right. I knew that.

33  
34 (Laughter)

35  
36 MR. JESS: And, again, a larger map  
37 showing the two right-of-ways.

38  
39 MS. BROWN: Phase II.

40  
41 MR. JESS: Phase II here,  
42 consolidation.

43  
44 Now, Alternative I. This is an  
45 exchange with easements. And, again, this one, the  
46 only difference is, is that, Doyon on this, donates  
47 120,000 acres of non-development easements even if no  
48 oil development were to occur if this Alternative I was  
49 selected. And then additionally the production payment  
50 is reduced to .25 percent.

1                   And you can see -- let's see I have  
2 trouble seeing these, again, one through 16. But the  
3 lands that would be impacted are -- would essentially  
4 be nine through 16 would be the donated, non-  
5 development easements.

6  
7                   Alternative II would be the exchange  
8 excluding the White Crazy Mountains. And the major  
9 differences on this is that it excludes the recommended  
10 wilderness area so to Doyon, they would receive 83,500  
11 acres plus 105,000 acres of oil and gas interests, and  
12 to the Refuge, we would receive 115,000 plus acres  
13 depending upon how realty would work out the land  
14 value. And, again, this shows it would be one through  
15 7A would be the land -- less land exchanged for both  
16 sides.

17  
18                   And, again, Alternative III would be no  
19 action.

20  
21                   So to kind of summarize everything.  
22 The net gain in Refuge lands, the proposed action we  
23 would receive 216,500 acres in the proposed action;  
24 exchanged with non-development easements would be  
25 96,500 acres; the exchange excluding the White Crazy  
26 would be 169,000 acres; and, then, again, the no action  
27 would be zero acres.

28  
29                   Cumulative effects. One thing that's  
30 important to understand is that Doyon, again, has made  
31 it very clear to us that regardless of the exchange  
32 occurring or not does not mean there's going to be no  
33 development. They've made it very clear that they will  
34 or they have intentions to develop the lands. But one  
35 thing to note is that the exchange, obviously, is going  
36 to facilitate their development. The infrastructure is  
37 there. If the land exchange were to occur it would  
38 increase their cost effectiveness within and to their  
39 area.

40  
41                   So the impacts, obviously, it's  
42 certainly impossible for any one of us to predict the  
43 exact nature and extent of the impacts; we don't know  
44 whether or not there is oil there. It's an unknown  
45 entity. Chapter 4 of the DEIS, it assesses the land  
46 exchange and the development and it shows both the  
47 positive and negative impacts. One of the things that  
48 we have to do, we have to consider both the beneficial  
49 and adverse impacts before deciding whether to exchange  
50 lands with Doyon. The decision will be made by the

1 Regional Director, Tom Melius, and that record of  
2 decision will be completed in September of this year.

3

4 Go to the next one.

5

6 So what's next. We completed our 11  
7 public hearings. We're expecting the appraisals in the  
8 spring. We are in spring, we don't have them yet, but  
9 we're still expecting them. The Final EIS will be  
10 completed in August of 2008, record of decision will be  
11 completed -- a decision made by September.

12

13 We often get asked, what's the hurry.  
14 Our official position is that we have funding  
15 limitations only for this year and the Regional  
16 Director has given us the timeline that we're under to  
17 have this completed and thus we move forward.

18

19 I don't think we need to do that, or do  
20 we, okay, I'll let you do that.

21

22 MS. BROWN: In each one of the rural  
23 villages we did go through the .810 -- the public  
24 hearing was also the .810 ANILCA hearing, which is  
25 required if we determine that the proposed action could  
26 significantly restrict subsistence uses. And Appendix  
27 C of the Draft EIS is the ANILCA .810 analysis. In  
28 preparing the analysis we concluded that any one of the  
29 action alternatives, alone, would probably not have any  
30 significant restrictions on subsistence uses because of  
31 the distance of the development area from any of the  
32 surrounding villages.

33

34 However, under the cumulative effects,  
35 which looked at development on Doyon's currently owned  
36 lands, with or without the exchange, in addition to --  
37 and/or in addition to development on the proposed land  
38 exchange area, that there could be some significant  
39 restrictions of subsistence uses because of -- because  
40 consolidation of the lands around the villages means  
41 that to -- under -- or to hunt or fish under Federal  
42 regulations -- or particularly to hunt or trap under  
43 Federal subsistence regulations people in the villages  
44 would have to travel farther because the Federal lands,  
45 you know, the blocks all got filled in. So to get to  
46 Federal lands, you know, the local villagers may have  
47 to farther. Also if development occurs on those lands  
48 closer to the villages, they may be occurring on some  
49 of the townships that people in those villages do use  
50 and they would find themselves being displaced and/or

1 the game in the area is potentially being displaced so  
2 that they would have to find, either, again, travel  
3 farther or find new hunting areas.

4

5 So those are the reasons that we  
6 concluded that under the cumulative analysis there  
7 could be some significant restrictions.

8

9 MR. JESS: That concludes our  
10 presentation and we're happy to take any questions.

11

12 MADAME CHAIR ENTSMINGER: Are we awake.  
13 Council members, questions.

14

15 MR. UMPHENOUR: The map you had up  
16 there, it shows the road going -- taking off over by  
17 Livengood, the southern route that you said is  
18 preferred, and then it just ends where the proposed  
19 wilderness area is, but that other map you had there  
20 with the big loops around it, yeah, see it shows the  
21 road ending right there, but then you've got those  
22 squares all over the place with, I guess, numbers in  
23 them and those are the places where Doyon wants that  
24 land with all those townships with the numbers, is that  
25 it, the 16 of them?

26

27 MS. BROWN: Through the Chair. Mr.  
28 Umphenour. The land that Doyon would receive in the  
29 exchange is the yellow block. The blocks with numbers  
30 on them is the lands that the Fish and Wildlife Service  
31 would receive.

32

33 MR. JESS: In priority.

34

35 MS. BROWN: In priority number, from  
36 one through -- well, this particular map I think only  
37 goes through 10 or something, but some of the others it  
38 would be one through 16.

39

40 MR. UMPHENOUR: Okay, so where's the  
41 land that Doyon would get?

42

43 MR. JESS: It's the yellow land there.

44

45 MR. UMPHENOUR: Okay.

46

47 MR. JESS: And why the road ends there  
48 is because we don't know, being that it's Doyon's land,  
49 they don't know where oil rigs would be or an oil rig,  
50 as they say, would be located where oil would be found

1 so the road can't really be delineated at that point  
2 but that is the suggested course that they've taken as  
3 far as outside the oil area.

4  
5 MR. UMPHENOUR: Okay. Because I was  
6 kind of confused about that. And then that like you  
7 had all the way across the bottom of the Refuge, that's  
8 the proposed wilderness area, right?

9  
10 MR. JESS: I'll show you, the green  
11 that Wenona is showing, it's a light green line.

12  
13 MADAME CHAIR ENTSMINGER: And how long  
14 has it been proposed to be a wilderness, from what  
15 year?

16  
17 MR. JESS: '89 -- '86 it was completed,  
18 '87.

19  
20 MS. BROWN: Yeah, in that timeframe.

21  
22 MADAME CHAIR ENTSMINGER: So it stays  
23 open for a proposal all these years.

24  
25 MR. JESS: Uh-huh.

26  
27 MADAME CHAIR ENTSMINGER: It can or  
28 cannot.

29  
30 MR. JESS: Correct.

31  
32 MADAME CHAIR ENTSMINGER: 2050 somebody  
33 says let's have a wilderness area, they can do that?

34  
35 MR. JESS: Well, when you get an  
36 administration that's.....

37  
38 MR. GLANZ: Favorable.

39  
40 MR. JESS: Thank you, Bill.

41  
42 (Laughter)

43  
44 MR. JESS: Favorable.

45  
46 MADAME CHAIR ENTSMINGER: Favorable is  
47 the term.

48  
49 MR. JESS: Then these wilderness areas  
50 get moved up to the forefront.

1                   MADAME CHAIR ENTSMINGER: I guess I did  
2 not realize that that could just be an open-ended  
3 thing. That it's, you know, that kind of bothers me in  
4 a way in some respects.

5  
6                   MR. UMPHENOUR: i have another question

7  
8                   MADAME CHAIR ENTSMINGER: But Council  
9 members, Virgil has another one and I'd like to hear  
10 from Ft. Yukon.

11  
12                  MR. UMPHENOUR: Okay, all that selected  
13 land up there, is that selected by Doyon or is it  
14 selected by the village corporation or some of both?

15  
16                  MS. BROWN: Some of both.

17  
18                  MR. JESS: Well, yeah, it is some of  
19 both. Majority of the lands, as we understand it, were  
20 selected by Doyon prior to the establishment of the  
21 Refuge.

22  
23                  MS. BROWN: These are Doyon, this color  
24 is village.

25  
26                  MR. UMPHENOUR: Say that again.

27  
28                  MADAME CHAIR ENTSMINGER: Yes. Grey  
29 is.....

30  
31                  MR. JESS: Grey is Doyon, the brown is  
32 village.

33  
34                  MR. UMPHENOUR: But the brown is  
35 already conveyed, right?

36  
37                  MADAME CHAIR ENTSMINGER: As is the  
38 grey.

39  
40                  MS. BROWN: Uh-huh.

41  
42                  MR. JESS: One is conveyed to the  
43 village and one's conveyed to the corporation.

44  
45                  MR. UMPHENOUR: Okay, but which is  
46 selected and not conveyed, you pointed that out earlier  
47 and now I'm confused here.

48  
49                  MS. BROWN: The color tone is really  
50 hard to see.

1 MADAME CHAIR ENTSMINGER: Yeah.  
2  
3 MR. JESS: Yeah.  
4  
5 MADAME CHAIR ENTSMINGER: That yellow  
6 looking stuff or tan, right?  
7  
8 MS. WHEELER: That says the darker  
9 brown is selected and the light brown is conveyed.  
10  
11 MADAME CHAIR ENTSMINGER: What. What.  
12 I think you just contradicted what she said.  
13  
14 MS. WHEELER: Well, I'm just reading  
15 the key.  
16  
17 MS. BROWN: Yeah.  
18  
19 MR. JESS: No, you're right.  
20  
21 MS. WHEELER: The one above it says  
22 conveyed.  
23  
24 MADAME CHAIR ENTSMINGER: Grey is  
25 conveyed -- there are two colors that are very hard  
26 to.....  
27  
28 MR. JESS: Grey is conveyed Doyon  
29 lands.  
30  
31 MS. BROWN: These are conveyed village.  
32 And like these colors are selected, but not conveyed.  
33  
34 MADAME CHAIR ENTSMINGER: Put that on  
35 there so I can see it. So selected, but not conveyed  
36 are.....  
37  
38 MS. BROWN: Like this color and that  
39 color.  
40  
41 MADAME CHAIR ENTSMINGER: And even down  
42 here, what are these colors that look slightly  
43 different in the left corner?  
44  
45 MR. JESS: Those are Doyon lands to  
46 Service.  
47  
48 MS. BROWN: These are the lands that  
49 under -- that would just be under the consolidation,  
50 they're just flip-flopped.

1 MADAME CHAIR ENTSMINGER: Those are  
2 part of the proposal, those?  
3  
4 MR. JESS: Correct.  
5  
6 MADAME CHAIR ENTSMINGER: Those lands  
7 are part of the proposal?  
8  
9 MR. JESS: Correct.  
10  
11 MADAME CHAIR ENTSMINGER: I think it's  
12 hard for us to see which lands are -- but I think  
13 there's that many Virgil because it looks like it's a  
14 lighter color than that dark brown.  
15  
16 MR. UMPHENOUR: Right, but I have a  
17 question. I was leading up to a question.  
18  
19 MADAME CHAIR ENTSMINGER: Okay.  
20  
21 MR. UMPHENOUR: Okay, what my question  
22 is, is Doyon has overselected millions and millions of  
23 acres and so how many -- they're only allowed roughly a  
24 million acres more to get conveyed out of all these  
25 millions that they've overselected, so I have two  
26 questions.  
27  
28 The first question, do you know how  
29 many acres of selected land Doyon has in the Refuge?  
30  
31 MR. JESS: I don't know.  
32  
33 MS. BROWN: Under Title 12(b) they  
34 still have rights to 56,500 acres within the Refuge.  
35 And under the proposed action, they would remove those  
36 selections and put them outside the Refuge. So in  
37 other words, that 56,500 acres that they currently have  
38 selections on would go away and remain Refuge land.  
39  
40 MR. UMPHENOUR: Okay, so -- but one  
41 township is 640 ties 36, I haven't multiplied that out,  
42 but -- so all that Doyon has selected there that's not  
43 conveyed in the whole Refuge is, you said 65 or 55,000  
44 acres.  
45  
46 MR. JESS: 56,500.  
47  
48 MS. BROWN: 56,500 is what they're  
49 still entitled to.  
50

1 MR. UMPHENOUR: They're still entitled  
2 to. But my question is, is that all that they've got  
3 selected because I know they've got a whole bunch  
4 overselected. That's my question.

5  
6 MADAME CHAIR ENTSMINGER: In the  
7 Refuge.

8  
9 MR. UMPHENOUR: In the Refuge.  
10

11 MR. JESS: Virgil, we don't know but we  
12 can find out for you and get back to you.

13  
14 MR. UMPHENOUR: Okay.

15  
16 MR. JESS: I read that off my  
17 government sleeve here.

18  
19 MR. UMPHENOUR: Right. Well, the  
20 reason I'm asking all these questions is because Doyon  
21 has overselected a whole lot of lands because they  
22 weren't limited under the law, the State was limited to  
23 only overselecting 25 percent of what they were going  
24 to get conveyed but the Native corporations were not  
25 limited, and so Doyon overselected tremendous amounts.  
26 I know in the area of the Koyukuk Refuge they've got  
27 about 800,000 acres of selected land there and they  
28 only have about a million acres more that can be  
29 conveyed and so that's why I was asking so that's why I  
30 was asking if there's any speculation as to what they  
31 really want to select or not, or want conveyed or not  
32 because they've selected all this land. And that's why  
33 I asked that, I was just curious as to how many acres  
34 really are in the Refuge that Doyon has selected.

35  
36 MS. BROWN: Virgil, through the Chair.  
37 It's my understanding that the 56,500 that they  
38 currently have selections on within the Refuge, if the  
39 land exchange does not proceed, they will take title of  
40 those 56,500 acres.

41  
42 MR. UMPHENOUR: Thank you.

43  
44 MADAME CHAIR ENTSMINGER: I'd like to  
45 hear from Richard here.

46  
47 MR. CARROLL: Actually I don't have any  
48 questions, I mean I understand the whole thing  
49 perfectly well and I appreciate your presentation here  
50 to educate everybody to be made aware of for the

1 potential for the future, a negative one, and in the  
2 eyes of some people, a positive one.

3  
4 But I still stand that I don't  
5 understand why Fish and Wildlife Service is involved in  
6 this and they're looking at it in a different way.

7  
8 The bullying that's been taking place,  
9 the threat that they're going to develop regardless, no  
10 way, that is not a viable threat from Doyon, they're  
11 going to need billions of dollars of investment,  
12 nobody's going to make that investment when they can't  
13 open up oil fields that they already have access to on  
14 the North Slope. It just don't fly with me.

15  
16 But anyway I'm not here to argue about  
17 it and most of you know my stance on it, I oppose. And  
18 I just want to thank you for the information because  
19 -- I'll leave the question's up to you, I have most of  
20 my answers, you know, and I'm not looking for  
21 questions.

22  
23 But wild and scenic Beaver Creek, wild  
24 and scenic river that has no protection, and how about  
25 the White Mountains, what is it, a wilderness area,  
26 parks area, that White Mountains.

27  
28 MR. DUDGEON: Recreational.

29  
30 MR. CARROLL: Recreational area. It  
31 has no protection on development to halt this. I mean,  
32 and then you've got a halo of lands and the wilderness  
33 -- the wilderness are that may come into effect at any  
34 time whenever a presidential directive or whatever  
35 takes it -- whatever, declaration, what they do is --  
36 the reason they got the halo lands is they do  
37 directional drilling, which means, you know, they drill  
38 here and kind of such oil out, you know, five miles  
39 away, you know.

40  
41 MADAME CHAIR ENTSMINGER: Uh-huh.

42  
43 MR. GLANZ: Uh-huh.

44  
45 MR. CARROLL: It's kind of interesting,  
46 I don't know, it's a disappointing thing for me. I  
47 mean I have no questions, I mean that's.....

48  
49 MS. BROWN: I'll back up here to a  
50 different slide, I think it shows the wild and scenic

1 river a little bit better.

2

3 MR. JESS: One thing that we did want  
4 to make note that public comment period does end the  
5 25th of March and we would hope to receive as many  
6 comments as possible to get a good public opinion on  
7 the potential impacts, both on -- to those that live  
8 within the impacted area and also to those that might  
9 be affected by it or not affected, either way, we very  
10 much encourage comments.

11

12 MR. CARROLL: Madame Chair. I'd like  
13 to make a proposal that this RAC here recommends an  
14 extension to the comment period or a recommendation for  
15 an extended period of time. Right now it's going to  
16 end on the 25th and this is the first presentation to  
17 an Advisory Council for subsistence, this is the first  
18 official one, you know, it's been talked about and  
19 batted around and probably wouldn't have been brought  
20 up if I wasn't sitting here.

21

22 But I would like for us, and I'm making  
23 a motion right now that we ask for an extension of the  
24 comment period on the environmental impact statement,  
25 to extend it beyond the deadline of March 25th, which  
26 is just next week.

27

28 MADAME CHAIR ENTSMINGER: Right. What  
29 is your time certain on that, 120 day extension?

30

31 MR. CARROLL: We'd like to see 120  
32 days, give everybody an opportunity to comment on this  
33 statement.

34

35 MADAME CHAIR ENTSMINGER: So that's  
36 part of your motion?

37

38 MR. CARROLL: That is part of my  
39 motion, yes.

40

41 MADAME CHAIR ENTSMINGER: So 120 days  
42 to the comment period, extending it from March 25th.

43

44 MR. GILBERT: I'd like to second that.

45

46 MADAME CHAIR ENTSMINGER: Okay, I have  
47 a second, now we have discussion. Yeah, go ahead.

48

49 MS. BROWN: Madame Chair, may I ask a  
50 question?

1 MADAME CHAIR ENTSMINGER: Yes.  
2  
3 MS. BROWN: 120 days beyond March 25th  
4 or 120 days total from the time that the comment period  
5 started in January?  
6  
7 MR. CARROLL: I understand the comment  
8 period ends on March 25th.  
9  
10 MS. BROWN: So.....  
11  
12 MR. CARROLL: It's closed after that.  
13  
14 MS. BROWN: So 120 days beyond March  
15 25th.  
16  
17 MR. CARROLL: Beyond that, yes.  
18  
19 MS. BROWN: Beyond that, okay.  
20  
21 MR. CARROLL: Yes.  
22  
23 MADAME CHAIR ENTSMINGER: Yeah, that  
24 was my understanding of the motion, too, yeah. So now  
25 we want to talk to it, Richard, can you help me out.  
26 Do you foresee some more participation from the.....  
27  
28 MR. CARROLL: We do, yes. Not only  
29 local participation but this is more of a regional on-  
30 slaughter by government officials, and it really hasn't  
31 reached the national level yet. We feel, those in my  
32 position, those that oppose it, feel that national  
33 attention will benefit in this development. Fish and  
34 Wildlife Service itself is going to be oil head owners,  
35 they're going to get a royalty, and they're actually --  
36 in their statement they've identified 134 Native  
37 allotments in the Yukon Flats area that they want to  
38 buy so they will not lose subsistence use of those  
39 lands, but, the potential is there, Refuge manager can,  
40 at any time, stop anybody from accessing. If you have  
41 no land there and they shut it down, they close it off,  
42 they have the potential and authority to do that, to  
43 stop access.  
44  
45 Right now Native allotment in-land  
46 holders across the entire state have access, and will  
47 never be denied access to their Native allotment  
48 regardless of where it's at, and in the future that  
49 could be denied.  
50

1                   But to me, personally, it's a -- I say  
2 you develop in Yellowstone National Park first, see how  
3 that flies, and then come up here, why should we be  
4 treated different, you know, it's just nothing  
5 personal, I like you guys, but, you know, it's such an  
6 emotional issue that I can't see exchanging a 40 year  
7 oil field life expectancy and it might not even be  
8 there. Fine, Fish and Wildlife Service will gain,  
9 actually in acreage, they will gain acreage, but what  
10 they've done is they've opened up a whole area that  
11 they -- a whole area that they will have no control  
12 over in the future. You talk to the Eskimo whalers  
13 right now on the North Slope, they are sorry that they  
14 opened up to oil development, they are seeing the  
15 potential for their subsistence way of life and whaling  
16 is going down the tubes. And with the new Chukchi Sea  
17 oil leases going on off the coast up there, way out  
18 there on the North Chukchi Sea, they're actually  
19 running scared now. They are really sorry. The  
20 exchange for them and their livelihood, their  
21 subsistence way of life being threatened, they ain't  
22 see the value in it now, they're sorry they did it.

23

24                   I know personally guys from Kaktovik,  
25 especially, Mr. Thompson up there, he's one of the few  
26 early outspoken Eskimo people from the North Slope that  
27 are opposing oil and gas development in the Arctic  
28 National Wildlife Refuge, which has been a big topic  
29 concerning Gwitch'in people because of the calving  
30 grounds of the Arctic National -- of the Porcupine  
31 River Caribou Herd.

32

33                   One of the things that you guys have  
34 not talked about, neither, is at one time between here  
35 and Fairbanks, this is not a recorded historical fact,  
36 this is a traditional story that between  
37 here, Ft. Yukon and Fairbanks, at one time, existed a  
38 herd that numbered up to 60,000, 60,000 caribou was in  
39 that herd, immediately after war development here, the  
40 build up of military, immediately after the second  
41 World War, now that's called the Steese Highway Herd,  
42 there's about 3,000, they showed up in Fairbanks about  
43 10 years ago and now we got, you know, what's next,  
44 zero, you know, that herd actually did that 60,000,  
45 that herd existed, big time, they don't know what  
46 happened to it, it got absorbed, it changed, but they  
47 showed up about 10 years ago, they actually still --  
48 they number 3,000, I think, the Steese Highway Herd.

49

50                   But, you know, those kind of potentials

1 and impact, we might not see immediately but oil  
2 development on the North Slope has been going on since  
3 the late '60s and 40 years later now they're beginning  
4 to -- it's a little scary. 40 years from now, I can't  
5 predict the future myself but I don't think it's worth  
6 it myself, you know, the potential for disaster and  
7 losing subsistence use and subsistence resources is not  
8 worth it for two months of oil, you know, it just ain't  
9 worth it.

10

End of statement, thank you.

11

12  
13 MADAME CHAIR ENTSMINGER: Well, I hear  
14 two issues here. One is you'd like the public comment  
15 extended 120 days.

16

17 MR. CARROLL: Yep.

18

19 MADAME CHAIR ENTSMINGER: So we could  
20 vote on that. But then since this Council doesn't meet  
21 until next, you know, fall, we'll be past that, won't  
22 we, so is this our opportunity also to speak to this.

23

24 MS. BROWN: (Nods affirmatively)

25

26 MADAME CHAIR ENTSMINGER: So.....

27

28 MR. CARROLL: Not officially, not now,  
29 unless you.....

30

31 MADAME CHAIR ENTSMINGER: No, we can  
32 give public comment.

33

34 MR. CARROLL: You got to go through the  
35 internet now, you got to have written comments now, I  
36 think. The only thing accepted now is written  
37 comments, I think.

38

39 MADAME CHAIR ENTSMINGER: So we can  
40 still write written comments.

41

42 MR. JESS: That's correct, Richard,  
43 because we have no recorder with us of any kind so.....

44

45 MR. UMPHENOUR: Well, Tina's.....

46

47 (Laughter)

48

49 MADAME CHAIR ENTSMINGER: So if this  
50 Council had some comment towards this land exchange, we

1 can't do that?

2

3 MR. JESS: No, you can do that, Madame  
4 Chair, absolutely. The thing is that what I would  
5 suggest is that you give written comment and that  
6 comment would be evaluated and become part of public  
7 record.

8

9 MR. GLANZ: That's all we can do.

10

11 MADAME CHAIR ENTSMINGER: Yeah, so we  
12 can vote on your motion and then I would suggest that  
13 we might.....

14

15 MR. CARROLL: My motion, regardless of  
16 how this -- I'm asking that the RAC here ask for an  
17 extension of that environmental impact statement for  
18 more public comments, a 120 day period, and that's  
19 fine.

20

21 MADAME CHAIR ENTSMINGER: What about a  
22 position from us?

23

24 MR. CARROLL: That's -- I'm not going  
25 to ask for that. I'm just going to ask that we ask for  
26 this extension.

27

28 MADAME CHAIR ENTSMINGER: Okay.

29

30 MR. CARROLL: So everybody gets more of  
31 a chance to comment on the possible impact in the  
32 future.

33

34 MADAME CHAIR ENTSMINGER: Okay.

35

36 MR. CARROLL: That would be asking for  
37 too much from me, I couldn't do that to you.

38

39 MADAME CHAIR ENTSMINGER: But we might  
40 do it though.

41

42 MR. GILBERT: I'll ask for it.

43

44 (Laughter)

45

46 MR. CARROLL: But.....

47

48 MR. GILBERT: I'll make a motion for  
49 the RAC to oppose the land exchange.

50

1 MADAME CHAIR ENTSMINGER: Okay.  
2  
3 MR. CARROLL: Yep, you know, I -- I  
4 don't know, we could make a stand and that's fine but  
5 I'm not going to make you -- all I'm asking for in my  
6 motion is to ask in a written statement to them is to  
7 extend the comment period.  
8  
9 MADAME CHAIR ENTSMINGER: Okay, I'm all  
10 in favor of that but what I'm hearing from you,  
11 Richard, is you don't feel there's been enough gathered  
12 information, and here's an entity that you said that  
13 they gave us a presentation for subsistence uses, this  
14 is one of the first ones you've heard and seen, so it  
15 appears to me that if we have something to say about  
16 it, this is the time for us to say it also.  
17  
18 So let's vote on your.....  
19  
20 MR. JESS: Madame Chair.  
21  
22 MADAME CHAIR ENTSMINGER: .....proposal  
23 -- who's, yes, I'm sorry.  
24  
25 MR. JESS: That's okay.  
26  
27 MADAME CHAIR ENTSMINGER: I'm not  
28 seeing too good here.  
29  
30 MR. JESS: Because you have a  
31 transcript being developed, maybe it's suggested that  
32 you take an excerpt from your transcript that as part  
33 of public comment.  
34  
35 MADAME CHAIR ENTSMINGER: If that's  
36 sufficient, and the Council agrees, that's fine.  
37  
38 MR. JESS: I think with what you  
39 represent, as far as this Council's concern, I,  
40 professionally, would also certainly suggest some sort  
41 of letter and stance but, you know, that's to your  
42 discretion, absolutely, but your excerpts from your  
43 testimony; if we could get the written version of that,  
44 or electronic, and a written version, that would  
45 certainly suffice as a minimum.  
46  
47 MADAME CHAIR ENTSMINGER: Well, are we  
48 ready to -- Vince, you have something to add?  
49  
50 MR. MATHEWS: No.

1 MADAME CHAIR ENTSMINGER: Are we ready  
2 to vote on the motion, any other discussion.

3  
4 MR. GLANZ: I just hate to see it go to  
5 another wolf control thing, to where everybody in the  
6 Lower 48 has a chance to control our resources and  
7 actions, that's the only thing I disagree with on this  
8 because we're so regulated by the Lower 48, that  
9 nothing we do up here has any bearing it seems. That's  
10 all I have to say about it.

11  
12 MADAME CHAIR ENTSMINGER: So, Bill, am  
13 I hearing you say that you're a little concerned about  
14 the 120 days because of the Lower 48's input?

15  
16 MR. GLANZ: Yes, because that just  
17 gives them more ammunition to fire at us, that's the  
18 only thing I'm concerned about. And then by the time  
19 we make this recommendation, you're talking, what, a  
20 week away, that it's going to expire anyway so who's  
21 going to have time to act on anything. So I think, to  
22 me, the best method is to go, do we want it or do we  
23 not want it. Because it's going to go to the director  
24 here in a few months.

25  
26 MADAME CHAIR ENTSMINGER: Richard.

27  
28 MR. CARROLL: Richard, again. No, that  
29 comment period ends and then they analyze everything,  
30 is the way it goes right now.

31  
32 MR. GLANZ: Correct.

33  
34 MR. CARROLL: Yeah.

35  
36 MR. GLANZ: I understand that.

37  
38 MR. CARROLL: Yeah, they put it  
39 all.....

40  
41 MR. GLANZ: But once it ends.....

42  
43 MR. CARROLL: Uh-huh.

44  
45 MR. GLANZ: We're going to make this  
46 motion.

47  
48 MR. CARROLL: Right.

49  
50 MR. GLANZ: So what's going to happen

1 in a week?

2

3 MR. CARROLL: Well.....

4

5 MR. GLANZ: They're not going to have a  
6 meeting because we made a motion and say, okay, we'll  
7 make it another 120 days.

8

9 MR. CARROLL: Oh, no, wait.....

10

11 MR. GLANZ: That's what I was trying to  
12 say. We need to go on record, yea or nay.....

13

14 MR. CARROLL: Uh-huh.

15

16 MR. GLANZ: .....and be done with it as  
17 far as I'm concerned.

18

19 MR. CARROLL: I see your point of view  
20 for inviting outside, but in all reality those that's  
21 been pushing for anti-drilling in the Arctic National  
22 Wildlife Refuge, have only done it with outside help,  
23 with outside interests, because they got the lobbying  
24 dollars in Washington, D.C., and this issue right here  
25 will actually end up being made in Washington, D.C., it  
26 will not be made by the area director.

27

28 MR. GLANZ: I understand that. What  
29 I'm trying to say, Richard, is we just make this  
30 motion, is Wennona going to run to Washington, D.C.,  
31 with it?

32

33 MR. CARROLL: Oh, no.....

34

35 MR. GLANZ: I mean you follow me, you  
36 know it's going to lay around somewhere, it's not going  
37 to be acted on today.

38

39 MR. CARROLL: No, you're right, yes.

40

41 MR. GILBERT: I could speak to that.  
42 The reason we want to make a motion is because we want  
43 to build support in every level of agency, organization  
44 all over the state.

45

46 MR. GLANZ: I understand where you're  
47 coming from there also but what I'm trying to say, is  
48 being involved in politics and all this kind of stuff  
49 is, when this motion's made, it's going to lay on  
50 somebody's desk for two weeks, a month, you know, in

1 other words it's not going to -- we've only got a few  
2 days and it's going to expire.

3  
4 MADAME CHAIR ENTSMINGER: So what  
5 you're saying is.....

6  
7 MR. GLANZ: So this motion we make is  
8 we're going to extend this comment period and that,  
9 nothing is going to happen to it, nothing is going to  
10 happen to it. It is going to lay on somebody's desk.

11  
12 MR. FRENZL: It's actually more  
13 symbolic than actually beneficial.

14  
15 MR. GLANZ: Definitely. Definitely,  
16 that's what I'm trying to say.

17  
18 MR. CARROLL: I disagree. Because what  
19 you're saying is everybody that gave testimony, they're  
20 just wasting their breath, no, that's not true.

21  
22 MR. GLANZ: Negative. Negative.

23  
24 MR. CARROLL: This is serious.

25  
26 MR. GLANZ: That's not what I'm saying  
27 Richard.

28  
29 MR. CARROLL: But.....

30  
31 MR. GLANZ: What I'm trying to say,  
32 Richard, is we make the motion, we approve it, where  
33 does it go from here?

34  
35 MR. CARROLL: We can make another  
36 motion, this is just one step, this is just a step.

37  
38 MR. GLANZ: Yeah.

39  
40 MR. CARROLL: This is just one step in  
41 the process that's.....

42  
43 MADAME CHAIR ENTSMINGER: I think what  
44 we should do.....

45  
46 MR. CARROLL: .....that's got to  
47 work.....

48  
49 MADAME CHAIR ENTSMINGER: .....is go  
50 ahead, we have a motion on the floor.

1 MR. GLANZ: Okay.  
2  
3 MADAME CHAIR ENTSMINGER: The motion is  
4 to extend 120 days, we vote on it and then we'll be  
5 open for another motion to do a yea or a nay.  
6  
7 MR. CARROLL: Correct.  
8  
9 MADAME CHAIR ENTSMINGER: Okay.  
10  
11 MR. GLANZ: Yeah.  
12  
13 MR. CARROLL: Correct.  
14  
15 MADAME CHAIR ENTSMINGER: Did that  
16 handle the.....  
17  
18 MR. GLANZ: Calling the question.  
19  
20 MADAME CHAIR ENTSMINGER: The question  
21 has been called for, unless there's other discussion,  
22 to extend this comment period, this is our  
23 recommendation from the Council, for 120 days. Does  
24 everyone understand the motion.  
25  
26 Okay, do you want a roll call?  
27  
28 MR. GLANZ: I don't care. All in favor  
29 say aye, that's what I'd say.  
30  
31 (Laughter)  
32  
33 MADAME CHAIR ENTSMINGER: Okay. All in  
34 favor say aye.  
35  
36 IN UNISON: Aye.  
37  
38 MADAME CHAIR ENTSMINGER: All opposed.  
39  
40 MR. GLANZ: Aye.  
41  
42 MR. FRENZL: Aye.  
43  
44 MADAME CHAIR ENTSMINGER: How many are  
45 opposed. Two. I'm not voting.  
46  
47 MR. GLANZ: Okay, you're abstaining?  
48  
49 MADAME CHAIR ENTSMINGER: Yeah.  
50

1 MR. GLANZ: So it looks like it's a  
2 tie.  
3  
4 REPORTER: You're abstaining?  
5  
6 MADAME CHAIR ENTSMINGER: Oh, this is  
7 bad.  
8  
9 REPORTER: I just want to know for the  
10 record, two nay's and you're abstaining, right?  
11  
12 MADAME CHAIR ENTSMINGER: I'm more  
13 inclined to go with you, Bill, but this -- you know, I  
14 don't mind voting on this to extend.  
15  
16 MR. GLANZ: That's fine, don't.....  
17  
18 MADAME CHAIR ENTSMINGER: Yeah, so I'll  
19 vote for it yea, yes. Aye. Okay, then the floor is  
20 open for another motion.  
21  
22 MR. MATHEWS: Well, just for the record  
23 then the vote was four to two and the motion passed.  
24 Thank you.  
25  
26 MADAME CHAIR ENTSMINGER: Okay.  
27  
28 MR. MATHEWS: The only reason I was  
29 trying to get your attention before is that no matter  
30 what happened on this is you're not going to meet  
31 again, if they pass this 120 days.  
32  
33 MADAME CHAIR ENTSMINGER: Right.  
34  
35 MR. MATHEWS: If you want an assessment  
36 if the 120 days would pass or not, you have Staff here  
37 to ask on the viability of that, but that's a done deal  
38 you already passed that motion.  
39  
40 MADAME CHAIR ENTSMINGER: Right.  
41  
42 MR. MATHEWS: But you will not have  
43 another opportunity to comment on this EIS.....  
44  
45 MADAME CHAIR ENTSMINGER: Boy, that's  
46 what I've got across.....  
47  
48 MR. MATHEWS: .....even if it's  
49 extended.  
50

1 MADAME CHAIR ENTSMINGER: I hope I have  
2 that across -- so the floor is open for a motion to go  
3 yea or nay; do I hear a motion.

4  
5 MR. GILBERT: Yea or nay on what?

6  
7 MADAME CHAIR ENTSMINGER: To have the  
8 land exchange.

9  
10 MR. GLANZ: I'll make the motion that  
11 we have a vote on supporting or non-support of the  
12 Doyon Land Exchange.

13  
14 MADAME CHAIR ENTSMINGER: Do you want  
15 to word it in just the affirm -- or, let's see, how can  
16 you word it?

17  
18 MR. GLANZ: Well, yea or nay.

19  
20 MADAME CHAIR ENTSMINGER: Okay.

21  
22 MR. JESS: Madame Chair. Can I explain  
23 the process a second so you could clarify that.

24  
25 MADAME CHAIR ENTSMINGER: Turn on your  
26 microphone.

27  
28 MR. JESS: Can I explain the process?

29  
30 MADAME CHAIR ENTSMINGER: Yes, you may.

31  
32 MR. JESS: The process is as follows,  
33 is that once public testimony is completed, all the  
34 public testimony is collected and sorted into various  
35 types of groups. We receive a very a large data base.  
36 The Refuge Staff and myself, we will take the data base  
37 and all of the science that we have, plus additional  
38 science that we're still collecting, and we will make a  
39 recommendation, a decision based on our -- what we feel  
40 is the right direction, utilizing this very large slice  
41 of pie. That recommendation will then go to the  
42 Regional Director, Tom Melius, who will take the  
43 information, the biology, climate change, soil impacts,  
44 all of this information, including our recommendation,  
45 which gives him an additional slice of this pie, and he  
46 will make his recommendation on that. And that will  
47 become the record of decision.

48  
49 MADAME CHAIR ENTSMINGER: More  
50 information. Go ahead.

1 MS. BROWN: Yes, Madame Chair. Further  
2 clarification on what the comment period is supposed to  
3 entail. It is also supposed to review the Draft EIS  
4 and provide substantive comments on things that either  
5 we missed, are wrong, or inadequately addressed or even  
6 some other alternative that we didn't think of, that we  
7 missed completely. And those are the kinds of things  
8 that we will be -- after the close of the comment  
9 period, you know, our Staff, as well as the contractors  
10 will be taking all those questions and trying to  
11 analyze those, answer those questions and factor it  
12 into the document itself, which then becomes the final  
13 EIS.

14

15 So the other part of the thing is if  
16 there are comments of things that you feel either we  
17 haven't addressed, we didn't address adequately or we  
18 addressed incorrectly, we also would like to have those  
19 comments sent to us.

20

21 MADAME CHAIR ENTSMINGER: In this  
22 document?

23

24 MS. BROWN: In that document.

25

26 MADAME CHAIR ENTSMINGER: I'm sure  
27 we've all read it.

28

29 MR. GLANZ: Yeah, right, twice.

30

31 MADAME CHAIR ENTSMINGER: Yeah.

32

33 (Laughter)

34

35 MADAME CHAIR ENTSMINGER: Okay. I'm  
36 sure we understand that. But just clarify for me, this  
37 motion that is not quite on the floor, it is  
38 appropriate?

39

40 MR. JESS: It's very appropriate, yes,  
41 ma'am.

42

43 MADAME CHAIR ENTSMINGER: Yeah, okay.  
44 Do I hear a second on that motion.

45

46 MR. GILBERT: Second.

47

48 MADAME CHAIR ENTSMINGER: Okay. I  
49 don't know that we need a lot of discussion.

50

1 MR. GLANZ: No, I think we discussed  
2 this to.....  
3  
4 MR. CARROLL: A little bit more  
5 clarification on the motion just so we understand it.  
6  
7 MR. GLANZ: The motion that I made is  
8 do we support Doyon's land exchange, or do we not  
9 support it, a yes would indicate you support it -- I  
10 mean a no would mean you do not support it, and a yes  
11 means, yes, go ahead with the Doyon land support, if  
12 you understand that, do you need me to say it again?  
13  
14 MADAME CHAIR ENTSMINGER: No, I think  
15 -- is that clear?  
16  
17 MR. CARROLL: It's actually a -- it's  
18 not a positive motion but I understand it.  
19  
20 MADAME CHAIR ENTSMINGER: As long as  
21 the recorder understands it.  
22  
23 MR. GLANZ: I'll withdraw my motion  
24 and you put your motion out there. I'm tired of this  
25 damn thing.  
26  
27 MR. CARROLL: It's a frustrating --  
28 Bill, forgive me.....  
29  
30 MR. GLANZ: No, I know, make your  
31 motion.  
32  
33 MR. CARROLL: No. I'm not making a  
34 motion.  
35  
36 MADAME CHAIR ENTSMINGER: Vince.  
37  
38 MR. MATHEWS: Yes.  
39  
40 MR. FRENZL: It's already been seconded  
41 so.....  
42  
43 MADAME CHAIR ENTSMINGER: It's already  
44 been seconded, it's on the floor.  
45  
46 MR. CARROLL: Oh, okay.  
47  
48 MR. MATHEWS: Yes, it's on the floor.  
49  
50 MR. GLANZ: Okay, I'm calling the

1 question.

2

3 MADAME CHAIR ENTSMINGER: The  
4 question's been called for. All in favor of a Doyon  
5 land exchange say yes.

6

7 MR. FRENZL: Yes.

8

9 MADAME CHAIR ENTSMINGER: All.....

10

11 MR. GLANZ: Oh, wait, yes, on me too.

12

13 MADAME CHAIR ENTSMINGER: All opposed  
14 to a Doyon land exchange.

15

16 MR. CARROLL: Yes.

17

18 MR. GILBERT: Yes.

19

20 MADAME CHAIR ENTSMINGER: That leaves  
21 you and me.

22

23 MR. GLANZ: Actually, I'm -- yeah, go  
24 ahead, yeah, vote either way and then we can throw it  
25 out.

26

27 (Laughter)

28

29 MR. GLANZ: Make it one yes, and vote  
30 one no and we can throw it out, and go get something to  
31 eat.

32

33 (Laughter)

34

35 MADAME CHAIR ENTSMINGER: I'm going to  
36 vote.....

37

38 MR. FRENZL: Is there a clarification  
39 on the vote?

40

41 MADAME CHAIR ENTSMINGER: I'm sorry.  
42 Is there a clarification on the vote?

43

44 MR. FRENZL: Yeah, what was the vote  
45 outcome?

46

47 MADAME CHAIR ENTSMINGER: It's not  
48 finished yet, Virgil hasn't voted and neither have.....

49

50 MR. GLANZ: Right now it's a two to two

1 tie with two remaining to vote.

2

3 MADAME CHAIR ENTSMINGER: Okay, I'm  
4 voting with Richard. We were saying yes when we should  
5 have said no but that's okay, yeah, you're right this  
6 is confusing. It's time to eat.

7

8 MR. UMPHENOUR: Well, I haven't made up  
9 my mind. I got that thing in the mail a couple weeks  
10 ago but I've been in meetings ever since I got it and I  
11 haven't looked at it. I have mixed feelings on this  
12 issue and I would rather abstain.

13

14 MR. GLANZ: Okay, so it carries then.  
15 So we're opposing the land exchange is what we're  
16 saying.

17

18 MADAME CHAIR ENTSMINGER: Is it by the  
19 majority of the people present or is it.....

20

21 MR. MATHEWS: Yeah, it's by the  
22 majority present. And Virgil did you -- Tina, did  
23 he.....

24

25 REPORTER: He abstained.

26

27 MR. MATHEWS: Okay, he abstained.

28

29 MADAME CHAIR ENTSMINGER: And if you  
30 don't like your vote you can change it, I guess.

31

32 MR. CARROLL: Comment, Madame Chair.  
33 Thank you, Bill. It's a frustrating and it's a very  
34 tiring subject, one that I don't even like to get into  
35 myself because it'll wear you out.

36

37 Thank you all for your patience.

38

39 MR. GILBERT: Thank you, you guys,  
40 let's eat.

41

42 MADAME CHAIR ENTSMINGER: Okay, we'll  
43 adjourn for the evening and then hopefully there'll be  
44 some public that shows up here, and if not then we'll  
45 have an early out.

46

47 (Off record)

48

49 (On record)

50

1 MADAME CHAIR ENTSMINGER: Okay, I'm  
2 going to call the evening session to order.

3  
4 (Pause)

5  
6 (Picture taking session)

7  
8 MADAME CHAIR ENTSMINGER: You have been  
9 recorded. I want to introduce Mike Cronk, and he just  
10 walked outside when I told him he was on, shame on him.  
11 Mike's on the Advisory Committee, and that's his wife  
12 Tawnia.

13  
14 MS. CRONK: Tawnia.

15  
16 MADAME CHAIR ENTSMINGER: And then  
17 someone else is hiding, oh, there he is Arron Atchley.  
18 So both of them are on the local Advisory Committee. I  
19 see you just filled your plate.

20  
21 MR. ATCHLEY: I can talk.

22  
23 MADAME CHAIR ENTSMINGER: Okay, we'll  
24 let you do it, come on up to this mic and push that  
25 little button that makes the little red light come on  
26 and give us your concerns. State your name.

27  
28 MR. ATCHLEY: My name is Arron Atchley,  
29 I'm from here in Tok. And the question I had was  
30 recently at one of the meetings it was just briefly  
31 mentioned about who had jurisdiction over the Nabesna  
32 River and the Chishana River, whether it was the  
33 Federal had jurisdiction over that or whether the State  
34 had jurisdiction and I'm wondering if you can address  
35 that or if the Eastern Interior had something to do  
36 with that.

37  
38 MADAME CHAIR ENTSMINGER: Arron, I  
39 don't know who in our Staff can answer that question.  
40 And now that you asked the question, explain to them  
41 how we came about that question coming up.

42  
43 MR. ATCHLEY: I can't remember how we  
44 came about that question. I'm interested in it because  
45 the river and the river beds are typically access  
46 points for either people hiking or like myself with  
47 horses or with boats and so I want to be clear on who  
48 owns or who has jurisdiction over the access of those  
49 rivers so if somebody wants to close it off then we  
50 can, you know, get mad at them.

1 MADAME CHAIR ENTSMINGER: Get mad at  
2 the right people.

3  
4 (Laughter)

5  
6 MR. ATCHLEY: Yeah. But I don't  
7 remember the context over what that came up. I just  
8 remember somebody mentioned it, it was not like the  
9 committee discussed it very much, it was just briefly  
10 mentioned.

11  
12 MR. UMPHENOUR: I can say something  
13 Sue.

14  
15 MADAME CHAIR ENTSMINGER: Virgil thinks  
16 he understands that.

17  
18 MR. UMPHENOUR: Okay, it's called  
19 public trust doctrine. And what that says is that if  
20 it's a stream that everything below the low high water  
21 mark, that's the normal high water mark, is public land  
22 and they cannot close it or restrict access and then  
23 under the Katie John law or court case, that basically  
24 said that on navigable waters that the Federal  
25 government has jurisdiction for subsistence fishing  
26 only, but not hunting, just fishing. But then of  
27 course the land under the water belongs to the State.

28  
29 Anyway a waterway below the normal,  
30 it's not on -- if it's ocean it's called a mean high  
31 water mark, on inland waters it's the normal high water  
32 mark. And the way I interpret the normal high water  
33 mark and I've had this argument and discussion before,  
34 is the normal high water mark, like in the spring the  
35 water gets super high, that's the normal high water  
36 mark every spring, and so that's the high water mark,  
37 so they cannot block access below there.

38  
39 MR. ATCHLEY: Okay.

40  
41 MR. UMPHENOUR: And when I was on the  
42 Board of Fisheries we discussed this issue a lot. And,  
43 you know, because people wanted to block off fishermen  
44 walking up and down the bank and stuff like that and  
45 that's normally how it's interpreted. And if there's  
46 some Staff here that could be more precise on what I  
47 said, maybe Terry probably, they could add to what I  
48 said, I'm don't think that I'm wrong, but I am not  
49 going to say that I'm not wrong but I don't think I am.  
50

1 MADAME CHAIR ENTSMINGER: I'm just  
2 going to reiterate, he's a Council member, he's not an  
3 attorney or a person that's writing the ticket. But so  
4 -- so we need -- our government people are the ones  
5 that should be able to tell us more explicitly.

6  
7 MR. DUDGEON: I could give you an  
8 example if that would be helpful.

9  
10 MADAME CHAIR ENTSMINGER: So Arron,  
11 this is the new superintendent for the Yukon-Charley,  
12 and he's going to -- yes, please.

13  
14 MR. DUDGEON: Well, good evening and  
15 thank you for this opportunity. I want to say thanks  
16 for dinner and also just for the great day. It was  
17 very instructive for me to sit and listen to you and  
18 your discussions. This is my first RAC meeting here  
19 with you, having arrived in Fairbanks just before the  
20 Christmas Holiday, and so thanks for the great time,  
21 good food and especially for the lessons learned today.

22  
23 MADAME CHAIR ENTSMINGER: Uh-huh.

24  
25 MR. DUDGEON: I have an example from  
26 Kobuk Valley, where I was the Chief Ranger and I think  
27 it applies very closely to what you're asking.

28  
29 Kobuk Valley National Park, of course,  
30 a place where subsistence hunting is allowed and we  
31 also had issues from people outside the resident zone  
32 communities that would want to hunt in there and of  
33 course they couldn't, but what they would do, they  
34 would get to a gravel bar, which would otherwise be a  
35 submerged land and we couldn't do anything with out of  
36 -- non-local hunters on those gravel bars, but if they  
37 shot an animal and the animal went into the water  
38 column, we do, by the CFR, have jurisdiction on the  
39 surface of the water. So the way that we understand it  
40 and the way that we worked with our Rangers, was that  
41 the Park jurisdiction ended at the high water mark.  
42 That we had the opportunity and the responsibility for  
43 law enforcement on the surface of the water but not in  
44 the water column and not the submerged lands. And so  
45 that is why the gravel bars, for example, in this case  
46 would be considered to be State, and we did not have  
47 jurisdiction for.

48  
49 So I hope that example helps.

50

1                   MADAME CHAIR ENTSMINGER: But the  
2 minute the animal swam into the river.  
3  
4                   MR. DUDGEON: I'm sorry, again.  
5  
6                   MADAME CHAIR ENTSMINGER: So you shot a  
7 caribou on the high water and then it swam into  
8 the.....  
9  
10                  MR. DUDGEON: If the hunter was on a  
11 gravel bar and the caribou was harvested on a gravel  
12 bar, even though they're within the hard bright  
13 boundaries of the Park, they were in State jurisdiction  
14 at that point, there was nothing that we could do, even  
15 if they were from outside a resident zone.  
16  
17                  MADAME CHAIR ENTSMINGER: Okay.  
18  
19                  MR. DUDGEON: Does that help?  
20  
21                  MADAME CHAIR ENTSMINGER: But I was  
22 just asking, so I wanted to find out -- I heard Virgil  
23 say that the water submerged -- or the land submerged  
24 under the water is State land, so if the animal swam  
25 out into the river, is it on State land because it's  
26 feet are going dangling or.....  
27  
28                  MR. DUDGEON: Well, this is what we  
29 were able to do, we had a barge, a fuel barge that was  
30 going up the Kobuk River, within the boundaries of the  
31 Kobuk National Park headed to Ambler, the barge and the  
32 barge -- the boat was still within the Park and they  
33 saw a caribou on a gravel bar, they shot it, wounded  
34 it, the caribou went out into the water swimming where  
35 they put a small boat out, killed the animal, we saw  
36 all of this, because they were in a boat on the surface  
37 of the water, off the gravel bar, they were now in the  
38 Park again, we were able to comprehend -- or  
39 comprehend.....  
40  
41                  (Laughter)  
42  
43                  MR. DUDGEON: We were able to  
44 confiscate rather after we comprehended what they had  
45 done.  
46  
47                  (Laughter)  
48  
49                  MR. DUDGEON: That's right, we  
50 comprehended, apprehended and we were able to

1 distribute the meat in Ambler, the resident zone  
2 community.

3

4                   Again, per the CFR, the Code of Federal  
5 Regulations, the National Park boundary ends at the  
6 high water, the high tide mark, as far as the land  
7 goes. We have jurisdiction on the surface of the water  
8 but not in the water column or the submerged land below  
9 the water column.

10

11                   Have I confused everybody.

12

13                   MR. UMPHENOUR: Thank you. You haven't  
14 confused me, but what you brought up has brought a  
15 question that I've brought up before and I brought this  
16 up to the former Refuge manager in the Koyukuk Refuge,  
17 as individuals that are not supposed to be hunting  
18 where they're supposed to be hunting, i.e., they don't  
19 have a permit to hunt there because you have to have a  
20 permit to hunt there if you're a guide, or individuals  
21 that were hunting allegedly below the high water mark  
22 on Native corporation, but all the lands, the up lands,  
23 was Native corporation land, and so my question, and  
24 I've never ever got an answer from a State Trooper on  
25 this, but my question is if someone shoots a moose  
26 below the high water mark or a bear, whatever it is  
27 they shoot, and then that animal runs up past the high  
28 water mark and it's on private property, it's either on  
29 the Refuge land or it's on Native corporation land, are  
30 they allowed to -- okay, if they go retrieve the  
31 wounded animal, you know, go finish killing it, then  
32 they're in trespass automatically, if they don't go  
33 after the animal, then they can be prosecuted for want  
34 and waste, or that's the way I look at it, so would  
35 they be prosecuted for trespass because the law says if  
36 you're a hunting guide you do everything possible to  
37 recover the wounded animal and even our hunting  
38 regulations for just Joe Smuck out there, Joe Public,  
39 he's supposed to attempt to recover the wounded animal,  
40 too, so the question is, would those people -- would  
41 you consider that trespass in the Park boundary if  
42 someone did that?

43

44                   MR. DUDGEON: The easy answer is yes.  
45 If a wounded animal goes into a closed area, as you  
46 just described, Native lands, a National Park, a  
47 National Refuge, a Wildlife Refuge and that hunter  
48 didn't have subsistence rights or in the case, the  
49 example you gave, you're right, the ethical thing would  
50 be to go and to finish the animal, however, that animal

1 is in a closed area and legally speaking, not to say  
2 that every officer would do this, but legally speaking,  
3 and I'm saying this based on experience, it would be  
4 within the right and responsibility of a Federal Park  
5 Ranger, for example, to cite that individual.

6

7 MR. UMPHENOUR: Thank you.

8

9 MADAME CHAIR ENTSMINGER: Actually,  
10 Virgil, I think you knew the answer.

11

12 MR. GLANZ: Yeah, he just wanted to  
13 hear it.

14

15 (Laughter)

16

17 MR. UMPHENOUR: Well, I'm not an  
18 attorney but let me tell you something attorneys have a  
19 rule, they never ask a question that they don't know  
20 the answer to.

21

22 MADAME CHAIR ENTSMINGER: Don't ask  
23 forgiveness.

24

25 MR. UMPHENOUR: And when I was a Board  
26 of Fish member I didn't ask a question of a Staff  
27 member unless I knew the answer to it most of the time.

28

29 (Laughter)

30

31 MR. DUDGEON: Thank you. And, again, I  
32 hope I didn't confuse anybody but we had this situation  
33 arise in the Kobuk River and what I'm happy to say is  
34 we were able to properly distribute the meat to the  
35 appropriate resident zone community because, again, the  
36 animal was dispatched in a close area on the.....

37

38 MADAME CHAIR ENTSMINGER: See, now,  
39 this is the Federal position. Now, behind you is a  
40 gentleman looking very distinctly different in face  
41 that may have a different opinion.

42

43 MR. DUDGEON: He better not come  
44 hunting in Kobuk Valley National Park.

45

46 (Laughter)

47

48 MR. DUDGEON: Thank you.

49

50 MADAME CHAIR ENTSMINGER: He might take

1 you to court, though.

2

3 MR. GILBERT: I have one more question  
4 for you. I'm having fun with this, like if a caribou  
5 jumps in the river and he's swimming and his feet  
6 aren't touching the ground, the minute his feet starts  
7 touching the ground it's State land, and like if you  
8 shoot him in the.....

9

10 MADAME CHAIR ENTSMINGER: Just wait  
11 until he hits the ground.

12

13 MR. GILBERT: .....sinks to the bottom  
14 it's State land, too, so basically you have to shoot  
15 him and keep him on the water to have it be Federal.

16

17 MADAME CHAIR ENTSMINGER: Let him sink  
18 and then drag him in.

19

20 MR. DUDGEON: Well, you know, again,  
21 the reason and the purpose that we're out there and  
22 enforcing those regulations is not to try to get a  
23 notch on anybody's belt, or a gotcha, it really is to  
24 protect the customary and traditional users. And in a  
25 case like that, that's something we would probably  
26 never go after. But, again, what we are looking for or  
27 what we're trying to be sensitive of, for the  
28 stakeholders in these communities, and to the public,  
29 is to do the right thing when there's obviously an  
30 egregious situation. And in the case that you  
31 describe, again, if the animal's on the bottom of the  
32 river or walking in the gravel, we would look at  
33 that.....

34

35 MADAME CHAIR ENTSMINGER: Back on State  
36 land.

37

38 MR. DUDGEON: .....as State, yeah.

39

40 MADAME CHAIR ENTSMINGER: But I would  
41 like to hear what Terry Haynes has to say.

42

43 But, also, are we off of what you were  
44 trying to ask.

45

46 MR. ATCHLEY: That's what I'm getting  
47 at.

48

49 MADAME CHAIR ENTSMINGER: Yeah, uh-huh.  
50 Because I thought you were talking about access.

1 MR. ATCHLEY: That's what it is,  
2 access, that's primarily what I'm talking about.  
3  
4 MADAME CHAIR ENTSMINGER: About access.  
5 But if you're a subsistence user that access is there  
6 with or without this jurisdiction thing because -- if  
7 it's on Federal land.  
8  
9 MR. ATCHLEY: Well, you might have  
10 access but it'd be depending on who controlled the  
11 access, whether the State controls it or the Federal  
12 controls it.  
13  
14 MADAME CHAIR ENTSMINGER: But did you  
15 hear what I'm saying, like say you're on the Nabesna  
16 River, which is.....  
17  
18 MR. ATCHLEY: Yeah.  
19  
20 MADAME CHAIR ENTSMINGER: .....you're a  
21 qualified subsistence user, so if there's something --  
22 you're not denied access.  
23  
24 MR. ATCHLEY: Well, that's why I just  
25 wanted to get this clarified and see what was going on  
26 with that. Because didn't that come up as to who was  
27 going to have jurisdiction over the Nabesna River.  
28  
29 MADAME CHAIR ENTSMINGER: Yeah, I  
30 believe, I don't -- this is where I need help from our  
31 State people.  
32  
33 We were discussing fisheries because of  
34 navigability, or are we also discussing game?  
35  
36 MR. HAYNES: Well, I'm just going to  
37 confuse things a bit more, Madame Chair.  
38  
39 MADAME CHAIR ENTSMINGER: That's what  
40 we're here for, right.  
41  
42 MR. HAYNES: First thing, and, Jeff  
43 will clarify this if it needs further clarification,  
44 but I don't know that navigability determinations have  
45 ever been made for the Nabesna and Chishana Rivers,  
46 that's one thing. And Jeff indicated there's  
47 apparently some interest in these navigability  
48 determinations being made. Separate from that, I wish  
49 I had the Federal Subsistence maps, the huge ones that  
50 really show the status of waters, whether they're

1 subject to Federal jurisdiction or not. But if you  
2 look at the Nabesna River, for example, within the  
3 boundaries of the Tetlin Refuge, there are sections of  
4 that river that are totally surrounded by Federal lands  
5 and if the Nabesna River was considered a navigable  
6 river, it would be subject to Federal subsistence  
7 jurisdiction where Federal lands are on both sides.  
8 There are sections of the river that are bordered on by  
9 State and private lands. So for purposes of  
10 subsistence jurisdiction those sections of the river  
11 would be under State authority.

12  
13 Now, that's all a separate discussion  
14 from access.

15  
16 MR. ATCHLEY: Right.

17  
18 MADAME CHAIR ENTSMINGER: Uh-huh.

19  
20 MR. HAYNES: And so I don't know if  
21 that's going to help too much in answering your  
22 question because there's different issues at hand in  
23 terms of whether a river is navigable or not and  
24 whether it's under Federal jurisdiction for subsistence  
25 purposes and whether the State has authorities for  
26 other purposes and I am not going to attempt to sort  
27 through all that, that's for the lawyers to do.

28  
29 MADAME CHAIR ENTSMINGER: Well, there's  
30 two navigable things I think we're talking about. I  
31 have a Coast Guard license in navigable waters for  
32 commercial use in the Interior Alaska, and under that  
33 license there are waters that are deemed navigable and  
34 that's the only place I need the license. If I operate  
35 commercially on a place where there wasn't waterways  
36 that were deemed navigable, this is for the Coast  
37 Guard, then I wouldn't need this license, but the  
38 Copper River, I need a license. So what you're talking  
39 about is something else, it's navigability as far as  
40 access.

41  
42 MR. HAYNES: And I'm not sure the  
43 status of the Nabesna and Chishana Rivers for purposes  
44 of Federal Subsistence Management. Somebody else would  
45 have to speak to that since some of that's in the  
46 Refuge, Tony Booth might be able to say something.

47  
48 MR. CANNON: If it's in the boundaries  
49 of the Refuge for fisheries it's within the.....  
50

1 MADAME CHAIR ENTSMINGER: Turn the  
2 button on and then hand it to him.  
3  
4 MR. CANNON: For fisheries is within  
5 the boundaries of the Refuge or adjoining the Refuge,  
6 then it would be considered under Federal jurisdiction.  
7  
8 MR. HAYNES: Even these here?  
9  
10 MR. CANNON: Yeah.  
11  
12 MR. HAYNES: That are not.....  
13  
14 MR. CANNON: If it's within the Refuge  
15 boundaries, that's what we're -- that's what the  
16 Federal system would claim.  
17  
18 MADAME CHAIR ENTSMINGER: Do we  
19 understand that now. Tony did you have something, and  
20 Barbara, did you guys have something to add to that,  
21 this affects you guys, too.  
22  
23 MR. CARROLL: Yeah, this is  
24 interesting.  
25  
26 MADAME CHAIR ENTSMINGER: Uh-huh.  
27  
28 MS. CELLARIUS: For the record, Barbara  
29 Cellarius, Wrangell-St. Elias National Park.  
30  
31 Unfortunately this is not -- I know --  
32 I've heard sort of the edges of discussion of this and  
33 I can certainly go back and talk to our lands people,  
34 and I think Eric, our Chief of Resources is also  
35 familiar with the navigability discussions and we could  
36 certainly get a specific answer for you. But that's  
37 not something that I know the answer about, if you're  
38 interested in lands within Wrangell-St. Elias National  
39 Preserve. I know there's been discussion of the  
40 navigability of those two rivers and I'm just not sure  
41 whether it's been finalized with the State.  
42  
43 MADAME CHAIR ENTSMINGER: Did you have  
44 anything to add, Tony.  
45  
46 (Laughter)  
47  
48 MR. BOOTH: For the record, Tony Booth,  
49 Tetlin Refuge. First I want to let you know I'm sure  
50 as heck not a lawyer either.

1 (Laughter)

2

3 MR. BOOTH: And when you try to talk to  
4 our water rights people about this, they just say it's  
5 just such a complicated mess they don't even like to  
6 talk about it and each agency's kind of going a  
7 different direction on this a little bit. But just to  
8 say what Virgil said is largely right, anything below  
9 mean high water on navigable waters within the Refuge  
10 is -- we don't have management authority over,  
11 completely.

12

13 However, you got to remember Katie John  
14 did establish the legal precedence for the Federal  
15 government does have authority, as was said by someone  
16 else, that for subsistence management purposes, did  
17 establish Federal authority on waters that are bordered  
18 by Federal lands, navigable waters.

19

20 MADAME CHAIR ENTSMINGER: Right.

21

22 MR. BOOTH: But that's specific to  
23 subsistence. And it's my understanding that it also  
24 set legal precedence for Federal agencies to exert  
25 authority on those same waters for management purposes.  
26 However it's not automatic, you have to promulgate  
27 regulations to do so and this is where it gets even  
28 more complicated. It's my understanding Park Service  
29 did that after the Katie John decision, Fish and  
30 Wildlife Service didn't. Plus, this is all tied up,  
31 too, with the different navigability determinations.  
32 There's navigability for purposes of Coast Guard  
33 authority for your six-pack licenses, but that's not  
34 the same legal navigable determinations used to  
35 determine management authority on these waters.

36

37 So, you know, like I said, it's kind of  
38 a -- a lot of this is still going to be settled in  
39 courts and it's just a big mess and that's why I didn't  
40 want to say anything, it'll just confuse it more.

41

42 (Laughter)

43

44 MR. BOOTH: So, anyway, I probably  
45 didn't help things either but.....

46

47 MADAME CHAIR ENTSMINGER: You got that  
48 clear now, Arron.

49

50 (Laughter)

1 MADAME CHAIR ENTSMINGER: Virgil would  
2 like to add.

3

4 MR. UMPHENOUR: Okay, now, the  
5 solicitor for the Federal Subsistence Board made the  
6 determination and this was done before they did the  
7 Staff analysis on our two proposals to the Federal  
8 Subsistence Board last year, that they did have the  
9 authority to regulate the size of the gillnets on the  
10 Yukon River, period.

11

12 MADAME CHAIR ENTSMINGER: And that was  
13 a new assumption.

14

15 MR. UMPHENOUR: Pardon.

16

17 MADAME CHAIR ENTSMINGER: That was a  
18 new assumption to my understanding.

19

20 MR. UMPHENOUR: Okay. And the other  
21 thing is that they call all these Federal lands  
22 conservation units, whether it's Park Service or Refuge  
23 or whatever, they call it a conservation unit and so  
24 you have a lot of places where one side of the river is  
25 a conservation unit, i.e., a Federal -- National  
26 Wildlife Refuge, such as the Nowitna is one case, and  
27 then the other side of it isn't. It's maybe State  
28 land, or maybe even if it's BLM land. And so as long  
29 as the Federal conservation unit is on one side of the  
30 river, then they claim jurisdiction for the whole river  
31 is what they do. And the determination was made by the  
32 solicitor. Of course some.....

33

34 MADAME CHAIR ENTSMINGER: The whole  
35 river, not little pieces pulled out.

36

37 MR. UMPHENOUR: Right.

38

39 MADAME CHAIR ENTSMINGER: Yeah.

40

41 MR. UMPHENOUR: And so that  
42 determination has been made by the solicitor and I see,  
43 of course, our one State guy shaking his head over  
44 there, and.....

45

46 MADAME CHAIR ENTSMINGER: I think  
47 you're wrong.

48

49 MR. UMPHENOUR: No, I'm not wrong. If  
50 the conservation unit is on one side they claim they

1 definitely have it and then if they want to go for  
2 extraterritorial jurisdiction to manage a stock, that's  
3 a migratory stock, like our fish stocks, they could  
4 even restrict Area M, but that's got to go all the way  
5 back through the Department of Interior and Department  
6 of Agriculture and so they -- that's the authority, my  
7 understanding of what it is and I think I'm right.

8

9 MADAME CHAIR ENTSMINGER: Is this Rich  
10 Cannon.

11

12 MR. CANNON: This is Richard Cannon.  
13 Yeah, Virgil, the solicitor, and this has been  
14 essentially the decision ever since the fisheries  
15 program was started and that is, that within and  
16 adjoining conservation units, those waters then are  
17 coming under Federal management. The portions of the  
18 Yukon River where that doesn't occur, where they're not  
19 within or not adjoining, then they're strictly under  
20 State management.

21

22 MR. UMPHENOUR: Right.

23

24 MADAME CHAIR ENTSMINGER: Uh-huh,  
25 that's my understanding.

26

27 MR. CANNON: And, you know, the  
28 new.....

29

30 MADAME CHAIR ENTSMINGER: So.....

31

32 MR. CANNON: .....information or the  
33 new approach that was taken up with the proposals, 13  
34 and 14, had to do with had to do with essentially  
35 managing non-subsistence fisheries, things like  
36 commercial fisheries, where you were going in and  
37 managing, actually changing gear, that was the new  
38 piece.

39

40 MADAME CHAIR ENTSMINGER: In the  
41 Federal.....

42

43 MR. CANNON: In the Federal system,  
44 yeah.

45

46 MR. UMPHENOUR: The solicitor did say  
47 that the Federal Subsistence Board had the authority to  
48 do that. And after the vote the solicitor told one of  
49 the guys from Kenai that was there, because there was  
50 several people from Kenai there at that Board meeting,

1 the Federal Subsistence Board meeting that have the  
2 same issue with king salmon that we have on the Yukon,  
3 they're losing all the older age classes and so they  
4 were really interested in that. And he talked to the  
5 solicitor after the vote and I'll tell you the quote, I  
6 was going to kick their ass in court, that's what he  
7 said. He was really sorry that they didn't pass it.

8

9 MADAME CHAIR ENTSMINGER: Careful.

10

11 MR. UMPHENOUR: Yeah, well.....

12

13 (Laughter)

14

15 MR. UMPHENOUR: Well, I'm not going to  
16 say which solicitor said that, there were two of them  
17 there. One of them said it so I didn't.....

18

19 (Laughter)

20

21 MR. UMPHENOUR: Anyway that was the  
22 response. He was disappointed that the Board didn't do  
23 it because he was going to win in court.

24

25 MADAME CHAIR ENTSMINGER: Yes, Tony go  
26 ahead.

27

28 MR. BOOTH: If I could add one more  
29 thing. First I'd like to reprimand Arron for even  
30 bringing this up.

31

32 (Laughter)

33

34 MR. BOOTH: And then second there's  
35 also a difference between pre-ANILCA Refuge and post-  
36 ANILCA Refuge. Pre-ANILCA Refuges do have authority  
37 over navigable waters.

38

39 MADAME CHAIR ENTSMINGER: Pre.

40

41 MR. BOOTH: Pre-ANILCA, yes.

42

43 MADAME CHAIR ENTSMINGER: So now -- I'm  
44 glad he brought it up.

45

46 MR. BOOTH: When I said pre-ANILCA, I  
47 meant pre-stated, most pre-ANILCA Refuges are pre-  
48 statehood as well.

49

50 MADAME CHAIR ENTSMINGER: Also it's

1 pre.....  
2  
3 MR. BOOTH: It's actually pre-stated, I  
4 misstated, yeah.  
5  
6 MADAME CHAIR ENTSMINGER: Yeah.  
7  
8 MR. BOOTH: So anyway that's.....  
9  
10 MADAME CHAIR ENTSMINGER: I wonder if  
11 you can understand what you can do now Arron.  
12  
13 MS. WHEELER: Call a lawyer.  
14  
15 (Laughter)  
16  
17 MADAME CHAIR ENTSMINGER: Yeah.  
18  
19 MS. WHEELER: Don't take any of this to  
20 the bank.  
21  
22 (Laughter)  
23  
24 MR. ATCHLEY: I'd just like to remind  
25 Tony that, you know, there is the trail off of Airs  
26 Hill and that was established by Doc Taylor who did  
27 take horses up the Chishana years and years and years  
28 ago which you guys are going to cut that trail out  
29 again, aren't you.  
30  
31 MR. BOOTH: Yes, we are.  
32  
33 MR. ATCHLEY: See, did you hear what he  
34 said, did you get that on record?  
35  
36 (Laughter)  
37  
38 MADAME CHAIR ENTSMINGER: Well, as what  
39 I'd like to hear is what your main concern is and what  
40 you're saying is there's a trail, based on what this  
41 navigable water is, is that you're going to be.....  
42  
43 MR. ATCHLEY: There is a trail up  
44 there.  
45  
46 MADAME CHAIR ENTSMINGER: .....not  
47 allowed to use?  
48  
49 MR. ATCHLEY: There is a trail off of  
50 Airs Hill on to the Chishana, but I'm also talking

1 about the Nabesna River, also, because you can access  
2 Nabesna from the upper part and float down and then do  
3 whatever activities you want to do. But also you can  
4 take off from Northway at low water and go on the bars  
5 of the river.

6

7 MADAME CHAIR ENTSMINGER: But I want to  
8 know something here, what he brought up, you're saying  
9 that, why wouldn't subsistence protect him to use this  
10 trail?

11

12 MR. BOOTH: I think he was just making  
13 fun of me, we are -- this is an up land trail that  
14 starts at the Alaska Highway right down by the border  
15 and we actually -- actually subject to funding  
16 availability, we are actually in the process of trying  
17 to reopen the trail. Most of the trails in the area is  
18 in an area that was burned, in which fire was that, I  
19 don't know 10-15 years ago and so the trail has become  
20 almost unpassable with blow downs and everything, it's  
21 not like -- it's not a closed trail, I mean it's not  
22 closed by us, it's just physically closed by.....

23

24 MADAME CHAIR ENTSMINGER: It's closed  
25 by god, uh.

26

27 MR. BOOTH: .....no one can use it  
28 because of that and Arron has expressed interest in  
29 actually working with this to try.....

30

31 MADAME CHAIR ENTSMINGER: So you're  
32 going to build him a trail.

33

34 MR. BOOTH: It's not.....

35

36 MADAME CHAIR ENTSMINGER: I'm going to  
37 try to.....

38

39 MR. BOOTH: It's subject to funding, we  
40 are going to try to reopen that trail down to the --  
41 well, not as far as across the Chishana but as far as  
42 down to Mirror Creek.

43

44 MADAME CHAIR ENTSMINGER: Can you two  
45 tell me how this has to do with navigable waters?

46

47 MR. BOOTH: Actually I don't know, this  
48 was just easier to talk about than navigable waters.

49

50 (Laughter)

1 MADAME CHAIR ENTSMINGER: We like open  
2 forums here.  
3  
4 (Laughter)  
5  
6 MADAME CHAIR ENTSMINGER: Okay. Is  
7 there anything else on this issue.  
8  
9 (Laughter)  
10  
11 MR. ATCHLEY: No, Sue, thank you very  
12 much.  
13  
14 MADAME CHAIR ENTSMINGER: All right,  
15 thank you, Arron. You are a public so we want you  
16 here.  
17  
18 MR. GLANZ: Madame Chair.  
19  
20 MADAME CHAIR ENTSMINGER: Yeah.  
21  
22 MR. GLANZ: So is the Yukon River  
23 Federally managed or State managed, can anybody answer  
24 that.  
25  
26 MS. WHEELER: Both.  
27  
28 UNIDENTIFIED VOICE: No, it's State  
29 managed.  
30  
31 UNIDENTIFIED VOICE: Yes.  
32  
33 MR. GLANZ: Yes, oh, it was yes, okay.  
34  
35 MS. CELLARIUS: Yes.  
36  
37 MR. JESS: Bill, it's co-managed.  
38  
39 (Laughter)  
40  
41 MR. GLANZ: Co-managed, okay.  
42  
43 MADAME CHAIR ENTSMINGER: So the answer  
44 to the question is both.  
45  
46 (Laughter)  
47  
48 MR. GLANZ: Okay. All right.  
49  
50 MADAME CHAIR ENTSMINGER: And you don't

1 need clarification which is.

2

3 MR. GLANZ: No, no, no, I was just  
4 wondering why we have this net size and everything else  
5 at the mouth and everything else when it's all State  
6 ground down in there, that's what I was concerned  
7 about, in the lower.

8

9 MADAME CHAIR ENTSMINGER: So the lower,  
10 so that's where we differ with decision-making here, is  
11 the State says it's State lands and the Feds say it's  
12 not.

13

14 MR. GLANZ: That's why I was asking,  
15 because I don't know.

16

17 MADAME CHAIR ENTSMINGER: Well, this is  
18 very important to us, sorry about putting you in the  
19 hot seat here but go ahead.

20

21 MR. CANNON: The question about.....

22

23 MR. JESS: State your name Richard.

24

25 MR. CANNON: Excuse me.

26

27 MADAME CHAIR ENTSMINGER: I hope you  
28 have a job.

29

30 MR. CANNON: I'll have one.

31

32 (Laughter)

33

34 MADAME CHAIR ENTSMINGER: Just kidding.

35

36 MR. CANNON: My name is Richard Cannon  
37 with the Office of Subsistence Management. In the  
38 Lower Yukon, it's within the Yukon Delta Refuge so that  
39 clearly is an area where you have both State and  
40 Federal management occurring.

41

42 MR. GLANZ: Okay.

43

44 MADAME CHAIR ENTSMINGER: So if the  
45 caribou are touching the ground.....

46

47 MR. GLANZ: Yeah. Yeah. Yeah.

48

49 MADAME CHAIR ENTSMINGER: .....then  
50 it's State land but if it's a fish and it's still alive

1 that's -- I mean really that's the bottom line, right.

2

3

MR. GLANZ: Yeah.

4

5

MADAME CHAIR ENTSMINGER: The bottom line is the fish is swimming, if I'm hearing your guys' discussion correctly and you're claiming that that's Federal waters because it's swimming and touching the ground.

9

10

MR. CANNON: For the purposes of subsistence management it has to do with the conservation unit boundaries. We're not talking about the navigable water issue at all.

15

16

MADAME CHAIR ENTSMINGER: Do you understand that.

18

19

MR. GLANZ: If I wasn't confused I am now.

21

22

MADAME CHAIR ENTSMINGER: I'm with you Bill, I don't know about the rest of you guys.

24

25

MR. PAPPAS: It'll be presented tomorrow.

27

28

MADAME CHAIR ENTSMINGER: Okay. Hopefully we'll have more grasp with our heads here.

30

31

MR. UMPHENOUR: Yeah.

32

33

MADAME CHAIR ENTSMINGER: All right, I would like to call up our other public member Mike Cronk and tell everybody what a good meal they missed that didn't show up.

37

38

MR. CRONK: What's that Sue.

39

40

MADAME CHAIR ENTSMINGER: You can tell everybody what a good meal they missed why they didn't show up.

42

43

44

MR. CRONK: Yeah. Mike Cronk. I'm from Tok. Grew up in Northway. I have a few, could be long questions. I guess the first one that I'm probably the most concerned about, I've lived here since '78, is the customary and traditional use determination for the Wrangell-St. Elias Park. We cannot go south of the Sanford River to hunt, but those

50

1 people on that side have customary and traditional use  
2 to hunt moose, everything, on the north side and it  
3 makes absolutely no sense to me that we are limited as  
4 a subsistence user of not being able to cross some  
5 imaginary line.

6  
7 My kids are descendants of Chief Walter  
8 Northway, who used to tell us stories about how they  
9 traveled clear into the Copper River country, traded,  
10 et cetera, and I guess I've never really known the  
11 right avenue to present this to, but it's always been  
12 something that's eating at me of why or who determined  
13 that people on the north side of the Park just can't go  
14 on the south side and the south side can use the entire  
15 Park. I mean if there's an imaginary line, obviously  
16 the south people should not cross that, nor the north  
17 people should cross it.

18  
19 I would like to hear any solutions or  
20 the reasons why this has been determined this way. I  
21 don't see it as being fair. Being a subsistence user,  
22 I don't see why we are not allowed to go down there and  
23 hunt, so that's my first issue.

24  
25 MADAME CHAIR ENTSMINGER: I'm going to  
26 address that for you the best I can, okay. When that  
27 Park was created, you were first here in '78. It was  
28 through the Antiquities Act. And then in 1980 ANILCA  
29 passed. At that point, probably because there wasn't  
30 enough participation by the public in all these  
31 villages around here to get some use of that Park,  
32 because then it was the Park that had subsistence  
33 resident zone communities, which is different than  
34 these processes we're going through on the Fish and  
35 Wildlife Service or the rest of the Federal land.

36  
37 And then Frank, who was the chair of  
38 the advisory committee, saw what disparity it was. It  
39 took eight years to get the Upper Tanana included  
40 through this Federal process. I might be leaving out a  
41 step. In that process they go through this C&T. In  
42 short, if you feel that there has been overlooked data,  
43 you can actually put in a proposal to the Federal  
44 Subsistence Board whatever you see is customary and  
45 traditional use of the Wrangell south of the Sanford  
46 River and then this would be new information I would  
47 take because they do not have that information or some  
48 reason. Somebody else can go on from there for me, but  
49 that's the process to put a proposal forth. Barbara.

50

1 MS. CELLARIUS: Thank you, Madame  
2 Chair. I wasn't here when the C&T determinations were  
3 made that use the Sanford River as a boundary, so I'm  
4 not clear on why that took place, but you're correct  
5 that the process to have that decision reconsidered or  
6 to giving Tok or Northway C&T for the area south of the  
7 Sanford River would be to put in a proposal. The  
8 proposals are usually species specific.

9  
10 As I said, I didn't work for the Park  
11 Service when those determinations were made, so I don't  
12 know what information was lacking. Maybe there's  
13 people who have been involved in the program longer  
14 than I have who know the history.

15  
16 MADAME CHAIR ENTSMINGER: I'm looking  
17 around the room. I'm sure Frank has a lot to add and  
18 Terry. Polly, were you here then?

19  
20 MS. WHEELER: I was.

21  
22 MADAME CHAIR ENTSMINGER: So there is  
23 some Federal Staff here that can address that. Frank,  
24 what did you want to add. Come up.

25  
26 UNIDENTIFIED SPEAKER: Call her Honey.

27  
28 MR. ENTSMINGER: Madame Chair, Honey.

29  
30 MADAME CHAIR ENTSMINGER: I like Honey.

31  
32 MR. ENTSMINGER: Council Members,  
33 Staff, and Mike. Actually, I think in Mike's situation  
34 he would probably get a lot further if he just applied  
35 to the Park Service for one of them special family  
36 permits.

37  
38 MADAME CHAIR ENTSMINGER: The 1344.  
39 That's what we got.

40  
41 MR. ENTSMINGER: Yeah, the 1344. It's  
42 an individual C&T for a specific family. At the time  
43 we were determining the C&T findings for these Upper  
44 Tanana communities, of course it went back and took in  
45 a lot of oral history and as much documentation as  
46 people could provide. The Upper Tanana communities  
47 could very well document usage of the north side of the  
48 Park, but anything on the north side of the Sanford  
49 River there just wasn't enough documentation to where  
50 even the Federal Staff deemed it to where they had

1 customary and traditional use south of the Sanford  
2 River. But there were individual families in Upper  
3 Tanana that had definitely hunted down there, harvested  
4 game prior to the Park and they got individual family  
5 C&T's for specific animals down there. That might be  
6 one avenue you can pursue.

7

8 MADAME CHAIR ENTSMINGER: Thank you,  
9 Frank. He's jarring my memory with things. Terry had  
10 something to add also, so hang in there, Mike.

11

12 MR. HAYNES: I'll try to inspire some  
13 more discussion, Ms. Chair. When the C&T  
14 determinations were made, they used the Sanford River  
15 as a dividing point. I remember vividly a Board of  
16 Game meeting where the AHTNA people insisted that that  
17 line be drawn. It had nothing to do with whether or  
18 not there was customary and traditional uses on both  
19 sides of the river by Upper Tanana residents. The  
20 AHTNA folks were just very uncomfortable with having a  
21 lot of Upper Tanana people coming down south of the  
22 Sanford River. My recollection is that people in the  
23 Upper Tanana region just chose not to make a case of  
24 it.

25

26 Now, because the five Upper Tanana  
27 communities are part of the Park resident zone and  
28 being part of the Park resident zone implies that you  
29 have customary and traditional uses of the Park, a case  
30 could be made for having the C&T determinations  
31 revisited. It's not an automatic. It's not guaranteed  
32 that would occur. You need to have information on  
33 these practices and I recall all the years we were  
34 working on making a case for Upper Tanana communities  
35 being in the Park residence zone -- I mean Northway had  
36 one of the strongest cases to make because a lot of the  
37 sheep hunting that would occur south of the Nabesna  
38 Road and people going down to fish for salmon and other  
39 uses that have occurred for a long time.

40

41 So I think there's a case to be made to  
42 have the broader C&T findings revisited. Barbara  
43 Cellarius has reminded me that wouldn't necessarily  
44 happen just because you're part of the Park residence  
45 zone doesn't mean that you automatically have customary  
46 and traditional uses of all areas of a Park unit, but I  
47 think a case could be made.

48

49 MADAME CHAIR ENTSMINGER: But you need  
50 to have the C&T by the Federal Board.

1 MR. HAYNES: The other option, of  
2 course, is to look at what you've done and have Park  
3 Service look at the individual C&T.  
4  
5 MS. CELLARIUS: It's actually the  
6 Federal Board.  
7  
8 MADAME CHAIR ENTSMINGER: The Federal  
9 Board looks at it, yeah.  
10  
11 MR. HAYNES: But I'm not sure if the  
12 Federal Board would look at an individual C&T finding  
13 for somebody that lives in a resident zone community.  
14  
15 MADAME CHAIR ENTSMINGER: Oh, yeah,  
16 they did it for us.  
17  
18 MS. CELLARIUS: If they don't have a  
19 C&T.  
20  
21 MR. HAYNES: But you're not in a  
22 resident zone community.  
23  
24 MADAME CHAIR ENTSMINGER: Danny  
25 Granguard was and he got it for mountain goat.  
26  
27 MR. HAYNES: Okay. So there's the  
28 precedence there. So there's different ways to go  
29 about it. But that's why that line was drawn at the  
30 Sanford River. The Copper River Native Association and  
31 AHTNA were very insistent upon it being there.  
32  
33 MADAME CHAIR ENTSMINGER: I think  
34 there's some bridges that we can build here, Mike,  
35 because some of this was misunderstanding. I talked to  
36 some of the people at AHTNA and they felt like they  
37 don't want to be left out, so they just put their  
38 villages in for a C&T. It took a while for us to  
39 understand where they were coming from, but it sounded  
40 like they just wanted to make sure that their village  
41 was named. In the process, they didn't name anyone  
42 else, so that left out Upper Tanana. That was how it  
43 was explained to me. Now I see an opportunity to build  
44 a bridge with the AHTNA people and say let's work  
45 together and let's understand where we're coming from.  
46 So it really means a proposal, I guess, and take it  
47 from there. If that didn't pass, then you have that  
48 other option, like Frank said.  
49  
50 Okay, we answered those questions. Do

1 you have 100 more?

2

3 MR. CRONK: Yeah, I do. The next one  
4 is Nelchina caribou. It's been pretty much proven that  
5 those Nelchina caribou are spending at least half a  
6 year in Unit 12, 20E. One of my questions is why does  
7 the Federal subsistence allow the communities down  
8 south to shoot two Nelchina caribou, yet when they come  
9 through Unit 12 or the Tetlin Refuge, we have a limit  
10 of one. I guess it's never made sense to me that  
11 they're allowing two down there, yet we can only shoot  
12 one. They're spending about half the year in our area.  
13 In fact, the Nelchina have probably kept the Fortymile  
14 from wintering in their traditional eastern grounds.  
15 They just flock up there in the LeDeaux area and the  
16 Fortymile caribou have not come back over there. But  
17 one of my questions is why is there a discrepancy of a  
18 bag limit here when those people can shoot two  
19 subsistence caribou and we can only shoot one?

20

21 MADAME CHAIR ENTSMINGER: That's a good  
22 question. I wonder who can answer that. We're looking  
23 for government people that can answer a hard question.  
24 You've got some good ones there. I don't think they're  
25 going to end. Terry's probably worked on this as long  
26 as anyone.

27

28 MR. HAYNES: Madame Chair. I don't  
29 have an answer to that. I think we need to go back and  
30 see if the Federal limit has always been two or if  
31 there was some change along the way.

32

33 MADAME CHAIR ENTSMINGER: I think I  
34 remember a change. Frank, do you remember it was one  
35 and then it went to two?

36

37 MR. ENTSMINGER: I can't remember.

38

39 MR. HAYNES: I'm confident that wasn't  
40 something that was adopted from the State regulations  
41 back in 1990.

42

43 MADAME CHAIR ENTSMINGER: I'm pretty  
44 confident also.

45

46 MR. HAYNES: The limit of one for the  
47 Unit 12 hunt is a product of when the winter hunt was  
48 created in State regulations there was no winter season  
49 in Unit 12 for Nelchina or Mentasta caribou, but in the  
50 winter of 1983 a lot of those caribou came into Tetlin

1 and caused quite a stir.

2

3 MADAME CHAIR ENTSMINGER: For the first  
4 time in many years.

5

6 MR. HAYNES: For the first time in 40  
7 years. And so people in Tetlin and Northway wanted to  
8 have a season open and it took a while to get that done  
9 with the Board of Game, but there's always going to be  
10 a limited harvest available because there was concern  
11 about taking too many Mentasta caribou. But based on  
12 radio collar information and other management  
13 information, biologists knew there was a ratio of so  
14 many Nelchina to so many Mentasta caribou, so if you  
15 had an overall allocation of a certain number of  
16 caribou, you wouldn't overharvest Mentasta caribou.  
17 But there was never a question of having a bag limit of  
18 more than one caribou in that winter hunt, but I can't  
19 tell you how the limit of two Nelchina caribou in the  
20 Federal hunt for Unit 13 got created. We could revisit  
21 that history and probably get that information.

22

23 MADAME CHAIR ENTSMINGER: I remember  
24 that they just asked for it and got it in that lower  
25 part. The State only had one and they wanted two and  
26 they asked for it on the Federal side and they got it.

27

28 MR. HAYNES: One of the frustrating  
29 things has been there's so little Federal land in Unit  
30 13 and yet there's a pretty substantial Federal caribou  
31 harvest in Unit 13.

32

33 MADAME CHAIR ENTSMINGER: They must  
34 have had the land surveyors with them. Actually, Delta  
35 Junction also qualifies for that hunt, right, Matt?

36

37 MR. FRENZL: Yeah, that's right.

38

39 MADAME CHAIR ENTSMINGER: Is there much  
40 of a harvest from them going down there?

41

42 MR. FRENZL: Yeah, there is a fairly  
43 substantial harvest. I was just looking at the map  
44 here. You can see where there is quite a bit more in  
45 13 than up there in 20D.

46

47 MADAME CHAIR ENTSMINGER: Again, Mike,  
48 all of that is proposals. Actually, sometimes that  
49 Federal hunt doesn't even occur if there's too many  
50 Mentastas there, so that's something to keep in mind.

1 Maybe the one is being protected, the Mentasta Herd  
2 also.

3

4                   MIKE: I guess I still don't quite  
5 understand the reason. To protect the Mentasta Herd.  
6 The Feds haven't done anything to protect them  
7 realistically except just let them slowly get smaller  
8 and smaller. I guess if you're really not being active  
9 and actually helping them, I don't see why we would  
10 limit subsistence harvest of something that you're  
11 really not proactively trying to enhance a herd for.

12

13                   MADAME CHAIR ENTSMINGER: Well,  
14 unfortunately, we have a National Park Service where  
15 they can't actively do predator control. Our hands are  
16 tied. As much as I'm on your side on that one, I'm  
17 sure everyone here is on your side on that one, we have  
18 to live with the Park Service regulations.

19

20                   MR. GILBERT: Just out of curiosity,  
21 Madame Chair, where's the route of the Nelchina  
22 caribou? I just want to understand what he's talking  
23 about.

24

25                   MADAME CHAIR ENTSMINGER: Well, some of  
26 it's not on our map because it's in Unit 13. Do you  
27 see Cantwell and Paxon, that's the Denali Highway.  
28 They spend most of their time there and then they  
29 migrate through east and even into Canada. They go  
30 through Mentasta and right through Tetlin Wildlife  
31 Refuge. So where he's talking about, there's a season  
32 over there and that's actually Unit 13 and that's where  
33 most of the harvest takes place on State land for the  
34 Nelchina caribou. Then the Federal season is on this  
35 little orange area along the highway, that's the only  
36 Federal land that they can hunt to. And then it moves  
37 east and the only time they can hunt on Federal land  
38 again is when they hit the refuge. Otherwise they have  
39 to abide by State seasons.

40

41                   MR. GILBERT: When it's under State  
42 jurisdiction they can get two caribou?

43

44                   MADAME CHAIR ENTSMINGER: No. The  
45 State is one, the Federal is the two.

46

47                   MR. GILBERT: Okay.

48

49                   MADAME CHAIR ENTSMINGER: Just the  
50 Federal hunt. And that is simultaneous, that season,

1 without looking it up, I believe. But you've got to  
2 know where all that Federal land is. That's what's  
3 really interesting. There's quite a harvest that comes  
4 off of there.

5  
6 MR. GILBERT: And you're not satisfied  
7 with the management of the caribou herd?

8  
9 MR. CRONK: My question was why is  
10 there a bag limit of two for, let's say, the  
11 Glennallen/Delta area, but when the same exact herd  
12 comes through the Tetlin National Wildlife Refuge, we  
13 can only shoot one. I'm here individually, but I also  
14 represent the Advisory Committee for Northway Village  
15 Council, so these are questions they've brought up that  
16 I said I would pose to you. And we're talking a pretty  
17 low number. I mean we're not the numbers of Glennallen  
18 or Delta by any means, so I don't think the increase of  
19 harvest would actually be that big of a deal, but some  
20 people were just wondering why they can't harvest two  
21 caribou versus one.

22  
23 MADAME CHAIR ENTSMINGER: Vince.

24  
25 MR. MATHEWS: If he wants, I can  
26 research that. I know this Council approved the two  
27 caribou. It would be based on need and that this  
28 Council approved two. Pete might know more about it.

29  
30 MADAME CHAIR ENTSMINGER: I can  
31 understand why the people in Northway are asking.  
32 There was a pretty strong lobby to open it to two.  
33 That's something you would have to propose for this  
34 area if that's what they would like to see, a proposal  
35 to do that.

36  
37 MR. CRONK: Yeah. And I guess the  
38 other point is, is that usually when these caribou come  
39 through, they come through. They don't mingle.  
40 They're not out there for weeks. They come through and  
41 they're gone. They're wintering and they come back  
42 through. It's a very fast process, unlike in Unit 13  
43 where they're wintering up there and staying there, so  
44 the window of opportunity to harvest is a small window  
45 either when they come through or when they come back in  
46 the spring. So the opportunity is not great to harvest  
47 one or even two.

48  
49 MADAME CHAIR ENTSMINGER: Well, we'll  
50 look for the local AC to take that up in the future.

1 MR. CRONK: I guess the next one is the  
2 sale of trophies. It just seems to me that if we're  
3 subsistence hunting, animals legally taken, why are not  
4 we able to sell bear products or stuff that has been  
5 taken off these animals at least in the subsistence  
6 hunts?

7  
8 MADAME CHAIR ENTSMINGER: Are you going  
9 to be specific? What piece do you want to sell?

10  
11 MR. CRONK: Bear hides, claws, skulls.

12  
13 MADAME CHAIR ENTSMINGER: The hide as a  
14 whole, not made into a handicraft?

15  
16 MR. CRONK: Yeah, or handicraft. We  
17 have a big problem right now that people just aren't  
18 interested in shooting them. There's no incentive for  
19 them to go out and kill anything. We have high bear  
20 numbers and some people are like why are we going to  
21 stack up a bunch of hides. Some people eat them, some  
22 people don't, but if it's illegally taking the animal -  
23 - I mean the State has the same issues, but being a  
24 subsistence hunt you'd think there would be a little  
25 less restriction to allow these villagers, there's not  
26 a lot of jobs and stuff, somebody to earn a few bucks  
27 off of something they went out and harvested.

28  
29 MADAME CHAIR ENTSMINGER: So you're  
30 talking something more  
31 than just the handicraft that's in regulation now that  
32 they can do.

33  
34 MR. CRONK: Correct.

35  
36 MADAME CHAIR ENTSMINGER: Okay. Now  
37 that would be a fun one for the Federal people to  
38 answer. I bet you have lots of things you can say  
39 about why you can't sell a hide of a bear.

40  
41 MR. CRONK: Also like sheep horns.

42  
43 MADAME CHAIR ENTSMINGER: Now in the  
44 State law you're allowed to separate the horn off a  
45 pick-up and then you have to be legal to pick it up.  
46 That is something we've talked to the Park Service.  
47 This Council put forth a request to the Park Service  
48 because they don't allow you to pick up shed antlers  
49 and horns. We're in a, what, four year process to  
50 allow such a thing.

1 MS. CELLARIUS: At the last RAC meeting  
2 you perhaps will remember that I presented to you a  
3 letter from the regional director responding to a  
4 letter that this Council had sent to the Park Service.  
5 Sue is correct that what we're now doing is -- I guess  
6 I should back up and say the three issues, being able  
7 to pick up shed or discarded horns or antlers for  
8 personal use, so these are antlers that aren't from  
9 subsistence harvested animals, being able to pick up  
10 those horns and antlers and make them into handicrafts  
11 and the third use that we were looking at was customary  
12 trade, actually selling the antlers without  
13 modification of them into a handicraft. The regional  
14 director said the customary trade, sale of the raw  
15 horns or antlers, was not something she was comfortable  
16 with, but we're consulting with our Subsistence  
17 Resource Commission and then based on the outcome of  
18 that the Park Service will do an environmental analysis  
19 of what the impact of making such a change would be and  
20 then the third step would be going into regulation. So  
21 it's sort of a lengthy process just because of all the  
22 consultation and analysis involved.

23

24 MADAME CHAIR ENTSMINGER: In order to  
25 sell them, it's an EA, the softer way of going around  
26 it, but the raw selling is EIS?

27

28 MS. CELLARIUS: That was something that  
29 the regional director wasn't comfortable going there.

30

31 MADAME CHAIR ENTSMINGER: She hasn't  
32 gone there yet.

33

34 MS. CELLARIUS: I don't have a copy of  
35 the letter with me, but that's essentially what the  
36 letter said. But if I'm remembering correctly, this  
37 Council was involved in putting forward a proposal to  
38 the Federal Board for the sale of the horns and antlers  
39 of subsistence harvested animals. I believe that went  
40 into regulation along with the capes and the hides.

41

42 MADAME CHAIR ENTSMINGER: I'm not  
43 having a good memory of that. They pulled it apart and  
44 did the hides but not the.....

45

46 MR. DEMATTEO: Is the question is this  
47 for refuges or for all Federal lands?

48

49 MS. CELLARIUS: This is the Federal  
50 regulation book and it's antlers, horns, hides and

1 capes. The antlers and horns not attached to any part  
2 of the skull and this is from legally harvested goat,  
3 sheep, deer, elk or caribou except for caribou  
4 harvested in Unit 23, moose or muskox. So there is  
5 some ability to sell the horns and antlers and this  
6 Council.....

7  
8 MADAME CHAIR ENTSMINGER: That's just  
9 this last meeting.

10  
11 MS. CELLARIUS: .....had put forward  
12 that proposal.

13  
14 MADAME CHAIR ENTSMINGER: Yeah, we won  
15 one. But you asked about selling whole bear hides.  
16 That's a whole different issue, right?

17  
18 MR. DEMATTEO: To my knowledge, there's  
19 some regulations that are against that. I've heard  
20 it's always that way, so I've never heard the beginning  
21 of the story why it is that way. I don't think we  
22 really have an answer for this gentleman tonight as to  
23 why you cannot do this.

24  
25 MADAME CHAIR ENTSMINGER: Everything is  
26 a proposal so far, but not undo-able. More.

27  
28 MR. CRONK: I think this is the last  
29 one. I don't know if you guys have heard, there's a  
30 proposed State land sale up on Taylor Mountain. They  
31 want to put a subdivision in there. And as an AC  
32 Committee we have discussed this a lot. I guess I'm  
33 asking if your Board would write a letter not  
34 supporting this because this is bad for this area. The  
35 moose population on Taylor Mountain is going to be  
36 impacted heavily. Impacts to the Taylor Mountain Road.  
37 This was built after the Upper Yukon plan was finished  
38 and we still haven't seen any review of the impacts at  
39 all. Review of the impacts of the last sale up the  
40 Taylor Highway was promised by DNR staff to the public  
41 in Tok in 2005 before an additional sale would be  
42 offered. That hasn't happened. The impacts of Federal  
43 subsistence caribou and moose hunters and area  
44 trappers, several changes have occurred since this  
45 Upper Yukon plan. This road was built. I believe it  
46 was a military road and it's pretty convenient for the  
47 State to have somebody else pay for that and then all  
48 of a sudden want to open a massive subdivision up there  
49 in an area that's pretty important moose habitat,  
50 especially a wintering range for them. The change in

1 hunting patterns are going to need to be revised  
2 because there's thousands of people up there hunting  
3 caribou.

4  
5                   The subsistence use of the Fortymile  
6 and Nelchina caribou in the BLM Federal corridors  
7 during the winter season, hundreds of Federally  
8 qualified subsistence users are going to be impacted by  
9 this proposed subdivision and we feel it's just a bad  
10 deal because we still haven't got an impact on their  
11 last land sale, so we just feel this is the State just  
12 doing something. That actually is going to be -- is  
13 going to have a pretty serious impact on that area up  
14 there.

15  
16                   So I guess if you guys feel it is  
17 important, you could possibly put something together to  
18 send it to the appropriate agencies to support this not  
19 happen, at least right now until we get some good  
20 reasonings.

21  
22                   MADAME CHAIR ENTSMINGER: Mike, I'm  
23 thinking of our jurisdiction. Just to ask the Staff,  
24 Vince.

25  
26                   MR. MATHEWS: He made the tie into the  
27 BLM lands and management actions with that area, which  
28 this Council has spent a lot of time dealing with the  
29 user conflicts, in my terms, on the Taylor Highway  
30 between Federally qualified subsistence hunters on  
31 Federal lands, so he's making a tie in. I don't know  
32 where the Taylor Mountain is.

33  
34                   MADAME CHAIR ENTSMINGER: Just north of  
35 here, about 15, 16 miles up the Taylor.

36  
37                   MR. UMPHENOUR: It's about 10 miles  
38 before you get to Chicken on the left, isn't it?

39  
40                   MADAME CHAIR ENTSMINGER: Right.  
41 Correct.

42  
43                   MR. MATHEWS: If the Council wishes to  
44 do that letter, obviously Sue's been involved with the  
45 Council correspondence policy review. We'll see. If  
46 you see it as a conflict with a species of interest  
47 that crosses Federal lands, there's a nexus there.

48  
49                   MADAME CHAIR ENTSMINGER: Okay. I just  
50 wanted to make sure. I know we have done stuff like

1 this before. So, Council Members, do you have any  
2 questions of him on that? Would anybody have an  
3 objection on writing a letter? How do we feel on that?

4

5 MR. FRENZL: I have no objections.

6

7 MADAME CHAIR ENTSMINGER: Do I need a  
8 motion?

9

10 MR. MATHEWS: It would help for a  
11 motion. You're saying for more information or for a  
12 position on this?

13

14 MADAME CHAIR ENTSMINGER: No, I was  
15 just asking the Council Members if they had to ask him  
16 any more information to feel comfortable to write the  
17 letter. I want to make sure the Council is happy with  
18 that. Go ahead, Virgil.

19

20 MR. UMPHENOUR: The only Federal land  
21 is Wild and Scenic Rivers over there, is that not  
22 correct?

23

24 MR. MATHEWS: Yes.

25

26 MR. UMPHENOUR: And you say they built  
27 a new road up to the top of Taylor Mountain?

28

29 MR. CRONK: (Nods affirmatively)

30

31 MR. UMPHENOUR: When did that happen?

32

33 MADAME CHAIR ENTSMINGER: Do we need  
34 you up here, Jeff. Mike says he needs help.

35

36 MR. GROSS: The road was build a couple  
37 years ago after the plan was completed. I think the  
38 road was actually completed in 2006.

39

40 MADAME CHAIR ENTSMINGER: So what  
41 you're saying is they had it designated as remote  
42 parcels and now it's got access.

43

44 MR. GROSS: It's kind of complicated  
45 because that particular unit, from what I recall from  
46 the Upper Yukon plan there was some wording in there  
47 about that it was identified for remote cabin stakings  
48 and I remember there was some wording in there about  
49 subdivisions. It didn't say there couldn't be a  
50 subdivision, but I think it.....

1 MADAME CHAIR ENTSMINGER: You're  
2 talking about the plan, not the actual.....  
3  
4 MR. GROSS: Right. The plan is pretty  
5 much what drives these land sales.  
6  
7 MADAME CHAIR ENTSMINGER: But the land  
8 sale was determined that it would be at Taylor Mountain  
9 after this road was put in.  
10  
11 MR. GROSS: Yeah.  
12  
13 MR. UMPHENOUR: What I think this is,  
14 it's DNR and their land disposal planning thing and  
15 they probably had a bunch of meetings to decide all  
16 that. Are you aware if that's what happened or not?  
17  
18 MR. GROSS: I guess I'd like to be a  
19 little careful about representing the DNR, but when I  
20 did speak with a DNR representative about this about a  
21 month and a half ago, he made reference just to three  
22 meetings; one in Chicken, Boundary and Eagle. About 10  
23 members of the public attended each of those meetings.  
24 There was also a meeting in Tok in 2005, which I think  
25 Mike made reference to, which this particular person  
26 wasn't aware of or had a record of, so that was another  
27 public meeting. Those are the only public meetings I  
28 know of since the Upper Yukon Plan was first developed.  
29  
30  
31 MR. UMPHENOUR: I don't mind us writing  
32 a letter saying this could impact the wildlife in the  
33 area. However, I doubt if it will do any good because  
34 of the way those people do business.  
35  
36 MR. GLANZ: Also, if you build a road,  
37 they will come. If you've got a road, you're going to  
38 have an influx of folks, believe me, from living in  
39 Central for 20-some years. The damage is done once the  
40 road is in. If they can drive to it, they're going to  
41 haunt you.  
42  
43 MADAME CHAIR ENTSMINGER: So do we mind  
44 helping them out with a letter and say, okay, we've  
45 done our part.  
46  
47 MR. GLANZ: I'll make a motion that we  
48 send a letter to that effect, yes, if anybody is  
49 interested in doing it, to oppose the development.  
50

1 MADAME CHAIR ENTSMINGER: Do I hear a  
2 second.

3  
4 MR. FRENZL: Second.

5  
6 MADAME CHAIR ENTSMINGER: Thank you.  
7 Virgil still has discussion.

8  
9 MR. UMPHENOUR: Under discussion.  
10 Jeff, did the DNR consult Wildlife Conservation  
11 Division, which would have been you, on any impacts on  
12 creating a subdivision there to the wildlife and what  
13 management changes might have to be made?

14  
15 MR. GROSS: When the Upper Yukon Plan  
16 was developed, Terry Haynes can probably speak to this,  
17 we were consulted about the potential impacts to  
18 wildlife populations in that area. Since the road was  
19 built, I'm not aware of any discussion with Fish and  
20 Game about the additional impacts that could occur from  
21 that new road being built and doing a subdivision on  
22 that road. I wasn't contacted about this until January  
23 16th of this year and I was actually given a phone call  
24 to let me know that the DNR was moving forward with  
25 this land sale. I don't know what additional steps  
26 they still had to go through, but that was the first I  
27 was consulted about it. I did bring up the moose  
28 population and the representative actually told me he  
29 wasn't aware of any problems with the moose population.  
30 He said he was aware of some problems identified with  
31 caribou but not moose. We had submitted written  
32 comments about the moose population there on multiple  
33 occasions, but that particular person wasn't aware of  
34 that at that time. Since then he has become aware of  
35 that.

36  
37 MR. UMPHENOUR: Thank you.

38  
39 MADAME CHAIR ENTSMINGER: Any other  
40 discussion.

41  
42 (No comments)

43  
44 MR. UMPHENOUR: Question.

45  
46 MADAME CHAIR ENTSMINGER: Question has  
47 been called for. All in favor say aye.

48  
49 IN UNISON: Aye.

50

1 MADAME CHAIR ENTSMINGER: Anyone  
2 opposed.  
3  
4 (No opposing votes)  
5  
6 MADAME CHAIR ENTSMINGER: Mike, before  
7 you leave, I have some questions of you. I purposely  
8 to hear public testimony our Proposal 01 and 05, have  
9 you seen these two proposals.  
10  
11 MR. CRONK: No.  
12  
13 MADAME CHAIR ENTSMINGER: I wonder how  
14 come. Maybe this is why the public doesn't get  
15 involved. How do they see this? They're on the AC, so  
16 I tell them about these meetings. Do they get a copy  
17 of the proposals?  
18  
19 MR. MATHEWS: I'd have to check the  
20 mailing list in Anchorage, but they're on my mailing  
21 list for other announcements, but I don't know if they  
22 get -- Pete, what was the color of the book this year?  
23  
24 MR. DEMATTEO: I think it was orange.  
25  
26 MADAME CHAIR ENTSMINGER: Yellow. I  
27 have it right here. Did you ever get a copy of this?  
28 Arron, did you see this?  
29  
30 (No audible response)  
31  
32 MR. MATHEWS: Then we need to check the  
33 database on that and get that corrected. Then you'd  
34 have to get it on your agenda for your AC to address  
35 it. Rita has been very thorough on making sure those  
36 get on there. I think she puts your agenda together.  
37  
38 MADAME CHAIR ENTSMINGER: I have a  
39 feeling that's why there isn't public participation in  
40 a lot of this stuff. If you don't see the proposals  
41 that are affecting you, then how do you know how to say  
42 anything. So Proposal 05 in particular, I think both  
43 of you would be interested in this.  
44  
45 MR. GILBERT: I don't know if you guys  
46 noticed, but Proposal 05 relates directly to what he's  
47 saying.  
48  
49 MADAME CHAIR ENTSMINGER: I know.  
50 That's why I wanted to ask him about it. I was  
assuming that you guys had seen these. Proposal 05 is

1 to limit the sale -- this is from the State. Currently  
2 you are allowed to, as a subsistence user, make  
3 handicrafts with the bear claws. This one is specific  
4 to brown bear, which includes grizzly bear. This is  
5 put forth by the State to not allow us to sell the  
6 claws. Do you have an opinion on that?

7

8 MR. CRONK: Yeah, I think they should  
9 be able to sell the claws. I mean obviously it's  
10 probably one of the biggest money-makers. We're  
11 talking places where there's no economies out in these  
12 places, you know. People are spending -- you know, the  
13 price of gas and stuff and when you're out there  
14 burning \$600 worth of gas, and you happen to get a  
15 grizzly bear, I think you should be able to recover  
16 some of your costs out of that. Without selling the  
17 claws, what are you selling? Making the fur into a  
18 vest or something. You're pretty limited.

19

20 MADAME CHAIR ENTSMINGER: I've made  
21 gloves before.

22

23 MR. CRONK: Claws are a big part of it.  
24 I have never sold any, but I'm sure there's some good  
25 money to be made if you turn it into the right  
26 products. I absolutely support the sale of claws.

27

28 MADAME CHAIR ENTSMINGER: Then I would  
29 ask Arron the same question. Proposal 01 was to extend  
30 the wolf season, increase harvest limit and allow the  
31 destroying of dens. This Eastern Interior put a  
32 proposal forth last cycle for wildlife to be able to  
33 take wolves the month of May. This proposal is putting  
34 that forth. We didn't get that. Even though it passed  
35 at the Board of Game during that cycle, we didn't get  
36 that in our region for.....

37

38 MR. UMPHENOUR: Federal.

39

40 MADAME CHAIR ENTSMINGER: .....for the  
41 Federal side. So if you're out in the Yukon-Charley or  
42 actually the Wrangells and northern Wrangells, which is  
43 in a portion of Unit 12, and the Charley is a preserve,  
44 so you can go under State regs, but if you're in the  
45 Park, you've got to go under Federal regs. So the  
46 subsistence season is more restrictive in this  
47 situation. But the Park Service had the upper hand at  
48 the time and they won not to be able to open it for  
49 that month of May.

50

1                   Now this is a statewide proposal, but  
2 it's taking in two things. Month of May statewide and  
3 the allowing of destroying dens. Do you have anything  
4 you'd want to say to that?

5  
6                   MR. CRONK: I'm not against what other  
7 people want. If people want to go destroy their dens,  
8 that's up to them. I'm not going to be one out there  
9 doing it, but I've heard some groups that traditionally  
10 used to do that, et cetera. I wouldn't be against it  
11 if somebody wants to do. I'd be in support of it.

12  
13                   I don't know. I mean as a trapper and  
14 stuff, I'm kind of hesitant, to support something that,  
15 you know, if it's not worth something -- I mean I know  
16 we need to kill wolves, but if you're not going to get  
17 a few bucks out of it, I don't see where May is really  
18 going to make that big of a difference in a wolf  
19 harvest. That's just me, personally. But, again, if  
20 somebody wants to go out and do that.....

21  
22                   MADAME CHAIR ENTSMINGER: You're not  
23 against it.

24  
25                   MR. CRONK: I'm not against it. Just  
26 because I'm not going to do it, doesn't mean I should  
27 be against somebody else doing it. So, no, I'm not  
28 against it. I would support it if other people wanted  
29 it.

30  
31                   MADAME CHAIR ENTSMINGER: I want to  
32 thank the Council for allowing me to ask these  
33 questions to these guys.

34  
35                   MR. ATCHLEY: I'd be definitely against  
36 that last sentence. I'd like to see that taken out of  
37 there.

38  
39                   MADAME CHAIR ENTSMINGER: The May  
40 season or the.....

41  
42                   MR. ATCHLEY: No, that's fine. I don't  
43 have a problem with that. Any restriction to  
44 disturbing or destroying wolf dens be removed from  
45 regulations. I would not support that.

46  
47                   MADAME CHAIR ENTSMINGER: I do know it  
48 was done in the past. I've talked to people from  
49 Tanacross and that was highly practiced in this area.  
50 Of course, there was a bounty on wolves then, too.

1 Arron, what about the bear claws.

2

3 MR. ATCHLEY: Well, I have a necklace  
4 made of bear claws. I don't have a problem with that.

5

6 MADAME CHAIR ENTSMINGER: Those were  
7 the key ones that I thought the people in this area  
8 might have something to say about. So I'm really sorry  
9 the rest of the communities, the other villages aren't  
10 here.

11

12 MR. CRONK: Like I said, I'm in  
13 capacity kind of speaking for Northway Village Council.  
14 I represent them on the AC, so they're expecting me to  
15 kind of represent them here. I'm kind of representing  
16 myself and their entity, so I guess I have a voice for  
17 more than just me.

18

19 MADAME CHAIR ENTSMINGER: Thank you for  
20 clarifying that. I think I'm getting tired. I forgot.

21

22 MR. GILBERT: I have one question.

23

24 MADAME CHAIR ENTSMINGER: Go ahead.

25

26 MR. GILBERT: I'm kind of confused. On  
27 number 05 it says sales of brown bear handicrafts made  
28 of claws, bones, teeth, sinew and skulls should occur  
29 only between Federally qualified subsistence users.

30

31 MADAME CHAIR ENTSMINGER: That's right,  
32 it does.

33

34 MR. GILBERT: You said he couldn't sell  
35 the claws, but doesn't it say here that subsistence  
36 users could sell them between each other?

37

38 MADAME CHAIR ENTSMINGER: Right.  
39 Actually, they can sell them to someone who is not a  
40 subsistence user currently and the State is asking that  
41 it not be allowed.

42

43 MS. WHEELER: We'll cover that in the  
44 morning.

45

46 MADAME CHAIR ENTSMINGER: That's what  
47 we've got to talk about tomorrow. So we're just  
48 getting public testimony now. I know Frank has a lot  
49 to say.

50

1                               MR. ENTSMINGER: Madame Chair. I know  
2 it's getting late and I don't want to sit here all  
3 night talking about this issue. I would like to  
4 express my support in being able to sell any handicraft  
5 items, including the claws and that sort of thing.  
6 I've been a taxidermist ever since I was 10 years old  
7 and I've dealt with non-edible byproducts of critters  
8 all my life. I learned early on in life when a certain  
9 animal became a prime animal as far as its horns,  
10 antlers, hide, hair, that sort of thing, and I know --  
11 I've heard public testimony that kind of looks down at  
12 trophies, a hunter going out and taking an animal and  
13 getting it mounted and put on the wall. I think a lot  
14 of that is a cultural misconception or issue. I think  
15 Native communities keep non-edible parts and they work  
16 them into their ceremonial dances and religious  
17 ceremonies and so on and it's all in respect to the  
18 animal, the Creator, the Provider, and it's giving  
19 thanks to a bountiful harvest. Actually, in the white  
20 culture, when we have an animal mounted and put it on  
21 the wall, it's a reminder to us of a good hunt, a fond  
22 memory, a point in time that you think a lot of and  
23 it's not in any disrespect to the animal. On the  
24 contrary, it's our way of respecting an animal.

25  
26                               I've always questioned the State about  
27 the fact that we in Alaska, we abide by the  
28 regulations, we harvest a legal animal, and then at  
29 that point if we want to sell it as a trophy or sell  
30 the non-edible parts, there's fairly stringent  
31 restrictions on the sale of these products.  
32 Technically, under State regulations, there's no sale  
33 of trophies. You can sell the capes, the hides, the  
34 horns, but the horns and antlers have to be detached  
35 from the skull and that allowance was basically only  
36 made for the horn carvers and that's why that's legal.  
37 But they've been adamantly opposed to selling any bear  
38 parts even though we're in a time when the bear  
39 populations are quite healthy, quite robust as a  
40 general rule across Alaska.

41  
42                               In many instances we're trying to  
43 harvest bears. We're trying to get people to go out  
44 and take a few more bears because by biological studies  
45 they're devastating the calf moose and caribou. It  
46 would help these ungulate populations. I've always  
47 been a firm believer that if you're going to harvest  
48 moose and caribou, you need to harvest predators as  
49 well. Predators are a lot more difficult to take out  
50 in the field than moose and caribou.

1                   Especially like Mike had talked about,  
2 once you shoot a bear or two and you can't do anything  
3 with the hide, once you have like a bear rug mounted or  
4 a life-size bear in your room, at that point you don't  
5 really need any others, and there's no incentive to go  
6 out there and harvest any more bears. So I think this  
7 would be an incentive for people to go out and  
8 participate in a harvest of a bear. And it's not  
9 across the state. I realize in the southern areas  
10 along the coast and the brown bears and whatnot they're  
11 highly valued as a trophy animal, they're big bears  
12 down there, but in our region most of the bears are  
13 moderately sized bears. Even the large bears. If you  
14 get an eight-foot bear in this country, it's a pretty  
15 good sized bear. So they don't have a real high trophy  
16 value as far as the big game hunters wanting to come up  
17 and book guided hunts. So I look at being able to sell  
18 any part, whether it's a handicraft or the whole bear  
19 hide or even mounted into a trophy, I can't understand  
20 the State's reluctance to make that legal.

21  
22                   If they're concerned about conservation  
23 issues, if it's going to encourage poaching or that  
24 sort of thing, I think some kind of tracking system  
25 could be developed, a tagging system that could be  
26 developed to address that concern with public safety.  
27 This is just my input on it and my testimony on that  
28 fact. Thank you.

29  
30                   MADAME CHAIR ENTSMINGER: I want you to  
31 know that he sat and wrote for about two hours what he  
32 was going to say. I don't know if he covered it all.  
33 I think, in short, you covered it, Frank. And you're  
34 not going to be here to talk about it when we  
35 deliberate tomorrow. Council Members, do you have any  
36 questions.

37  
38                   MR. GLANZ: I think all the gentlemen  
39 covered real well their opinions. We all go along -- I  
40 do anyway, along with you folks.

41  
42                   MR. ENTSMINGER: Thank you, Council  
43 Members. I know Sue is a little concerned that there's  
44 not a huge public turnout here, but I chaired our local  
45 advisory committee here and we really never heard from  
46 the public that much other than if we did something  
47 wrong and something that really got under their  
48 feathers. Then they'd come down in droves.

49  
50                   MADAME CHAIR ENTSMINGER: Go ahead,

1 Virgil.

2

3 MR. UMPHENOUR: The Fairbanks AC  
4 meetings, we're lucky to have five people from the  
5 public most of the time. When they get mad at us, like  
6 what happened in January, we had over 200 there.

7

8 MADAME CHAIR ENTSMINGER: Voted the five  
9 incumbents out.

10

11 MR. UMPHENOUR: That's why I'm the  
12 chairman now. By default.

13

14 MADAME CHAIR ENTSMINGER: Are you  
15 saying they voted the chair out?

16

17 MR. ENTSMINGER: Actually, in reality,  
18 when you don't get a large turnout, I think basically  
19 you guys are doing your job well. I want to thank you  
20 for coming down to the area and at least giving us a  
21 chance to talk to you.

22

23 MR. GILBERT: I have one thing to say.  
24 I don't know if you guys noticed, but at the bottom of  
25 this draft staff analysis 05 the existing Federal  
26 regulations definition of utilization of wildlife, it  
27 says that he is able to take hides as handicraft  
28 articles as a subsistence user and also including the  
29 claws too, but the proposed regulation it goes against  
30 everything he wants.

31

32 MADAME CHAIR ENTSMINGER: Exactly.  
33 Yeah. That's what we'll be discussing tomorrow. So I  
34 guess we're doing a good job and hopefully we'll do a  
35 good job tomorrow. Unless anyone has anything else,  
36 we're done for the evening and we start at 9:00 in the  
37 morning.

38

39 Thanks everybody.

40

41 (Off record)

42

43 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 02 through 215 contain a full, true and correct Transcript of the EASTERN INTERIOR FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME I taken electronically by Computer Matrix Court Reporters on the 17th day of March 2008, beginning at the hour of 9:00 o'clock a.m. at Tok, Alaska;

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

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

DATED at Anchorage, Alaska, this 27th day of March 2008.

\_\_\_\_\_  
Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 03/12/12