

1 EASTERN INTERIOR FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME II

7
8 Tok, Alaska
9 March 18, 2008
10 9:00 o'clock a.m.
11

12
13 COUNCIL MEMBERS PRESENT:

14
15 Sue Entsminger, Chairman
16 Richard Carroll
17 Matthew Frenzl
18 Matthew 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 - 3/18/2008)

(On record)

MADAME CHAIR ENTSMINGER: We'll call the meeting to order. We're going to take up the two remaining proposals. Vince has some housekeeping.

MR. MATHEWS: Real quickly. We will have Becca Robbins from Yukon River Fisheries Drainage Association on line, so she's going to call in periodically. Don't be phased by that noise over there coming out of the phone. That's just her calling back in.

For the Council Members, those that are traveling back through Fairbanks, lodging is at Alpine Hotel. I've already called them for late arrivals. If there's any problem with that, just give me a call, but they've been very thorough. Alpine is the closest one to the airport.

You all have a green folder in front of you. I'm not going to go through all of it, but that's material that's going to help you through the meeting at different times. For example, there's the copy of the Council newsletter from TCC. Why is that in there. Well, your partner fish biologist that you've been supportive of, Brandy, has an article in there, so that's for your reference. Then there's copies when we get into the bycatch fishery, most of the letters that were sent on bycatch, and then on and on. For a couple of the officers you requested copies of the customary and traditional use determination, the public comments. Those the officers have and if others need, we can share copies.

For Virgil and Sue, I put in there the cut section from the Board meeting concerning the action on Proposal 14, which was the net size proposal. That's just for your reference. I know that you would want to know exactly what happened. And then there's a copy for you to take back of Becca's presentation of bycatch because I believe some of you will be interested in that data that's presented in the PowerPoint.

Other than that, I believe all of you

1 have checked out of the hotel. Hopefully there was no
2 problem there. There shouldn't have been. If there is
3 any problem, they've been very thorough and they'll get
4 a hold of me. If not me, then Sue, and we'll work
5 through that. They've been very gracious.

6

7 That's all I have, Madame Chair. Thank
8 you.

9

10 MADAME CHAIR ENTSMINGER: We're going
11 to start out with Proposal 01 and 05. There's a new
12 public member here. He's hard of hearing, so you've
13 got to -- his name is Danny Grangaard and he's also on
14 the Advisory Committee and he's a wolf trapper and
15 hunter and has some stuff he might contribute. So I
16 think we'll just start with this Proposal 01 since it's
17 the extend the wolf season statewide. Polly is going
18 to give us the analysis.

19

20 MS. WHEELER: Good morning, Madame
21 Chair and RAC Members. My name is Polly Wheeler. I
22 work for the Office of Subsistence Management. I will
23 be presenting the analysis on Proposal 01 and for
24 Proposal 05, so you'll be seeing a lot of me this
25 morning. You can find the analysis for Proposal 01 in
26 your books on Page 26 to 41.

27

28 The analysis is actually quite lengthy,
29 especially compared to the analyses you had before you
30 yesterday and that's mostly because it includes both
31 hunting and trapping seasons and harvest limits for all
32 26 game management units statewide. So while the
33 analysis itself is fairly long, my presentation today
34 will be fairly short.

35

36 This Proposal WP08-01 was submitted by
37 the Orutsararmiut Native Council, also known as ONC of
38 Bethel. It requests three related points. The first
39 one is that the closing dates of the wolf hunting and
40 trapping seasons statewide be extended to May 31. The
41 second is that the harvest limit be increased to ten
42 wolves per day for the dates of April 1 to May 31. And
43 the third point is that any restrictions to disturbing
44 or destroying wolf dens be removed from regulations.

45

46 The proponent seeks to expand and
47 increase hunting and trapping opportunities on wolf
48 populations statewide in order to provide for more
49 productive moose and caribou populations, which are
50 important subsistence resources to rural Alaskans

1 throughout the state as you're all well aware. The
2 proponent states that reinstatement of historic wolf
3 control activities, such as denning or spring baiting,
4 will help to promote and maintain more productive
5 moose or caribou populations that are highly important
6 as basic subsistence food resources in rural Alaska.

7
8 The goal of the proposal is to provide
9 adequate and sustainable harvest levels of moose and
10 caribou. However, in May 2004, the Federal
11 Subsistence Board adopted a Predator Management Policy.
12 As I mentioned yesterday, I do have copies of that
13 policy if anybody is interested. As described in the
14 policy, the Board administers the subsistence taking
15 and uses of fish and wildlife on Federal Public lands
16 through regulations that provide for the non-wasteful
17 harvest of fish and wildlife by Federally qualified
18 rural residents, consistent with the maintenance of
19 healthy populations of harvested resources. Such
20 subsistence taking and uses are for direct personal or
21 family consumption. The policy goes on to note that
22 wildlife management activities on Federal public lands
23 other than the subsistence take and use of fish and
24 wildlife, such as predator control and habitat
25 management, are the responsibility of and remain within
26 the authority of the individual land management
27 agencies.

28
29 Given that the proponent of this
30 proposal requests expanded wolf harvesting
31 opportunities, through more liberal trapping and
32 hunting seasons, harvest limits, and the opportunity to
33 take pups at den sites, to promote and maintain more
34 productive moose and caribou populations, thereby
35 ensuring sustainable harvests of these populations,
36 this proposal falls outside of what the Board can and
37 will do as described in the Predator Management Policy.
38 Predator control, if done, must be done by the Federal
39 land management agencies in coordination with the State
40 of Alaska.

41
42 So the preliminary conclusion for this
43 proposal, Madame Chair, is to oppose it. That
44 conclusion can be found on Page 37. Basically the
45 justification there is that the Federal Subsistence
46 Board policy is to not promulgate regulations
47 specifically for predator control. The proponent of
48 this proposal specifically states that the goal of the
49 proposal is to reduce wolf numbers, and allow for
50 higher moose and caribou populations. Proponents can

1 work with the State of Alaska, in coordination with the
2 Federal agencies, to enable predator control.

3

4 That concludes my presentation, Madame
5 Chair.

6

7 MADAME CHAIR ENTSMINGER: Thank you,
8 Polly. Any questions of Polly.

9

10 (No comments)

11

12 MADAME CHAIR ENTSMINGER: Okay. Terry.

13

14 MR. HAYNES: Madame Chair, thank you.
15 Terry Haynes, Department of Fish and Game. I will
16 summarize our comments, which are on Pages 39 and 40 of
17 your Council meeting book. The Department does not
18 support the proposal for the reasons Polly stated. It
19 is a predator control proposal. The proponents made
20 that pretty clear. Whether or not predator control is
21 going to occur on Federal lands is beyond the purview
22 of the Federal Board.

23

24 State hunting regulations allow harvest
25 of wolves in May and/or authorize a bag limit of 10
26 wolves per day in some units where the wolf populations
27 can sustain these harvests. State regulations do not
28 authorize dens to be disturbed or destroyed. So
29 adoption of this proposal would create some conflicts
30 with State regulations.

31

32 Any element in this proposal, season
33 extension, increased harvest limit, or
34 disturbing/destroying dens, could result in overharvest
35 of wolves and create conservation concerns in some
36 areas.

37

38 The State is actively engaged in
39 intensive management of wolves in some areas of the
40 state in order to restore healthy prey populations, but
41 there are cases where Federal land management policies
42 limit the effectiveness of State efforts. The State
43 would welcome opportunities to work with the proponents
44 to encourage Federal land managers to reevaluate their
45 land management policies that limit the State's active
46 management tools on most Federal lands.

47

48 So we don't support this proposal, but
49 we do support the proponent's interest in encouraging
50 cooperation between Federal land management agencies

1 and the State to allow active management of predators.

2

3 Thank you.

4

5 Alaska Department of Fish and Game

6 Comments:

7

8 Wildlife Proposal WP08-01:

9

10 Liberalize wolf harvest regulations

11 statewide.

12

13 Introduction:

14

15 This statewide proposal would extend
16 the wolf hunting and trapping season by moving the date
17 to May 31; increase the hunting bag limit to 10 wolves
18 per day during the period from April 1 to May 31; and
19 delete any restrictions to disturbing or destroying a
20 den.

21

22 Impact on Subsistence Users:

23

24 Adoption of this proposal would: (1)
25 provide additional time and methods for Federally-
26 qualified subsistence users to hunt and trap wolves on
27 Federal lands in spring; (2) substantially increase the
28 harvest limit in some areas for wolves taken under
29 Federal subsistence hunting regulations on Federal
30 lands; and (3) authorize dens on Federal lands to be
31 disturbed or destroyed for the purpose of harvesting
32 wolves. These liberalizations would create wolf
33 management and conservation issues in some areas that
34 would likely result in reduced subsistence
35 opportunities to harvest wolves in the long term.

36

37 Opportunity Provided by the State:

38

39 State hunting regulations allow harvest
40 of wolves in May and/or authorize a bag limit of 10
41 wolves per day in some units where the wolf populations
42 can sustain these harvests. State regulations do not
43 authorize dens to be disturbed or destroyed.

44

45 Conservation Issues:

46

47 Any element in this proposal -- season
48 extension, increased harvest limit, or
49 disturbing/destroying dens -- could result in
50 over-harvest of wolves and create conservation concerns

1 in some areas. In southeast Alaska, for example,
2 increased harvests could lead to wolves being listed as
3 threatened or endangered. The poor pelt quality of
4 wolves taken in spring in most areas reduces their
5 value for subsistence uses.

6

7

Enforcement Issues:

8

9

Differences in Federal and State
10 regulations resulting from adoption of this proposal
11 create enforcement issues in areas with mixed land
12 ownership.

13

14

Other Comments:

15

16

No evidence is presented indicating
17 that the proposed changes are needed to provide for the
18 continuation of subsistence uses of wolves by
19 Federally-qualified subsistence users. Similar
20 proposals to manipulate predator populations that
21 benefit prey populations were submitted to, and
22 rejected by, the Federal Subsistence Board in 2005 and
23 2006 for the following reasons: (1) the Federal
24 Subsistence Board and the Department of Fish and Game
25 were concerned that extending the season statewide when
26 wolves have pups at the den site is contrary to sound
27 wildlife management principles; (2) The Federal
28 Subsistence Board and Department of Fish and Game noted
29 that hides of wolves taken in May are not prime and are
30 of low value for making clothing and handicrafts; and
31 (3) the Federal Subsistence Board reiterated that its
32 policy adopted in 2004 is to not promulgate regulations
33 specifically for predator control.

34

35

The proponent desires that each Federal
36 land management agency take action to facilitate active
37 predator management on Federal units. The State of
38 Alaska is actively engaged in intensive management of
39 wolves in some areas of the state in order to restore
40 healthy prey populations, but Federal land management
41 policies limit the effectiveness of State efforts. The
42 State would welcome opportunities to work with the
43 proponents to encourage Federal land managers to
44 reevaluate their land management policies that limit
45 the State's active management tools on most Federal
46 lands.

47

48

Recommendation:

49

50

Oppose the proposal but support the

1 Council(s) interest in encouraging cooperation between
2 the Federal land management agencies and the State to
3 allow active management of predators.

4
5 MADAME CHAIR ENTSMINGER: Any questions
6 of Terry.

7
8 (No comments)

9
10 MADAME CHAIR ENTSMINGER: Okay, moving
11 along. Any Native, tribal, village or other comments.

12
13 (No comments)

14
15 MADAME CHAIR ENTSMINGER: Interagency
16 Staff.

17
18 (No comments)

19
20 MADAME CHAIR ENTSMINGER: I'm going
21 fast because they're not here. Then the neighboring
22 regional advisory councils.

23
24 MR. MATHEWS: Yes, this will take a
25 little bit of your time.
26 I'll give you the summary of the overall and then their
27 justifications and other staff can.....

28
29 MADAME CHAIR ENTSMINGER: You could
30 just try to make it -- you don't have to go through
31 every little word.

32
33 MR. MATHEWS: Okay. Basically, my
34 understanding is Southeast, Southcentral, Western
35 Interior, Seward Peninsula, Northwest Arctic, North
36 Slope opposed Proposal 01.

37
38 Basically, to give you an idea of their
39 justification, Western Interior's was based on poor
40 quality of pelts, could be seen as predator control and
41 it's contrary to sound principals of wildlife
42 management. That's echoed by Seward Pen. Predator
43 control is not part of the Federal Subsistence Program.
44 Pretty much the others said the same. I don't know if
45 Bristol Bay has met yet.

46
47 MS. WHEELER: No.

48
49 MR. MATHEWS: They have not. Okay.
50 And then Yukon Kuskokwim has not met yet.

1 MADAME CHAIR ENTSMINGER: I am curious
2 if any of those regional advisory councils might have
3 pulled out the May season or any part of it.

4
5 MR. MATHEWS: No, none of them.

6
7 MADAME CHAIR ENTSMINGER: So the only
8 May season is in our region.

9
10 MR. MATHEWS: None of them pulled that
11 out as far as support with amendment or whatever. No,
12 they all opposed it.

13
14 MADAME CHAIR ENTSMINGER: Okay. And
15 then it's local Fish and Game Advisory Committees. I
16 don't think they have position on it because they
17 didn't take it up, but you'll have a chance, Danny.
18 The SRC's haven't met, so now it's written comments.

19
20 MR. MATHEWS: Yes, they have met,
21 Madame Chair.

22
23 MADAME CHAIR ENTSMINGER: Oh, I'm
24 sorry. There's many besides Wrangell's. Go ahead.

25
26 MR. MATHEWS: In a nutshell, Lake Clark
27 SRC took this up and also opposed it. I don't have any
28 language as to the reasoning for opposing it, but they
29 opposed Proposal 01. I have no knowledge that Denali
30 has met.

31
32 REPORTER: They haven't met.

33
34 MR. MATHEWS: They have not met. So
35 that would be -- and obviously Wrangell-St. Elias has
36 not met. Thank you.

37
38 MADAME CHAIR ENTSMINGER: So statewide
39 we only have those three SRC's? There is a Gates of
40 the Arctic SRC and they haven't met.

41
42 MR. MATHEWS: If I remember talking to
43 the vice chair of the SRC, I believe they didn't take
44 up any of the Federal proposals, but I'm sure Jack
45 would have told me if they did, but my memory tells me
46 they did not take up any Federal proposals.

47
48 MADAME CHAIR ENTSMINGER: And that's
49 it. Statewide there's only four.

50

1 MS. CELLARIUS: There's seven
2 statewide. Kobuk Valley, Cape Krusenstern.
3
4 MR. HAYNES: Cape Krusenstern, they
5 cancelled their meeting.
6
7 MADAME CHAIR ENTSMINGER: But as far as
8 we know, only two of them have taken it up to oppose
9 it. The other ones have not. All right. Have we done
10 written comments.
11
12 MR. MATHEWS: No, we have not. Let me
13 flip back a page. On Page 41, Defenders of Wildlife,
14 Alaska Wildlife Alliance, and Alaska Center for the
15 Environment. We oppose this effort to permit denning,
16 the destruction of wolf dens and the disturbance and
17 killing of wolf pups in their dens, on Federal lands
18 throughout the state. To permit this practice would be
19 to promote the unnecessary wanton waste of a wildlife
20 resource. Hunting and trapping are the accepted means
21 of limiting predator populations on Federal lands in
22 Alaska. The destruction of dens and wolves hiding
23 within their dens is unnecessary and extreme. I
24 believe you can read the rest of their opposition
25 there, but that would give you the main points. We do
26 have full copies of their public comments.
27
28 MADAME CHAIR ENTSMINGER: Thank you,
29 Vince. Now it's public testimony. Danny, here's your
30 chance to talk about wolves. Would you like to
31 testify?
32
33 MR. GRANGAARD: On this proposal?
34
35 MADAME CHAIR ENTSMINGER: Yes.
36
37 MR. GRANGAARD: No.
38
39 MADAME CHAIR ENTSMINGER: You have no
40 comment on it?
41
42 MR. GRANGAARD: On denning, no.
43
44 MADAME CHAIR ENTSMINGER: Okay. This
45 is your chance.
46
47 MR. GRANGAARD: I have mixed emotions
48 on that.
49
50 MADAME CHAIR ENTSMINGER: It's okay to

1 tell us you have mixed emotions on that. We have a
2 public member that has mixed emotions on denning. But
3 I would ask you, Danny, do you have any feelings right
4 now currently in Unit 20, 12 and 25?

5
6 There is a May season somewhere in the
7 State regs. What happened last year at the Federal
8 Board level was the Park Service did not want to -- the
9 person on the Federal Board usually -- I can't even
10 hardly explain it. In short, it was voted down in the
11 Federal lands. So, in the Federal system, in the
12 Yukon-Charley it doesn't matter because the State law
13 is what you abide by because there's no park. But in
14 the park in the Wrangells in Unit 12 only because it
15 was Unit 12 there isn't a May season, but there is in
16 State law. So, do you have a feeling on that?

17
18 MR. GRANGAARD: Well, if you could sell
19 the pups taken out of the den alive, I would go for it
20 100 percent, but just to kill them, I don't know how
21 effective that would be either.

22
23 MADAME CHAIR ENTSMINGER: That's your
24 feeling on the pups. Now as far as that May season
25 where you can go out and shoot them, just incidental,
26 out hunting bears, and you can shoot a wolf.

27
28 MR. GRANGAARD: Well, I don't have a
29 problem with that, but I don't think it's going to be
30 very effective. Not in these units anyway. Maybe up
31 north. I can't speak for the people up north. That
32 would be a totally different deal. For the north
33 you've got less trees. It would be successful probably
34 up there. Here I don't think it would be.

35
36 MADAME CHAIR ENTSMINGER: You do
37 understand what I'm asking.

38
39 MR. GRANGAARD: You mean in May, yeah.

40
41 MADAME CHAIR ENTSMINGER: Yeah, that
42 you're allowed to shoot one.

43
44 MR. GRANGAARD: Yeah.

45
46 MADAME CHAIR ENTSMINGER: You don't
47 have a problem with that.

48
49 MR. GRANGAARD: (Nods affirmatively)

50

1 MADAME CHAIR ENTSMINGER: That's what I
2 wanted to get at. But you have mixed feelings about
3 the denning.

4
5 DANNY: (Nods affirmatively)

6
7 MADAME CHAIR ENTSMINGER: We
8 understand. Okay. Any questions. Now we'll move on.

9
10 MR. UMPHENOUR: Move to adopt Proposal
11 WP08-01.

12
13 MR. GLANZ: I'll second.

14
15 MADAME CHAIR ENTSMINGER: It's been
16 moved and adopted. Discussion.

17
18 MR. UMPHENOUR: Madame Chair. On this
19 proposal -- let's see, we submitted a proposal I
20 believe to the State for our region and I think the
21 State adopted and I think I submitted one personally
22 for Unit 21 or 24 and the State adopted it all at the
23 same meeting, I believe, but that's only on State
24 lands, so it doesn't apply on Federal land.

25
26 MADAME CHAIR ENTSMINGER: Explain
27 exactly what you're talking about. You're talking
28 about the May season.

29
30 MR. UMPHENOUR: As far as the May
31 season, that part of it, extending the season to the
32 end of May. So I believe on all state lands, and I
33 could be wrong, I see Terry looking at the regulation
34 book, but I believe in all of the Eastern Interior
35 Region the hunting season for wolves goes to May 31 and
36 then in Game Management Unit 21 to 24, which is Western
37 Region, it also goes to May 31, I believe. I could be
38 wrong on that.

39
40 MADAME CHAIR ENTSMINGER: Go ahead,
41 Polly.

42
43 MS. WHEELER: Actually, if you look in
44 your book beginning on Page 33 going over to Page 35,
45 it's got all the State hunting and trapping regulations
46 statewide. If you look , for example, under State
47 hunting regs for wolves, Unit 12 is August 10 to May
48 31, Unit 19 is August 1 to May 31, and Unit 20 is
49 August 10 to May 31. If you go over to trapping, the
50 units you're responsible, it looks like April 30.

1 MADAME CHAIR ENTSMINGER: April 30.

2

3 MS. WHEELER: April 30. November 1 to
4 April 30 and then October 15 to April 30, so there's a
5 mix. I will say that I did speak to the proponent of
6 the proposal and when you talked about increasing the
7 harvest limit to 10 per day for the dates of April 1 to
8 May 31, some of the harvest limits are above that and
9 he didn't intend for the proposal to be a limit. So if
10 it's no limit, he intended for it to stay that way, not
11 limited at 10.

12

13 MADAME CHAIR ENTSMINGER: Virgil.

14

15 MR. UMPHENOUR: Thank you. Anyway, I
16 think we led the charge on getting that done. I see
17 they've done it all over the place since from looking
18 at the book here. But I feel the whole proposal -- the
19 hunting season part has already been done.

20

21 MADAME CHAIR ENTSMINGER: Except.....

22

23 MR. UMPHENOUR: Throughout a big part
24 of the state.

25

26 MADAME CHAIR ENTSMINGER: You have to
27 help me out on the Federal land.

28

29 MR. UMPHENOUR: Except it's not on
30 Federal lands, it's on State lands.

31

32 MADAME CHAIR ENTSMINGER: So the only
33 thing we're making decisions on here is Federal land,
34 so the only thing I would want to bring out to the
35 Council is -- it doesn't really amount to much, but in
36 Unit 12 there's some Federal land that wouldn't come
37 under State law and it wouldn't really affect anything
38 actually because it's way up in the glacier country.
39 See on our map here that dark blue or purple color is
40 park. So if you're a subsistence user you can take
41 State land and shoot a wolf in the preserve. So I
42 don't think it's worth worrying about. In a way, I'd
43 like to make sure the Park knows that, yes, we would
44 like to be able to hunt a wolf, but it's only in Unit
45 12.

46

47 Do you see where I'm coming from for
48 just the May season? It's not passed for Unit 12 or in
49 the Federal regs to extend the May season.

50

1 MR. UMPHENOUR: So you would like to
2 amend the regulation? Let me ask a question of Staff
3 before we do anything like that. My question is, I
4 know that on positioning yourself with a snowmachine
5 it's not allowed on National Wildlife Refuges or
6 National Park land, but is the season extended on those
7 lands as well? The State passed it and so my question
8 is -- it's probably in the staff report book here, but
9 when does the season end in our Eastern Interior Region
10 on the Federal lands, the Park Service Preserve
11 and.....

12
13 MS. WHEELER: Are you talking about
14 hunting?

15
16 MR. UMPHENOUR: Right, hunting.

17
18 MS. WHEELER: Unit 11, 12, 13 wolf
19 hunting under existing regs, August 10 to April 30, and
20 August 20 same thing.

21
22 MADAME CHAIR ENTSMINGER: So Federal
23 law is more restrictive than State law. And that's
24 what I don't like seeing in the book. For subsistence
25 to be more restrictive on Federal law seems to be a bit
26 crazy to me.

27
28 MR. MATHEWS: Madame Chair. Correct me
29 if I'm wrong, and I think Terry is getting up to do
30 that, the State regulations would still apply on the
31 areas that you mentioned, BLM lands and Fish and
32 Wildlife Service lands.

33
34 MADAME CHAIR ENTSMINGER: Yes.

35
36 MR. MATHEWS: So their season would be
37 through May 31, correct, Terry?

38
39 MR. HAYNES: Well, I was just going to
40 say the Federal wolf hunting seasons are, in several
41 cases, about a month shorter than the State season.
42 Like in 12, 20 and 25 the State wolf hunting season
43 ends on May 31st, the Federal regulations ends on April
44 30th.

45
46 You may recall there have been
47 proposals before the Federal Board to extend Federal
48 seasons to May 31st and in those cases the proposals
49 have not been adopted I think in part because of the
50 concern about the quality of the pelts during that time

1 of year. So there is a feeling that wolves taken that
2 late would not obviously -- the pelt quality would
3 likely be lower than it would be for wolves taken
4 earlier in the year.

5
6 MADAME CHAIR ENTSMINGER: But at the
7 meeting I thought I also heard -- actually one of the
8 Federal Board members told me it's primarily Park land
9 in these areas and they normally let that agency take
10 the lead and they took the lead not to open the season
11 for that month. And you might say primarily because,
12 but I think there's more to it than that.

13
14 MR. HAYNES: Madame Chair. Also, one
15 way to look at it is exactly how you did, look at Unit
16 12. Would it make any difference on National Park
17 lands in Unit 12 if the wolf hunting season was
18 extended to May 31. I question how much wolf hunting
19 is likely to occur on those Park lands. Since the
20 State regulations apply everywhere else, you can hunt
21 wolves on all but the so-called hard park lands in Unit
22 12 until May 31.

23
24 MADAME CHAIR ENTSMINGER: What ends up
25 happening sometimes, something can come down on just
26 the Park on their own regs that's going to disallow
27 something and then if it's not in the book and the
28 State law changes, then it's disallowed on the Federal
29 law. So I just feel like let's be consistent. I know
30 right now, today, it doesn't really have a big effect,
31 but at the same time I just want to be consistent.
32 That would be my recommendation.

33
34 We're in discussion here and we have a
35 positive motion in front of us, the whole motion, and
36 to do what I'm suggesting would take an amendment, to
37 pull it out and just use our region and not do a
38 statewide.

39
40 MR. UMPHENOUR: Let me ask the Staff
41 for some clarification and I think I'm correct. I
42 think what happened in the past is we put in some
43 proposals to extend the wolf season to both the Federal
44 Board and the State Board. The State Board passed it
45 and the Federal Board did not. Is that correct?

46
47 MS. WHEELER: That is correct, through
48 the Chair, Member Umphenour. If you look at the bottom
49 of Page 36, there's a little discussion of events
50 involving the species and as outlined in that

1 discussion this type of proposal you're talking about
2 has been before the Federal Board twice. The first
3 time it was also before the State Board. The State
4 Board passed it, the Federal Board did not. The second
5 time around the Federal Board also did not. Their
6 rationale is that it's contrary to sound wildlife
7 management principals and extending the hunting season
8 for wolves into the time the wolves have pups in the
9 den is contrary to sound wildlife management. So it
10 has been before the Board twice.

11
12 MADAME CHAIR ENTSMINGER: So are we
13 going to be defeatists again? I'm not a defeatist.

14
15 MR. UMPHENOUR: Madame Chair. We have
16 a choice here. What I said happened is what happened.
17 We submitted a proposal to both boards. The State
18 Board passed it and the Federal Board didn't. So the
19 question before us is do we want to amend this proposal
20 to extend the hunting season only part of it in the
21 Eastern Interior RAC area to May 31st. That's the
22 question before us.

23
24 If you want, I can make that amendment.

25
26 MADAME CHAIR ENTSMINGER: Yes, I would
27 accept that amendment.

28
29 MR. UMPHENOUR: I move to amend
30 Proposal No. 1 to extend the hunting season in the
31 Eastern Interior region to May 31st and that amendment
32 would get rid of the rest of that Proposal No. 1, all
33 that other stuff about wolf denning. That would be the
34 only thing it would be.

35
36 MADAME CHAIR ENTSMINGER: The amendment
37 is to exclude everything but the May season.

38
39 MR. GLANZ: It's understood and I'll
40 second that.

41
42 MADAME CHAIR ENTSMINGER: Thank you.
43 Discussion on the amendment.

44
45 MR. UMPHENOUR: Do we have the second?

46
47 MADAME CHAIR ENTSMINGER: Yes

48
49 MR. UMPHENOUR: I'll speak to the
50 amendment. Like I said before, previously our Council

1 did make a proposal to the Federal Subsistence Board to
2 extend the wolf hunting season to May 31 and we had a
3 lot of discussion on it then. Some parts of our region
4 it's conducive and there could be some additional wolf
5 harvest in other parts of our region. It's not because
6 of access and a number of other reasons. But in parts
7 of our region it would be something that's feasible.
8 And I know myself I don't hunt spring grizzly in our
9 region anymore but I used to and I know that when I
10 hunted spring grizzly I had numerous opportunities to
11 take wolves because I would be out in the wolf habitat
12 because the wolves and the grizzlies are out at the
13 same time in the high country where you can see a long
14 ways. I had a number of opportunities where I
15 personally could have taken wolves if the season would
16 have been open.

17

18 Madame Chair.

19

20 MADAME CHAIR ENTSMINGER: Pete.

21

22 MR. DEMATTEO: Sorry for making one
23 heck of a mess over here. I'd like to round this out a
24 little bit. As Polly said before, two things that shut
25 down your previous two proposals to extend it to May
26 31, one was pelt value, one was the possible detriment
27 to pups because of possibly shooting females at the den
28 site. That's still there. I don't doubt you've all
29 had opportunity to harvest wolves in May. We have wolf
30 hunters here amongst us. I know that all too well.
31 But I guess it would help us if you could give us
32 comments to bring back as to addressing the wolf pups.
33 In other words, the possibility of shooting female
34 wolves at the den site and that being a detriment to
35 wolf pups. That's what we need to address. What is
36 the Council's feelings on that.

37

38 MR. UMPHENOUR: Madame Chair.

39

40 MADAME CHAIR ENTSMINGER: Virgil.

41

42 MR. UMPHENOUR: The areas where I've
43 had the opportunities to get the wolves -- the reason
44 why I was hunting grizzly bears in those areas was
45 because it was caribou calving areas and there were
46 caribou there dropping calves and that's why bears and
47 wolves were there. So I had the opportunity at that
48 time to take wolves that were keying in on pregnant cow
49 caribou and cow caribou that were having calves.
50 That's why I was there, but I was hunting grizzly bears

1 instead as the wolf season was closed.

2

3 So when I consider that, I was
4 targeting wolves that would have been targeting the
5 pregnant cows and the cows dropping their calves. If
6 it so happened that one of those wolves had pups, then
7 I would feel good about that because that pack of
8 wolves would be a pack of wolves that would be on the
9 caribou calving grounds eating the pregnant cows that
10 couldn't run very fast and also killing the caribou
11 calves.

12

13 I have a picture, I should have brought
14 it with me, of 18 caribou calves that are all less than
15 a week old lined up in two rows. The picture was taken
16 by a research biologist and the pilot, and they did not
17 eat any of the caribou, zero. The damn wolves killed
18 them for the fun of it, just like a dog does when it
19 gets in a pen full of chickens. It kills every chicken
20 in there, but doesn't eat any of them. It's fun to do.
21 So those would be the type of wolves we'd be targeting
22 if this proposal passed and you were hunting on the
23 caribou calving grounds like I, as a hunting guide, am
24 naturally going to go. If I'm going to hunt bears,
25 I'm going to go where the bears are trying to get
26 something to eat. In this case, they were trying to
27 get pregnant caribou cows and newborn calves. So I
28 feel that would be good because we'd be getting the
29 wolves that are keyed in on the caribou calving
30 grounds.

31

32 Madame Chair.

33

34 MADAME CHAIR ENTSMINGER: I'm wondering
35 if that answered your question, Pete.

36

37 MR. DEMATTEO: Perfectly. What he
38 essentially said is that as a hunter he's not targeting
39 the den site. It would be an incidental take. He's
40 out hunting caribou and there's a trailing wolf that's
41 after the caribou and there's an opportunity to take a
42 wolf. That's what I heard.

43

44 MADAME CHAIR ENTSMINGER: Thank you.
45 Anyone else want to add. Richard, you're a trapper.

46

47 MR. CARROLL: I'm in favor of the
48 amended proposal. It makes sound sense to me. Getting
49 wolves late in the springtime is -- it does
50 opportunities when we get caribou moving through the

1 upper Porcupine River heading north. There are wolves
2 on their tail and that's their livelihood. They live
3 with the herds and that's it.

4
5 MADAME CHAIR ENTSMINGER: So you're
6 unlikely to be running into dens.

7
8 MR. CARROLL: Oh, no, no. Denning, in
9 the whole area that I trap and I only know of one area
10 where there is a wolf den and you need a helicopter to
11 get to it. Unless you want to walk about 15 miles
12 inland. Most of them are not easy to get to. The
13 amended proposal, I'm in favor of it. It's a good one
14 and it makes sense. I think we got an opportunity to
15 harvest wolves and hides can be utilized.

16
17 MADAME CHAIR ENTSMINGER: Are you
18 concerned about poor quality?

19
20 MR. CARROLL: No, I am not. You can
21 always trim around the edge of a door with a wolf hide
22 and keep the draft out.

23
24 MADAME CHAIR ENTSMINGER: There's a use
25 for that wolf hide. That's right. Danny raised his
26 hand. If it's okay, I'd like him -- Danny, it's
27 important that you come up. He's got a lot of years
28 trapping.

29
30 MR. GRANGAARD: The issue about
31 shooting female wolves with pups isn't likely in May
32 because they hang pretty tight to the den at that time.
33 Getting shot by a hunter isn't very likely. They just
34 hang with the pups.

35
36 MADAME CHAIR ENTSMINGER: You took the
37 words out of my mouth. Thank you. Anything else.
38 Vince, what else could there be.

39
40 MR. MATHEWS: Well, I've got to make it
41 clear on the record what you're voting on. What you're
42 doing is a statewide proposal that you're asking to
43 amend. If I understand the motion is -- the amendment
44 is only to have a uniform State and Federal hunting
45 season for wolves in Eastern Interior and you're not in
46 support of disturbing the dens or destroying dens.

47
48 MADAME CHAIR ENTSMINGER: We're not
49 addressing it. It's not that we're -- we're just not
50 addressing it.

1 MR. UMPHENOUR: That is what my
2 amendment was, Vince.
3
4 MADAME CHAIR ENTSMINGER: So am I
5 correct in my analysis that we're just not addressing
6 the denning portion. He said we were against it. I'm
7 saying we're not addressing it period.
8
9 MR. UMPHENOUR: What my amendment does
10 is basically takes this proposal, only one aspect of
11 this proposal out of it, and we're only doing it for
12 the Eastern Interior Region, not for the entire state,
13 and that is to extend the hunting season to May 31 and
14 it would make it the same as the State regulation for
15 the Eastern Interior Region. The hunting season
16 portion only and the rest of it is gone.
17
18 MADAME CHAIR ENTSMINGER: And I might
19 add that I would agree that we need to be working
20 together, the State and the Feds, on something
21 regarding wolf control from my point of view.
22
23 MR. GLANZ: Call the question.
24
25 MADAME CHAIR ENTSMINGER: The question
26 has been called for. All in favor say aye.
27
28 IN UNISON: Aye.
29
30 MADAME CHAIR ENTSMINGER: Anyone
31 opposed.
32
33 (No opposing votes)
34
35 MADAME CHAIR ENTSMINGER: It passes
36 unanimously. Next proposal is the bear Proposal 05.
37 Terry.
38
39 MR. HAYNES: You just passed the
40 amendment.
41
42 MADAME CHAIR ENTSMINGER: You're right,
43 we just passed the amendment.
44
45 MR. UMPHENOUR: Right.
46
47 MADAME CHAIR ENTSMINGER: Now we have
48 to pass the amended version, right?
49
50 MR. MATHEWS: The main motion as

1 amended.

2

3 MADAME CHAIR ENTSMINGER: The main
4 motion as amended.

5

6 MR. UMPHENOUR: Question.

7

8 MADAME CHAIR ENTSMINGER: The question
9 has been called for. All in favor of the main motion
10 as amended say aye.

11

12 IN UNISON: Aye.

13

14 MADAME CHAIR ENTSMINGER: Opposed.

15

16 (No opposing votes)

17

18 MADAME CHAIR ENTSMINGER: Okay. Now
19 we're moving along. Proposal 05. Polly.

20

21 MS. WHEELER: Thank you, Madame Chair,
22 Council Members. I'm going to be talking about
23 Proposal 08-05. It can be found on Pages 42 to 55 in
24 your books. The analysis, that is, can be found on
25 those pages.

26

27 This is a statewide proposal submitted
28 by the Alaska Department of Fish and Game. It requests
29 the removal of all unit-specific regulations related to
30 the statewide sale of brown bear handicrafts made of
31 skin, hide, pelt or fur, including claws, and that
32 sales of brown bear handicrafts made of claws, bones,
33 teeth, sinew, or skulls should occur only between
34 Federally qualified subsistence users.

35

36 The proponent submitted this proposal
37 in order to refine Federal regulations, which, in its
38 view, allow for unconstrained commercial sale of
39 handicrafts made from brown bear parts and create
40 market incentives for poaching.

41

42 Under current Federal subsistence
43 regulations, brown bear fur with claws can only be used
44 to make handicrafts for sale if the bears were
45 harvested from units in Eastern Interior, Bristol Bay
46 and Southeast Alaska. Other parts, such as bones,
47 teeth, sinew, or skulls can only be used in handicrafts
48 for sale from brown bear taken in Southeast Alaska. The
49 proponent s description of persons eligible to sell
50 handicrafts made with these parts would increase the

1 types of bear parts eligible for sale in much of the
2 State, but would narrow all sales only to those between
3 Federally qualified rural residents.

4
5 Between 2002 and 2007, the Federal
6 Subsistence Board considered seven proposals regarding
7 the sale of handicrafts made from some of the non-
8 edible parts of bears. Throughout this period, and I
9 would direct you to Page 45 where there's a synopsis of
10 the seven different proposals that have been before the
11 Board. Throughout this period the Board has
12 consistently provided for the sale of handicrafts made
13 from the skin, hide, pelt, fur, claws, bones, teeth,
14 sinew, and skulls of brown bear taken by Federally
15 qualified subsistence users from units where these
16 practices are considered appropriate.

17
18 Retaining, as a legal practice, the use
19 of brown bear claws and other non-edible parts for
20 handicrafts for sale is consistent with previous Board
21 action, as we discussed yesterday with Section .803 of
22 ANILCA. Also, it is not expected to significantly
23 increase harvest.

24
25 No evidence has been found to suggest
26 that current Federal subsistence regulations adversely
27 affect brown bear populations, nor that Federal
28 subsistence regulations have led to an increased legal
29 or illegal harvest of brown bears.

30
31 On Page 47 you can find the OSM
32 preliminary conclusion, which is to oppose Proposal 08-
33 05. The justification is that previous action of the
34 Board has been consistent with Section .803 of ANILCA,
35 which includes the making and selling of handicraft
36 articles out of non-edible byproducts of fish and
37 wildlife resources taken for personal or family
38 consumption.

39
40 This proposal would unnecessarily
41 restrict the subsistence uses of Federally qualified
42 subsistence users as specified in ANILCA Section .803.
43 There is no evidence to indicate that current Federal
44 regulations adversely affect bear populations, nor has
45 any been provided. Further, there has been no evidence
46 provided to indicate that current Federal regulations
47 have led to an increased legal or illegal harvest of
48 bears.

49
50 If adopted, this proposal would broaden

1 the use of some of the non-edible parts of brown bear
2 into regions where use is not allowed under current
3 Federal regulations. The residents of a number of
4 these regions have stated, through their Regional
5 Subsistence Advisory Councils, they are opposed to
6 inclusion in these regulations.

7
8 Madame Chair, that concludes my
9 presentation.

10
11 MADAME CHAIR ENTSMINGER: Thank you,
12 Polly. Any questions.

13
14 (No comments)

15
16 MADAME CHAIR ENTSMINGER: Hearing none.
17 Terry's next, the Fish and Game.

18
19 MR. HAYNES: Thank you, Madame Chair.
20 The Department's comments on this proposal are on Pages
21 53 and 54 of your Council meeting book and I will
22 summarize key points.

23
24 Current Federal regulations allow
25 essentially unconstrained commercial sale of
26 handicrafts made from bear parts taken in some units as
27 a customary and traditional activity, without
28 substantial evidence demonstrating that such sales have
29 ever occurred. The sale of such handicrafts is limited
30 only by an unenforceable provision that prohibits sales
31 constituting a
32 significant commercial enterprise. The current
33 regulations also allow the purchase of these
34 handicrafts by persons who are not Federally-qualified
35 subsistence users, despite such purchases
36 being prohibited under state law and, as was pointed
37 out at the Spring 2006 Federal Board meeting, that
38 sales can even occur over the internet.

39
40 Changing the regulation to continue to
41 allow the sale of brown bear fur products to anyone
42 while limiting sales of handicrafts made with brown
43 bear claws, teeth, bones, and skulls to sales to other
44 Federally-qualified subsistence users should help
45 eliminate commercial markets and the masking of illegal
46 sales in Alaska and elsewhere.

47
48 Unit specific restrictions on sales are
49 almost impossible to enforce without tracking and
50 documentation requirements and are not needed for the

1 lower value fur handicrafts. This proposal will
2 eliminate the unit-specific sale allowances in order to
3 make the regulations more user-friendly and more
4 enforceable.

5
6 This proposal will reduce enforcement
7 issues created by the existing Federal regulation in
8 several ways: (1) By limiting the pool of eligible
9 purchasers for high value bear parts, it will
10 significantly reduce the economic incentives for
11 poaching in other states and countries as well as in
12 Alaska. In other words, we see limiting sales from
13 Federally-qualified subsistence users to other
14 Federally-qualified subsistence users as limiting the
15 potential for problems.

16
17 (2) By allowing the sales of brown bear
18 fur handicrafts from any Game Management Unit, as
19 allowed under state law, this proposal will eliminate
20 unenforceable unit-specific sales authorizations in
21 existing regulation.

22
23 (3) The proposed regulation will reduce
24 the likelihood that Federally-qualified subsistence
25 users will face prosecution for attempting to engage in
26 sales on state or private lands that are now prohibited
27 under state law.

28
29 I'll stop there, Madame Chair, and try
30 to answer questions if Board Members have them. I
31 would make one other point. One of the concerns that
32 you and I have talked about as well as others is
33 whether there is a way to develop some type of a
34 tracking system of the high value bear parts,
35 specifically brown bear claws. There seems to be some
36 interest by Federal agencies and the Department as well
37 as some Regional Councils, certainly you participated
38 in a conference call we had, in seeing if there is some
39 way to mark bear claws, which are the high value item
40 of concern to the Department.

41
42 Although we didn't come to any
43 resolution, we did want to pursue that farther, so
44 there may be a way of addressing part of the State's
45 concern outside the context of these regulation
46 proposals in continuing to bring these up just to
47 highlight the concerns for the potential problems that
48 could occur down the road.

49
50 Thank you.

1 Alaska Department of Fish and Game
2 comments:

3
4 Wildlife Proposal WP08-05:

5
6 Change the regulations regarding sale
7 of brown bear handicrafts to allow sales of handicrafts
8 made from brown bear fur in all units and to restrict
9 sales of handicrafts made from claws, bones, teeth or
10 skulls to transactions between Federally-qualified
11 subsistence users.

12
13 Introduction:

14
15 Current Federal regulations allow
16 essentially unconstrained commercial sale of
17 handicrafts made from bear parts taken in some units as
18 a customary and traditional activity, without
19 substantial evidence demonstrating that such sales have
20 ever occurred. The sale of such handicrafts is limited
21 only by an unenforceable provision that prohibits sales
22 constituting a "significant commercial enterprise."
23 The current regulations also allow the purchase of
24 these handicrafts by persons who are not Federally-
25 qualified subsistence users, despite such purchases
26 being prohibited under State law and, as was pointed
27 out in the spring 2006 Federal Subsistence Board
28 meeting, that sales can even occur over the internet.

29
30 Sales of handicrafts made from brown
31 bear claws, teeth, skulls, and bones present a
32 particular problem, because these are potentially high
33 value items, and allowing sales creates market
34 incentives for poaching both in Alaska and other
35 states.

36
37 Black bear handicraft sales, although
38 not customary and traditional, do not create the high
39 level of conservation concern raised by sales of brown
40 bear handicrafts. Similarly, sales of brown bear
41 handicrafts do not raise the same level of concern if
42 limited to the skin or fur as defined in state
43 regulations; and even sales of handicrafts made with
44 claws and teeth do not currently raise extremely high
45 levels of concern if limited to sales among Federally-
46 qualified users.

47
48 Changing the regulation to continue to
49 allow the sale of brown bear fur products to anyone
50 (State allows sale of untanned brown bear hides) while

1 limiting sales of handicrafts made with brown bear
2 claws, teeth, bones and skulls to sales to other
3 Federally-qualified subsistence users should help
4 eliminate commercial markets and the masking of illegal
5 sales in Alaska and elsewhere.

6

7 Unit specific restrictions on sales are
8 almost impossible to enforce without tracking and
9 documentation requirements and are not needed for the
10 lower value fur handicrafts. This proposal will
11 eliminate the unit-specific sale allowances in order to
12 make the regulations more user-friendly and more
13 enforceable.

14

15 Impact on Subsistence Users:

16

17 This proposal will not restrict any
18 customary and traditional activity because sales of
19 brown bear handicrafts are not customary and
20 traditional. The Federal Subsistence Board's current
21 allowance of such sales was not based upon a
22 determination that such sales are customary and
23 traditional but was based upon the Board's unsupported
24 argument that the Board can authorize any use if the
25 take is customary and traditional (see e.g., January 2,
26 2006 letter from Chairman Demientieff to Commissioner
27 Campbell).

28

29 This proposal will continue to allow
30 rural residents to: sell brown bear fur handicrafts to
31 anyone (as allowed under State law); barter brown bear
32 handicrafts with anyone under Federal regulations; and
33 sell brown bear handicrafts to other rural residents
34 under Federal regulations. Therefore, this proposed
35 regulation change will not impair the ability of rural
36 residents or urban Alaska Natives to obtain such
37 handicrafts for ceremonial, religious and cultural
38 purposes.

39

40 Further, adoption of this proposal will
41 significantly reduce the likelihood that Federally-
42 qualified subsistence users will face State prosecution
43 for engaging in sales that are prohibited under State
44 law when they are on State or private lands.

45

46 Opportunity Provided by State:

47

48 Under 5 AAC 92.200, handicrafts made
49 with bear fur may be sold to anyone, but sales of
50 handicrafts made with claws, skulls, teeth, and bones

1 are prohibited. Whole bear skins, with claws attached,
2 taken in certain predator control areas may be sold
3 under 5 AAC 92.031, but only after sealing and under
4 terms of a permit issued for that bear skin.

5

6

Conservation Issues:

7

8

9 The Federal Subsistence Board created a
10 new market for bear claws and other high value bear
11 parts which likely masks illegal sales, thereby
12 compounding problems with the international trade of
13 endangered species and contributing to the illegal
14 harvest, over-harvest, and waste of bears in other
15 states and countries, as well as Alaska. Markets for
16 high value bear handicrafts create a conservation
17 concern because brown bears are protected under the
18 Endangered Species Act in other states and Mexico, and
19 the origin of brown bear products cannot be determined
20 by visual inspection. Brown bear are also listed on
21 Appendix II of the Convention International Trade of
22 Endangered Species (CITES).

22

23

24 In Alaska, economic incentives
25 associated with harvesting brown bear to make
26 handicrafts create conservation concerns because brown
27 bears develop slowly and have a low reproductive rate,
28 making small populations extremely susceptible to
29 over-harvest. Allowing a widespread sale of high value
30 bear parts without any kind of tracking mechanism is an
31 invitation to poachers. Further, the existing
32 regulations are unenforceable and inconsistent with
33 sound wildlife management principles.

33

34

Enforcement Issues:

35

36

37 This proposal will reduce enforcement
38 issues created by the existing Federal regulation in
39 several ways: (1) By limiting the pool of eligible
40 purchasers for high value bear parts, it will
41 significantly reduce the economic incentives for
42 poaching in other states and countries as well as in
43 Alaska. (2) By allowing the sales of brown bear fur
44 handicrafts from any Game Management Unit, as allowed
45 under State law, his proposal will eliminate
46 unenforceable unit-specific sales authorizations in
47 existing regulation. (3) The proposed regulation will
48 reduce the likelihood that Federally-qualified
49 subsistence users will face prosecution for attempting
50 to engage in sales on State or private lands that are
51 prohibited under State law.

1 Jurisdiction Issues:

2

3

4 The Federal Subsistence Board lacks
5 jurisdiction to allow sales of any wildlife handicrafts
6 when and where such sales are not customary and
7 traditional. In the past, the Federal Board has
8 rejected this argument, asserting that if any use is
9 customary and traditional, then the Board can authorize
10 any other use. It should be noted that the Board's
11 argument is inconsistent with its litigation stance in
12 the Chistochina Unit 12 moose case where it argued that
13 "customary and traditional use" is related to "how
14 resources are used after they are taken," and "not to
15 or a prerequisite condition for the taking itself."
16 State v. Fleagle, (Case 3:06-cv-00107-HRH) Doc. 32 at
17 22.

17

18

19 MADAME CHAIR ENTSMINGER: Thank you,
20 Terry. Council Members, questions for the State. I've
21 got 100, but go ahead, Virgil. I'd love to hear you
22 guys ask some questions here.

22

23

24 MR. UMPHENOUR: Terry, I think I heard
25 you say that the State, if there's some way to track
26 the bear claws that they might change their position?
27 Is that what I heard you say?

27

28

29 MR. HAYNES: I think the Department
30 would certainly be willing to look at that as a way of
31 addressing -- under the current Federal regulations,
32 nobody has any idea how many bears are being taken
33 under the Federal regulations for the purpose of making
34 brown bear handicrafts. In the absence of a tracking
35 system, you wouldn't know the origin of the bear that
36 was harvested. You would know nothing about the
37 activity. I think that's the concern that we have,
38 whether or not there's a conservation issue now. We
39 might never know how -- we need to know how brown bears
40 are being used under these new Federal regulations
41 allowing the making and selling of handicrafts that
42 include bear parts that are not allowed under State
43 regulations. So when we have differences in the State
44 and Federal regulations, this is an area where we just
45 need to have the ability to better understand what's
46 going on.

46

47

48 MR. UMPHENOUR: So let me give kind of
49 a for instance then. Say, for example, in fish
50 processing each fish processor is issued a unique
51 number by the State, so every package of fish that's

1 processed in Alaska has to have that number on it. The
2 same as meat establishments throughout the country.
3 They have a number on it. There will be the initials
4 EST and a number. The label for my fish I brought here
5 has the letters AK and then a number.

6
7 So if each person that was going to do
8 this registered with the State or whoever was going to
9 manage this thing and they were issued a number, say
10 like on bear claws, if they were going to sell bear
11 claws, they could take and etch their number in that
12 claw and then if an enforcement agent sees someone with
13 a bear claw, they could just look at it and it would
14 have this number in it and he could go to the computer,
15 look up that number and that would tell him who it was
16 that sold that bear claw initially. That way the claw
17 would be legal.

18
19 Does something on the order of that
20 sound like it might work because that's how it works
21 with fish and meat processing and that's how you track,
22 but that's for health reasons, partially for health
23 reasons and partially for the same reason, to not have
24 people illegally processing meat and fish.

25
26 Like you hear on the news there's a big
27 recall. Well, they can go to every package and it will
28 have that establishment number on there and they can
29 track exactly where it comes from. This is also
30 recognized by the European union and recognized by
31 Japan. If you have an AK number for your fish, it's
32 recognized worldwide. It can go anywhere in the
33 British Commonwealth, the European Union, all over the
34 world, and the people that are in the customs and et
35 cetera they have a list of those numbers and they know
36 exactly where it came from and whether it's legal or
37 not. So do you think something like that might work?

38
39 MR. HAYNES: Through the Chair. That's
40 certainly something we talked about, was a way of
41 marking the claw in such a way it didn't deface the
42 claw. There are ways of doing that, I guess. We
43 haven't explored just what the expense would be and
44 then how to go about instituting some type of
45 procedure, but that was something that we did discuss
46 and the Chair might have more to say about that as a
47 potential way to address this concern.

48
49 MADAME CHAIR ENTSMINGER: I'm glad we
50 had this little teleconference because I initiated by

1 calling the State in an effort to work together and not
2 see this type of proposal over and over again, to come
3 up with what the problem is. I like that term we used
4 yesterday. If you can't wrap your head around
5 something over there in Delta for the cow moose. It's
6 hard sometimes to wrap your head around this issue.

7
8 If other Council Members have any
9 questions, I'd like to do that. Otherwise, because of
10 that meeting, I have a lot of questions of the State.

11
12 (No comments)

13
14 MADAME CHAIR ENTSMINGER: Okay. This
15 is how I see it. Where is the problem? Is this a
16 perceived problem? Do you have examples of problems?

17
18 MR. HAYNES: Madame Chair. I have no
19 examples of problems. I think what the concern is is
20 the potential for problems to arise and for us to not
21 have the ability to know that one is.....

22
23 MADAME CHAIR ENTSMINGER: Okay. It's a
24 perceived problem now.

25
26 MR. HAYNES: Yes, I believe that's
27 accurate.

28
29 MADAME CHAIR ENTSMINGER: If the State
30 were to say there's a problem that could exist first,
31 where would they say that was?

32
33 MR. HAYNES: Madame Chair. Are you
34 asking in what part of the state?

35
36 MADAME CHAIR ENTSMINGER: Yeah. I
37 don't see perceived problems in areas where we're
38 trying to do bear control. The State is.
39 Unfortunately, as a user out there, you see a black eye
40 for the State if they're telling us about a perceived
41 problem in this instance and then you have areas where
42 it would be wonderful if the State allowed -- I mean
43 we're selling whole bear hides and it makes the public
44 go why are they doing that.

45
46 MR. HAYNES: Part of the concern is
47 that there are some elements of the Federal regulation
48 that are illegal under State law and that Federally
49 qualified subsistence users could be subject to being
50 cited. For example, if a brown bear handicraft

1 including claws was sold by a Federally qualified user
2 to someone else and the transaction occurs off of
3 Federal lands, the State argues that that's illegal.

4

5 MADAME CHAIR ENTSMINGER: So if the
6 Federally qualified user is selling -- like me, I have
7 a black bear hat here I'm going to bring out later, and
8 it has the claws attached, you're going to cite me if
9 I'm down in Anchorage at the Fur Rondy selling this
10 item with the claws attached unless -- you're just
11 going to cite me is what I'm hearing here.

12

13 MR. HAYNES: I'm saying that would be
14 illegal under State law.

15

16 MADAME CHAIR ENTSMINGER: But under
17 Federal law it is legal to sell that bear hat with the
18 claws attached to it.

19

20 MR. HAYNES: Madame Chair. As I
21 understand the regulations, yes, it would be legal
22 under Federal law.

23

24 MADAME CHAIR ENTSMINGER: So this is
25 what I'm hearing, Terry. Help me out. A State agent
26 would see me selling this and they would cite me.

27

28 MR. HAYNES: Madame Chair. I can't
29 predict what a State agent might do, but I'm just
30 saying under State law that would be illegal.

31

32 MADAME CHAIR ENTSMINGER: So this is
33 also perceived if I'm going to be cited or not.

34

35 MR. HAYNES: Well, I don't think it's
36 perception. I think it would be a State agent
37 determining whether or not -- if you were cited,
38 whether the agent had a reasonable chance of prevailing
39 in court.

40

41 MADAME CHAIR ENTSMINGER: But the thing
42 is, you have to have your bear sealed. That State
43 agent can come to the user and say show me where you
44 had this sealed and where you got it. So some of this
45 I don't understand. Our favorite term here, Danny, is
46 handwringing, where you worry and you just handwringing
47 to death about something. I think we're a little
48 handwringing here. I would ask the State to -- I want
49 to hear the examples. I want examples of where it is.
50 If the State sees a problem that might be more concern,

1 like Southeast Alaska, for instance. If you think
2 that's a concern, I want to hear about it.

3

4 If this marking of bears is what the
5 solution is, what you're saying, is something -- if we
6 feel that's necessary, then we might want to go down
7 that road, but do we feel it's necessary now as a
8 Council, to go down the road of marking of claws?

9

10 Go ahead, Virgil.

11

12 MR. UMPHENOUR: I don't know if anyone
13 knows Miles Martin or not. I don't know where he lives
14 now, but he used to live up the Kantishna River.

15

16 MADAME CHAIR ENTSMINGER: I met him.

17

18 MR. UMPHENOUR: Well, he's a guy that
19 was a trapper and operated with a dog team, so he would
20 have a period of time in the spring and then a period
21 of time in the fall where he was trapped where he was
22 at because he couldn't go by dog team and he couldn't
23 go anywhere by boat, so what Miles did is he would come
24 into Nenana and, of course, he sold his furs and he
25 made handicrafts out of furs, et cetera, and he made a
26 bear claw necklace and he sold it to a person he ran
27 into in Nenana. In September he went back out to this
28 place on the Kantishna River and this guy went back
29 east somewhere, to Virginia or North Carolina or
30 somewhere, and a Federal agent saw him with that bear
31 claw necklace, so Miles couldn't get back in until
32 freeze-up and he gets back in and he has this letter he
33 was supposed to appear in court towards the end of
34 September. He's about six weeks late, there's a
35 warrant out for his arrest. Bill Caldwell got him out
36 of the bind finally, but it caused poor Miles a great
37 deal of worry and he thought he was going to jail. He
38 didn't know he was doing anything wrong at the time.

39

40 Anyway, we need some kind of a solution
41 like you said. The marking would just be -- assigning
42 a discreet number to people that want to do this might
43 be an answer. I doubt if there's going to be that many
44 people, so it would be at most three little numbers you
45 would have to etch on a claw. That's just an idea, but
46 I know that something like that could work because they
47 do it, like I said, with meat and fish processors.

48

49 MADAME CHAIR ENTSMINGER: Thanks,
50 Virgil. Terry.

1 MR. HAYNES: Madame Chair. A couple
2 points in response to your question. It's always much
3 easier if I can come to the table and point to a
4 specific problem that has occurred. Frequently when we
5 can do that Councils are very willing to see if there
6 are ways to fix that problem through changes in
7 regulations. I can't point to a specific problem that
8 has occurred.

9
10 One reason I think the potential for a
11 serious problem or many problems is low is that under
12 Federal regulations as they're now written, if a
13 Federally qualified subsistence user wants to take a
14 brown bear and use the parts for making handicrafts, he
15 or she has to salvage the meat. That requirement in
16 Federal regulation is going to limit the number of
17 brown bears that people are taking under the Federal
18 regulations.

19
20 I think there are some safeguards in
21 place, but for those people who are making and selling
22 handicrafts I think exploring some way of marking the
23 claws so that we can avoid the potential for problems
24 down the road is worth thinking about and I think it
25 probably could be done outside the context of this
26 proposal.

27
28 You've been fairly gentle with me. At
29 other Council meetings they've been fairly critical of
30 this proposal and it is extremely difficult to point to
31 real problems that have been created by the existing
32 Federal regulation. At the same time, I'm obligated to
33 just make sure the people understand there are serious
34 conflicts between State law and Federal law in terms of
35 brown bear handicrafts right now.

36
37 MADAME CHAIR ENTSMINGER: Right. I
38 guess once I took you through that scenario, I'm in
39 Anchorage selling something made with a bear claw and I
40 have the potential of being cited with that, that would
41 kind of upset me a bit. But if the person is using
42 common sense and they ask me to prove that I shot that
43 on State land, there is a tracking system now by the
44 sealing requirements on where I took it. So I would
45 just bring that out to the State at this time.

46
47 I also wanted to ask you -- I did a
48 little research and I want to tell the Council Members
49 this. This is a place where you can buy furs, dressed
50 and all kinds of things, including grizzly bear claws.

1 It's in the state of Idaho. It's legal, I'm told, in
2 the state of Idaho to sell bear claws and this is
3 something I didn't really hear from the State in the
4 past. Just looking at the prices of bear claws, they
5 can legally sell -- they're getting these grizzly claws
6 from Canada and they can legally sell -- they've got
7 several of these catalogs you can look at, but they go
8 from \$70 to \$200 a bear claw. The front claw with the
9 real pretty white in it is the most and the back claws
10 are the least. I believe there was even some at \$55.

11
12 I don't think they're marked either. I
13 don't think there's a tracking system. They're
14 actually leaving Canada, coming into the U.S. and being
15 sold in U.S. legally. To me, that's important.

16
17 Those are the questions of Terry. Does
18 anyone have more. Virgil.

19
20 MR. UMPHENOUR: I don't know how many
21 people have noticed this or not, but the only cases
22 that I know of people selling bear parts have been
23 cases where the individuals that were caught doing this
24 were acting as hunting guides but they really weren't
25 hunting guides, they were not licensed guides. And
26 that wasn't the only violations they had, they had a
27 number of others too, but the only cases I know of of
28 people selling bear parts has been people that were
29 taking people hunting illegally to begin with and they
30 were acting as guides illegally to begin with. They
31 were people who had absolutely no respect for our
32 regulations anyway. But I do know of some really
33 flagrant cases, but those people were not legitimate in
34 any way whatsoever for anything they were doing.

35
36 MADAME CHAIR ENTSMINGER: Any other
37 questions.

38
39 MR. HAYNES: Madame Chair. Virgil is
40 correct, there also have been a number of cases in
41 recent years with people illegally selling gall
42 bladders and other high value bear parts in Asian
43 countries. But of the violations that have occurred,
44 I'm not aware of any that even resemble the issues the
45 State has presented in our proposal.

46
47 MADAME CHAIR ENTSMINGER: I'm a firm
48 believer to get rid of the illegal market, you create a
49 legal market. I've seen it in too many places. Go
50 ahead.

1 MR. GLANZ: Terry, I was up on the
2 Coleen one time and they shot a grizzly bear getting in
3 their camp, defense of life and property, so they
4 skinned it out and I hauled it down to the State and
5 turned it in for them and the claws were on it. When
6 the State had an auction and sold it, do they take the
7 claws off it when the State sells one of those bears
8 that's taken in defense of life and property? That's
9 what I was wondering.

10
11 MR. HAYNES: Through the Chair. No,
12 the claws remain on the hide.

13
14 MR. GLANZ: So the State can sell them
15 but the individuals can't.

16
17 MR. HAYNES: Through the Chair. The
18 State does sell the hides like that. I don't know what
19 all are sold at those springtime auctions.

20
21 MR. GLANZ: That's what I was just
22 wondering. So if I purchase one through the State and
23 cut the claws off and made a trinket and sold it, I'd
24 be illegal then?

25
26 MR. HAYNES: I probably better be
27 careful what territory I get into here. I think that
28 might be illegal under State law.

29
30 MR. GLANZ: Yeah, I didn't know, so I
31 was just asking.

32
33 MS. WHEELER: Do it and we'll tell you.

34
35 (Laughter)

36
37 MR. GLANZ: Yeah, look what I did.

38
39 MADAME CHAIR ENTSMINGER: Okay. Any
40 other questions of Terry, Council Members.

41
42 (No comments)

43
44 MADAME CHAIR ENTSMINGER: Federal
45 agencies are next.

46
47 (No comments)

48
49 MADAME CHAIR ENTSMINGER: Native,
50 tribal, village next.

1 MR. GILBERT: Excuse me. He said he's
2 representing Northway Tribal Council.
3
4 MADAME CHAIR ENTSMINGER: Yeah. Do you
5 want to talk to this proposal, Mike?
6
7 MR. CRONK: Sure.
8
9 MADAME CHAIR ENTSMINGER: State your
10 name, Mike.
11
12 MR. CRONK: Mike Cronk from Tok. I
13 kind of missed what exactly is the question going to be
14 or am I supportive of selling.....
15
16 MADAME CHAIR ENTSMINGER: You get to
17 tell us how you feel about this proposal, the selling
18 of bear claws.
19
20 MR. CRONK: I think they should be able
21 to sell them. Bottom line. I don't think there should
22 be any questions asked if it's a legally taken animal.
23 I think it should be the same way in the State, if I
24 shoot a big bull moose, I should be able to sell it the
25 way it is. It's mine, it was legally taken. Bears are
26 even more tracked. I mean you have to bring it in and
27 sealed by the State. I just don't see where the hang
28 up is. Especially if you can go to Idaho and buy them
29 or the State can auction off bears. They're saying we
30 can do it but you can't do it as an individual and
31 they're the ones tracking this. They have a legal
32 system of sealing and tracking, so I think there should
33 be absolutely no question you should be able to sell
34 whatever parts you want to sell.
35
36 MADAME CHAIR ENTSMINGER: Thanks, Mike.
37 Any questions of Mike.
38
39 (No comments)
40
41 MADAME CHAIR ENTSMINGER: Thanks.
42 Neighboring Regional Advisory Councils. I overlooked
43 Interagency Staff, but I assume you have nothing.
44 Okay.
45
46 MR. MATHEWS: Madame Chair. I'll just
47 give you the overall score. Southcentral opposed it.
48 Southeast opposed it. Western Interior opposed it.
49 Seward Peninsula opposed it. Northwest Arctic opposed
50 it. North Slope opposed it. A sampling of their

1 justification is no record of abuse and it's an
2 unnecessary restriction on subsistence users and other
3 reasons, but the same echo was if a subsistence user is
4 going to make a few extra bucks on the sales of that,
5 they didn't see it as a conflict. And that's all the
6 Regional Councils that I'm aware of.

7

8 MADAME CHAIR ENTSMINGER: I'm just
9 going to skip to the summary of written comments
10 because we don't have any of the AC's and the SRC.

11

12 MR. MATHEWS: There is an SRC. Lake
13 Clark took up this proposal.

14

15 MADAME CHAIR ENTSMINGER: I messed up
16 again?

17

18 MR. MATHEWS: No, that's why you have
19 it in pink, too. For the new member, Matt, this is
20 just to make sure whoever goes to the Board that the
21 Board clearly knows that this Council has gone through
22 all steps and has a valid recommendation. It's not to
23 make Tina type more. So, yes, Lake Clark is the only
24 one that took this proposal up and they oppose it.

25

26 MADAME CHAIR ENTSMINGER: And they're
27 position was?

28

29 MR. MATHEWS: Oppose.

30

31 MADAME CHAIR ENTSMINGER: Okay.

32

33 MR. MATHEWS: And then the written
34 comments are on Page 54. Again, it was Copper River
35 Native Association and AHTNA. They oppose the proposal
36 and they just summarized it as we do not harvest brown
37 bear. So I don't know how that relates to it, but
38 basically they opposed the proposal.

39

40 MADAME CHAIR ENTSMINGER: Okay. Danny,
41 do you have anything, public testimony towards this
42 proposal? And if any other public walked in here
43 without me detecting it, I need to know. Go ahead.

44

45 MR. GRANGAARD: Just getting back to
46 the sale of stuff. Like Canada has been selling black
47 bears and grizzly bears forever and if there was a
48 problem, they still wouldn't be doing it. We've been
49 hammering on this thing. It's just something we don't
50 need to do.

1 MADAME CHAIR ENTSMINGER: Thanks,
2 Danny. I don't imagine there's any question. Oh, he
3 forgot something he remembered.

4
5 MR. CRONK: If we're comparing bears to
6 anything else subsistence-wise, go to Southeast. My
7 buddies all have subsistence halibut permits now and
8 they can sell -- there's absolutely no way to track how
9 many pounds of halibut they can sell. I mean there's
10 supposed to be a limit. But if you're talking a bear
11 product that is actually tracked and sealed, this makes
12 no sense that it's not allowed to sell a bear part.
13 You can go down to Southeast, set your long-line, catch
14 2,000 pounds of halibut and sell them. Nobody is
15 tracking that. Those are Federally subsistence caught
16 halibut. The irony here is odd because the bears
17 are.....

18 MADAME CHAIR ENTSMINGER: Somebody
19 disagrees with you behind you.

20
21 MR. PAPPAS: State waters.

22
23 MADAME CHAIR ENTSMINGER: He claims
24 it's State waters. But you're saying.....

25
26 MR. CRONK: State waters. It's a
27 Federal subsistence halibut permit though. Okay,
28 so.....

29
30 MADAME CHAIR ENTSMINGER: That State
31 has a subsistence -- what your point is.....

32
33 MR. CRONK: So it's even more ironic
34 now is the State allows this and you can sell -- it
35 makes it even more ironic that they're saying you can't
36 sell bear parts but they're allowing State subsistence
37 caught halibut to be sold at will.

38
39 MADAME CHAIR ENTSMINGER: Are they
40 allowing it or are these people illegally selling it?

41
42 MR. CRONK: No, you can sell up to so
43 much or trade so much. There's a poundage, but who's
44 keeping track of that? I'm sure everybody is turning
45 in exactly how much halibut they've caught. I just
46 don't see.....

47
48 MADAME CHAIR ENTSMINGER: You're just
49 bringing a point up to us.

50

1 MR. CRONK: Yeah, just bringing up a
2 point here where that is totally untracked. I mean
3 there's no way you can keep track of that. And here
4 we've got bears that are sealed.

5
6 MADAME CHAIR ENTSMINGER: They do track
7 it? If you're saying something incorrect, we need to
8 verify that. This is a learning experience.

9
10 MR. PAPPAS: George Pappas, Department
11 of Fish and Game. Subsistence liaison team, Comm Fish,
12 Sport Fish. Yeah, there's a subsistence fishery down
13 there. Folks are required to track what they harvest.
14 It does take place in State jurisdiction in saltwater.

15
16 MADAME CHAIR ENTSMINGER: They're not
17 legal to sell it, a subsistence halibut?

18
19 MR. PAPPAS: I'll have to get the
20 regulations out and take a look. I'll get back to you
21 in a few minutes.

22
23 MADAME CHAIR ENTSMINGER: I don't think
24 we need to get too wrapped around the axle on that, but
25 he's just making the point that maybe there are things
26 that aren't trackable.

27
28 MR. CARROLL: If I may ask for a little
29 clarification now. The proposal is just limiting the
30 sales between Federally qualified subsistence users.
31 We seem to be all over the place. If you want to make
32 a proposal about something else, let's deal with this
33 one. But as far as I know you can legally sell certain
34 bear parts made into handicraft as long as it's -- I
35 mean you can't drill a hole in a claw and sell that.
36 It's got to be made into some art form or piece of
37 jewelry that changes it from its natural state. Maybe
38 I'm just a little cranky this morning, but it seems
39 like we're batting all over the ball park here. Let's
40 just deal with the proposal.

41
42 MADAME CHAIR ENTSMINGER: Thank you.
43 Just a point of clarification, is he correct in his
44 analysis of that because I thought it also included
45 eliminating the sale period.

46
47 MR. CARROLL: Essentially it does.
48 Just limiting. That's why everybody opposes it. They
49 all oppose it because it limits the sales to a certain
50 group.

1 MADAME CHAIR ENTSMINGER: Okay.
2
3 MS. WHEELER: Madame Chair. Polly
4 Wheeler with Office of Subsistence Management. You're
5 exactly right. The proposal proposes to limit the sale
6 to those between Federally qualified subsistence users.
7 So you couldn't sell it to a person in Anchorage or
8 something like that. Richard could sell to Sue or vice
9 versa.
10
11 MADAME CHAIR ENTSMINGER: Okay. Thanks
12 for helping us out there. That will make it go way
13 shorter.
14
15 MR. CARROLL: It's too late.
16
17 MADAME CHAIR ENTSMINGER: No, this is
18 actually, as far as I'm concerned, good dialogue for
19 the Staff. We're done with public testimony.
20
21 MR. UMPHENOUR: Move to adopt Proposal
22 WP08-05.
23
24 MR. GLANZ: I'll second that.
25
26 MADAME CHAIR ENTSMINGER: Discussion.
27 Virgil.
28
29 MR. UMPHENOUR: We've had quite a lot
30 of discussion before we put the motion on the floor, so
31 I'd like to reference that discussion. I don't feel
32 there's a conservation concern for the bears in this
33 situation. I think that the State's concerns are
34 overstated on this situation because, as was brought
35 out a few minutes ago, here we have a catalog where we
36 can order grizzly bear claws legally and legally buy
37 them. They come from Canada and I guess it's legal in
38 Idaho to sell them.
39
40 I can say this. As a hunting guide, I
41 go to a few shows, to conventions, and at these
42 conventions I ran across people who are taxidermist and
43 fur dealers and they sell bear rugs, tanned bear hides
44 with claws attached, but they're commonly sold in the
45 Lower 48 and it's not against the law. These things
46 come from Canada. I've been trying to find markets for
47 some friends of mine that hunt and trap wolves. At the
48 same time these guys have all these bears they're
49 selling. It just seems strange they can sell these
50 bears taken in Canada and I think some of the black

1 bears are taken in other states in the Lower 48, but we
2 can't sell bears from Alaska.

3
4 I think the State and the different
5 agencies, Fish and Wildlife Service, need to get
6 together and take a good hard look at this and see how
7 it's handled in other states in the country and maybe
8 come up to an actual solution to the problem instead of
9 limiting. I don't see that just limiting the sale of
10 these handicrafts between Federally qualified
11 subsistence users is really addressing the problem.
12 The problem needs to be addressed head on.

13
14 I'm opposed to the proposal for that
15 reason, because it's one of these things where you
16 can't see the forest for the trees. It needs to be
17 addressed head on and I don't think this is an
18 appropriate vehicle to do that.

19
20 Thank you, Madame Chair.

21
22 MADAME CHAIR ENTSMINGER: Richard.

23
24 MR. CARROLL: Richard here. I think
25 just in the village of Fort Yukon in the last couple
26 summers has harvested over 60 black bears. There's no
27 closed season for black bears in our unit up there.
28 Some people ask me about the denning. They've always
29 woke up bears in the middle of winter and got them out
30 of there. Hardly anyone kills one in the den. They're
31 a little cranky when they come out. They don't like
32 it. But over 60 in a population of about 500 people.
33 Pretty good. I didn't get no bears last summer. The
34 summer before though I got four bears. I don't see no
35 big illegal market.

36
37 Most subsistence users get their own,
38 make their own if they want. There's no market. This
39 proposal, the way it's stated, this limiting between
40 subsistence users, it doesn't really do anything.
41 There is no big illegal bear market that I've ever
42 seen. I just don't see it. It just ain't there. I
43 mean maybe there could be.

44
45 There's been a couple big busts down in
46 Anchorage and Prince William Sound area with illegal
47 sales of bears. Those people were snaring bears and
48 removing gall bladders and selling them. I think they
49 got about 11 charges against them, but they got caught.
50 People who do that, they're pretty rare individuals.

1 Most people who harvest are not illegal. They try to
2 stay within the law. I know very few illegal hunters
3 and they usually get caught. It ain't the big bad
4 thing it's made out to be sometimes.

5
6 I oppose this just for the fact that
7 this proposal actually doesn't do anything one way or
8 the other.

9
10 MADAME CHAIR ENTSMINGER: Matt, you had
11 your hand up.

12
13 MR. GILBERT: I'm Matt Gilbert. Under
14 justification on Page 47 it says there has been no
15 evidence provided to indicate that current Federal
16 regulations have led to an increased legal or illegal
17 harvest of bears. Copper River and AHTNA both oppose
18 it. I don't see a need for it either. Since both
19 Copper River and AHTNA oppose it, I'll oppose it too.

20
21 MADAME CHAIR ENTSMINGER: Thank you,
22 Matt. Anyone else.

23
24 MR. GLANZ: Question.

25
26 MADAME CHAIR ENTSMINGER: The question
27 is called for. All in favor of the proposal as
28 written.

29
30 (No aye votes)

31
32 MADAME CHAIR ENTSMINGER: All opposed.

33
34 IN UNISON: Aye.

35
36 MADAME CHAIR ENTSMINGER: Fails. We
37 need a break. 11:00 sharp we're coming back.

38
39 (Off record)

40
41 (On record)

42
43 MADAME CHAIR ENTSMINGER: It's 11:00
44 o'clock. We're back in session. Two of the public
45 members asked me if they could come up and ask a couple
46 questions. Is that okay with the Council Members. We
47 had kind of agreed to do this.

48
49 Mike, you had a question about
50 migratory birds.

1 MR. CRONK: Yeah, the migratory birds
2 are kind of interesting. We have a subsistence season
3 now and it seems that the subsistence season actually
4 ends once the birds are big enough, right when the
5 State season begins, which is bizarre. I believe like
6 August 30th the subsistence season ends, so then we
7 have to fall back to following State laws for hunting
8 birds, which just absolutely makes no sense.

9
10 MADAME CHAIR ENTSMINGER: I've asked
11 Pete, our wildlife biologist, to speak to that because
12 it's a different entity. Go ahead, Pete.

13
14 MR. DEMATTEO: Madame Chair. The best
15 way to answer that is when the Federal Board was formed
16 and it received its authority, management of migratory
17 birds and setting regulations governing migratory birds
18 does not fall under the Board's authority. There is a
19 whole different system for that. There is a separate
20 advisory council system for migratory birds. You have
21 to channel those concerns or proposals toward them.
22 That's the best we can do for you.

23
24 MADAME CHAIR ENTSMINGER: As far as our
25 Council, that's all we have. We could give them our
26 comments, the Migratory Bird Council.

27
28 MR. DEMATTEO: I think Vince better
29 answer that.

30
31 MADAME CHAIR ENTSMINGER: Okay.

32
33 MR. MATHEWS: To give Mike an immediate
34 answer, Mike Smith of TCC is the chairperson for the
35 working group that answers to the Council. The other
36 thing is refuge staff would be more up to speed on the
37 migratory birds based on what Pete just said.

38
39 Addressing Sue's would be if this
40 Council wanted to voice a concern on that, then it
41 would either be through some kind of communication that
42 would go to a management council or to the working
43 group. So your best place is to talk to the Refuge,
44 but there's also Anchorage Staff and Mike Smith.

45
46 MR. GILBERT: Point of information,
47 Madame Chair.

48
49 MADAME CHAIR ENTSMINGER: Yes.

50

1 MR. GILBERT: I just got back from the
2 Tanana Chiefs convention and it was discussed that Mike
3 Smith was just one person for this really huge area and
4 I think Tanana Chiefs is in the process of diversifying
5 that position and hiring a lot more people to be
6 representatives on that bird council. I just thought
7 I'd give you guys that information.

8
9 MADAME CHAIR ENTSMINGER: Thank you.
10 Danny, did you have something.

11
12 MR. GRANGAARD: This board can't put in
13 a proposal for that?

14
15 MADAME CHAIR ENTSMINGER: Vince.

16
17 MR. MATHEWS: Let me think here. Yes,
18 they could put in a proposal for that. I don't know
19 the cycle or process, but we can work that out. So,
20 yes, this group as an entity. What I'm signaling to
21 the Council is that you don't have any special standing
22 with that group. It would be the same as another group
23 submitting. That's fine. I don't know their cycle.
24 I'd have to lean on Refuge Staff to understand the
25 cycle of proposals for migratory birds. I've not
26 tracked it that closely.

27
28 MADAME CHAIR ENTSMINGER: So the local
29 advisory committee could also put forth a proposal.

30
31 MR. MATHEWS: Yes.

32
33 MADAME CHAIR ENTSMINGER: Go ahead,
34 Pete.

35
36 MR. DEMATTEO: The difference is
37 essentially when a proposal is put in for migratory
38 birds, changing the regulation, when it comes time to
39 review a proposal, you wouldn't make your comments to
40 this Council. You'd be making it to a separate
41 advisory council, the Migratory Bird -- I'm sorry,
42 what's it called?

43
44 MADAME CHAIR ENTSMINGER: I don't
45 remember. Migratory Bird Treaty Council, is that it?

46
47 MS. CELLARIUS: Co-management.

48
49 MR. DEMATTEO: Migratory Bird Co-
50 Management Council.

1 MR. GRANGAARD: So how do we go about
2 doing that then?
3
4 MR. DEMATTEO: The best thing is to
5 talk to your local refuge manager and he could help you
6 out there.
7
8 MR. GILBERT: Or you could call Mike
9 Smith at Tanana Chiefs.
10
11 MADAME CHAIR ENTSMINGER: Because he's
12 the president -- what do you call him, the chair?
13 What's his position?
14
15 MR. GILBERT: He's the regional
16 representative. But like I said, they're in the talks
17 of getting more people because the Tanana Chiefs region
18 is so huge.
19
20 MR. GRANGAARD: So having a State or
21 Federal duck stamp to hunt subsistence then, would that
22 be under the same thing then?
23
24 MR. DEMATTEO: Having in which way?
25
26 MR. GRANGAARD: Well, right now you
27 have to have a Federal, I think.
28
29 MR. DEMATTEO: Yes, you always have to
30 have a Federal stamp.
31
32 MR. GRANGAARD: I guess I don't
33 understand why we need that for subsistence hunting.
34
35 MR. DEMATTEO: Simply because any
36 waterfowl hunting in the United States anywhere it's
37 required to have a Federal duck stamp.
38
39 MADAME CHAIR ENTSMINGER: And did you
40 know you're over 60 and you don't need a State one?
41
42 MR. GRANGAARD: Right. I guess I don't
43 understand why everybody else needs a State one to
44 hunt, but during the spring we don't need a State one,
45 so why is the Federal one there?
46
47 MR. DEMATTEO: I understand your
48 concern and I guess all I could say is talk it over
49 with Tony Booth and convey your concern with him. You
50 can formulate how you want to transmit that concern to

1 the Co-Management Council.

2

3 MR. GRANGAARD: It's been a real
4 headache for us here, especially the rural people. The
5 stamps aren't available. Unless they get those stamps
6 available year round, I don't see what the purpose of
7 this is.

8

9 MR. DEMATTEO: I understand it happened
10 in a lot of the smaller communities in Alaska where the
11 post office sent the stamps back and that may just be
12 an internal thing in the post office. Maybe that's
13 something that could be worked out pretty easily.

14

15 MADAME CHAIR ENTSMINGER: Did you guys
16 have anything else?

17

18 MR. GRANGAARD: I'd like to talk about
19 black bears a little bit. Our advisory committee put
20 black bears on the -- right now they're big game only
21 -- put them on the furbearing list too, have them
22 classified as furbearers and big game, and be allowed
23 the sale of black bears in the Eastern Interior. It's
24 like Canada is having some type of spring trapping
25 season on them.

26

27 MADAME CHAIR ENTSMINGER: So, Danny,
28 that would be a form of proposal. The AC put it before
29 the Board of Game already?

30

31 MR. GRANGAARD: One of our proposals we
32 did, yeah.

33

34 MADAME CHAIR ENTSMINGER: And it didn't
35 pass?

36

37 MR. GRANGAARD: I think they tabled it
38 until November.

39

40 MADAME CHAIR ENTSMINGER: I think
41 you're right. So what you're asking of us.....

42

43 MR. GRANGAARD: Under the Federal part
44 do that, yeah.

45

46 MADAME CHAIR ENTSMINGER: Consider a
47 proposal for black bears being a furbearer also.

48

49 MR. GRANGAARD: (Nods affirmatively)

50

1 MADAME CHAIR ENTSMINGER: Okay. Any
2 questions of Danny.

3
4 (No comments)

5
6 MADAME CHAIR ENTSMINGER: Okay, Danny,
7 thank you. Next on the agenda we're down to the
8 fisheries issues. We're starting with the Yukon River.

9
10 MR. MATHEWS: Madame Chair. And we'll
11 also have Becca -- we don't need to stand down. When
12 it comes up to hers, we'll move the projector and she's
13 all set. She is online.

14
15 MADAME CHAIR ENTSMINGER: Okay.

16
17 MR. MATHEWS: Right now you're on the
18 preliminary 2008 salmon outlook.

19
20 MADAME CHAIR ENTSMINGER: Go ahead. I
21 don't know names.

22
23 MR. MELEGARI: I'm Jeff Melegari with
24 Fish and Wildlife Service, Fairbanks Fisheries Office.
25 I'll read the 2008 Yukon River salmon outlook.

26
27 Both Federal and State fishery managers
28 are planning to start the season using the Alaska Board
29 of Fisheries windowed subsistence salmon fishing
30 schedule beginning in late May in the lower river.
31 Similar to the last seven years, a joint information
32 sheet discussing the 2008 outlook will be published and
33 distributed to Yukon River fishermen in May. The
34 following 2008 Yukon River salmon outlook information
35 was summarized from draft U.S./Canada Joint Technical
36 Committee report sections authored by Alaska Department
37 of Fish and Game managers and researchers.

38
39 The 2008 chinook salmon run is expected
40 to be below average and similar to the 2007 run.
41 Although the overall number of Canadian-origin chinook
42 salmon was low in 2007, the age-6 proportion of the run
43 was above average, whereas the age-5 proportion was
44 below average.

45
46 Spawning ground escapements in 2002 and
47 2003, the brood years producing age-5 and age-6 fish
48 returning in 2008, respectively, were well above
49 average throughout the drainage. It is anticipated
50 that the 2008 run will provide for escapements, support

1 a normal subsistence harvest, and a below average
2 commercial harvest.

3
4 Fishery management will be based upon
5 in-season assessment of the run. If in-season
6 indicators of run strength near the mid-point of the
7 run project sufficient abundance will exist to have a
8 commercial fishery, the commercial harvest may range
9 from 5,000 to 30,000 chinook salmon, including the
10 incidental harvest taken during anticipated summer chum
11 salmon directed periods.

12
13 For the summer chum season, if ocean
14 conditions remain favorable, it is anticipated the 2008
15 run will be near average and provide for escapements
16 and support a normal subsistence and commercial
17 harvest. The 2008 summer chum salmon run is dependent
18 on the escapements occurring in 2004 and 2003. Summer
19 chum salmon runs have exhibited steady improvements
20 since 2001 with harvestable surpluses in each of the
21 last five years.

22
23 If in-season indicators of run strength
24 suggest sufficient abundance exists to allow for a
25 commercial fishery, the commercial harvest surplus in
26 Alaska could range from 500,000 to 900,000 summer chum
27 salmon. The actual commercial harvest of summer chum
28 salmon in 2008 will be dependent on market conditions.
29 The overall harvest may be affected by the potentially
30 poor chinook salmon run, as chinook salmon are
31 incidentally harvested in chum salmon directed
32 fisheries.

33
34 The 2008 fall chum salmon run size is
35 expected to be near average with a preliminary
36 projection range of 890,000 to 1.2 million fish. The
37 Yukon River 2008 fall chum salmon run will largely be
38 from the parent years of 2003 to 2004. The projection
39 is based on return-per-spawner brood year calculations,
40 improvements in production observed since 2003 and an
41 expectation that parent year productivity will be near
42 normal. The 2008 projected run size should provide for
43 escapement, support normal subsistence fishing
44 activities, and provide for commercial opportunities
45 where markets exist. The run will be monitored in-
46 season to determine the strength in relation to the
47 projected range.

48
49 The 2008 coho salmon run is anticipated
50 to be average to above average based on the parent year

1 escapement in 2004, since coho salmon return primarily
2 as age-4 fish. The revised Yukon River Coho Salmon
3 Management Plan allows directed commercial coho salmon
4 fishery when there is a harvestable surplus of coho
5 salmon and the fall chum salmon return is greater than
6 550,000 fish.

7

8 Additional questions can be addressed
9 to Steve Hayes, Fred Bue or Russ Holder.

10

11 MR. HAYES: Madame Chair. I just have
12 a few things to add. My name is Steve Hayes with the
13 Alaska Department of Fish and Game. I'm the summer
14 season area manager for chinook and summer chum. Just
15 to add a little bit more detail on the management
16 strategies from what Jeff provided you.

17

18 We will be beginning the 2008 season
19 with the windowed subsistence schedule. Those will go
20 into effect towards the end of May, most likely in
21 District 1 around May 28th. Because of the low runs
22 observed in 1998 and 2000, the Department did delay
23 chinook-directed commercial fishing until near the mid-
24 point of the chinook run. We did that to ensure
25 escapement and subsistence needs would be met due to
26 the uncertainty of those runs in those years.

27

28 Because of the unexpected weak run in
29 2007, chinook-directed commercial fishing in 2008 will
30 be delayed until the mid-point of the run to ensure
31 escapement and subsistence needs and the border
32 obligations will be met. At this time, chinook-
33 directed openings will be considered only if an
34 identifiable surplus can be identified based on current
35 run assessment information in season; however, there's
36 a possibility that the run may not be large enough to
37 even support a small directed commercial fishery.

38

39 Additionally, if a surplus of summer
40 chum salmon is identified above escapement and
41 subsistence needs, we may have directed chum commercial
42 fishing in 2008 with gillnets restricted to six-inch
43 maximum mesh size. The actual commercial harvest of
44 summer chum salmon in 2008 will likely be dependent on
45 market conditions and may be affected by a potentially
46 poor chinook salmon run as chinook salmon are
47 incidentally harvested in chum salmon directed
48 fisheries.

49

50 Additionally, in 2005 and 2006, we did

1 initiate what we refer to as an early opening on June
2 15th, which is a historical first quarter point of the
3 chinook run at the lower river test fisheries. This
4 was done for market interest to try to get a few
5 chinook salmon on the market to try to hold the Yukon
6 name. Because of the poor runs, it was affecting the
7 markets.

8

9 I don't anticipate this year that we
10 will have that opening on June 15th. I think based on
11 the expected run size it's going to be pretty tight
12 just meeting our escapement and subsistence needs and
13 our border obligations that it would be hard to justify
14 having that early opening.

15

16 So I just wanted to provide a few more
17 details of management strategies. Thank you.

18

19 MADAME CHAIR ENTSMINGER: Thank you,
20 gentlemen. Questions. Virgil.

21

22 MR. UMPHENOUR: If there's no directed
23 chinook fishery but there is a directed chum fishery,
24 will you leave the windows in place or do what you've
25 been doing?

26

27 MR. HAYES: The windows will take
28 effect at the end of May and they will be in place
29 until we determine there's a surplus of fish above the
30 escapement and subsistence needs. Once we get into
31 what I would anticipate probably the first part of July
32 that we would be looking at directed chum fishing, at
33 that time we'll have a better handle on our Canadian
34 border passage obligations and I think we'll be able to
35 go out the windows. But, as I said, it's going to be
36 based on in-season assessments, so it's a tough
37 question to answer now.

38

39 MR. UMPHENOUR: So you don't anticipate
40 -- if the chinook fishery is really poor like you're
41 projecting, but there is plenty of chums, then you
42 would not expect the chum directed fishery to take
43 place before the 1st of July?

44

45 MR. HAYES: At this time that's what I
46 would expect, but things can change in-season as we all
47 know.

48

49 MR. UMPHENOUR: Thank you.

50

1 MADAME CHAIR ENTSMINGER: Any other
2 questions, Council Members.

3
4 MR. CARROLL: One question from
5 Richard. You mentioned something about the mesh size.
6 Could you go over that part again. I didn't catch that
7 part.

8
9 MR. HAYES: When I refer to directed
10 chinook fishing, we always refer to that as
11 unrestricted mesh size, meaning that they can use any
12 mesh size they want. Now, when we're referring to
13 6-inch or smaller mesh size, which is directed at chum
14 salmon, then they can't use anything above 6-inch mesh
15 size and we're trying to target chum salmon.

16
17 MADAME CHAIR ENTSMINGER: Any other
18 questions.

19
20 (No comments)

21
22 MADAME CHAIR ENTSMINGER: Thank you,
23 guys. Next is an update on salmon bycatch in the
24 Bering Sea. This is YRDFA.

25
26 MR. CANNON: Madame Chairman, Council
27 Members. My name is Richard Cannon and I'm going to
28 introduce the subject. Becca will provide you a
29 PowerPoint presentation following my brief introduction
30 that will go into much more of the details about what's
31 going on with the pollock fishery and the bycatch
32 issue.

33
34 Salmon bycatch by the Bering
35 Sea/Aleutian Islands pollock fishery fleet has been
36 increasing at a rapid rate over the last five years.
37 Bycatch records of 122,000 chinook salmon in 2007 and
38 nearly 712,000 non-chinook salmon, which were primary
39 chum, in 2005. These high rates are a big concern to
40 the Federal Subsistence Board.

41
42 There have been some recent
43 developments. In December 2007 the National Marine
44 Fisheries Service announced its intent to prepare an
45 environmental impact statement on salmon bycatch
46 reduction measures in the Bering Sea/Aleutian Islands
47 management area. Proposed action would replace the
48 current chinook and chum salmon savings areas with new
49 regulatory closures, salmon bycatch limits or a
50 combination of both. These management measures could

1 incorporate current or new bycatch reduction methods.

2

3

4 In February 2008, the Federal
5 Subsistence Board and the Chairs of the Eastern
6 Interior, Western Interior and Yukon Kuskokwim Delta
7 Federal Subsistence Regional Advisory Councils
8 submitted letters all urging the National Marine
9 Fisheries Service to significantly lower the salmon
10 bycatch. The Subsistence Board's letter is found on
11 Page 96 of your Board book. The Board recommended that
12 at least one alternative should be examined in the
13 environmental impact statement that could reduce salmon
14 bycatch to levels below their 1990 to 2001 averages of
15 38,000 chinook and 69,000 non-chinook salmon.

15

16

17 The Board's proposed alternative is
18 consistent with the U.S./Canada Yukon River Salmon
19 Agreement signed in 2002, which requires the U.S. to
20 increase in-river returns of Yukon River origin salmon
21 by reducing marine catches and bycatches of Yukon River
22 salmon.

22

23

24 In February 2008, the North Pacific
25 Fisheries Management Council made two notable changes
26 to the Bering Sea/Aleutian Islands salmon bycatch
27 motion. One, the expansion of the problem statement to
28 more fully point out the conservation concerns and the
29 importance of the salmon subsistence fisheries in your
30 area and, two, lowering of the top end of the range
31 being considered for hard caps from 108,000 to 87,500
32 chinook salmon.

32

33

34 Probably we could wait on the questions
35 until you hear Becca's presentation because it's going
36 to go into a lot more of the details what's going on
37 with the fishery.

37

38

Thank you, Madame Chair.

39

40

MADAME CHAIR ENTSMINGER: Thank you,
41 Rich.

42

43

44 MS. ROBBINS-GISCLAIR: Thank you for
45 letting me talk to you about salmon bycatch today. I
46 just wanted to start out by thanking this Council for
47 the letters that you've submitted to the North Pacific
48 Council and to the National Marine Fisheries Service on
49 the bycatch issue. I can assure you that it certainly
50 helped to have letters from the Council when we're
51 pushing for changes on this.

1 What I wanted to do today was just give
2 you a brief overview of the issue that, I apologize, is
3 going to be repetitive for some, and then mainly talk
4 about what the North Pacific Fishery Management Council
5 is currently looking at and the timeline for action
6 that they're currently considering.

7
8 Next slide, please. As many of you
9 have already heard, 2007 was a record high salmon
10 bycatch number for chinook salmon. The pollock fishery
11 caught over 122,000 chinook salmon and 97,000 chum
12 salmon.

13
14 Next slide, please. As you can see on
15 the left, there's a graph of the chinook salmon bycatch
16 from 1991 to 2007 and you can see that 2007 really was
17 a record high. In fact, it's the highest it's ever
18 been captured, even above the previous record, which
19 was when the Japanese were the ones fishing in the
20 pollock fishery. On the right you can see chum salmon
21 bycatch and here you can see 2007 was a decrease from
22 previous years, but when you look at the long-term
23 numbers it really is such a return to closer to the
24 averages over time.

25
26 Next slide, please. As many of you
27 have heard before, this is important for the Yukon
28 River because of the origin of these chinook salmon in
29 a study of scale pattern analysis that looked at
30 samples from 1997 through 1999. Kate Myers found that
31 56 percent of the chinook were from western Alaska and
32 40 percent of those were from the Yukon. We just
33 recently at the latest Council meeting saw a preview of
34 some genetic work looking at these samples in 2006.
35 What they've come up with as preliminary results, it
36 looks like these numbers are about the same currently
37 as they were in that study back in the late '90s, so we
38 can assume that the proportions remain about the same.

39
40 Next slide, please. When you look at
41 that in comparison to the in-river usage, you can
42 really see what a huge number this 122,000 was. It
43 means that over 23,000 chinook salmon, which would have
44 returned to the Yukon River were caught as bycatch.
45 Compared to in-river uses, that was 68 percent of the
46 2007 commercial catch, 46 percent of the subsistence
47 catch and 70 percent of the low end of the escapement
48 goal into Canada.

49
50 Next slide, please. So, reviewing

1 quickly the management measures that have been utilized
2 in the pollock fishery to reduce salmon bycatch, since
3 the mid-'90s they've had these chinook and chum salmon
4 savings areas in place and you can see the chinook
5 areas on the left and the chum on the right and the
6 areas I talked about are those in red. Basically those
7 are area closures, which there's a specific trigger
8 number and when the pollock fishery caught that number
9 of salmon, the area closed for a set period of time and
10 there is sort of a complicated set of rules about when
11 that number was reached and how long the area was
12 closed for. This system is still in place on the
13 books, although since 2006 the pollock fleet has been
14 exempt from these closure areas if they are
15 participating in what is called the Voluntary Rolling
16 Hot Spot System.

17
18 Next slide, please. The Hot Spot
19 System is, as many of you have heard before, is one
20 that's designed to use the bycatch rates and to close
21 the areas with the highest bycatch. As we can see from
22 what happened last year, it hasn't been effective for a
23 number of reasons. While they're making changes to it
24 this year, it still in principal has some serious
25 problems with it.

26
27 Next slide, please. So moving on to
28 what the North Pacific Fishery Management Council is
29 doing now and the potential for change in the future
30 and reducing salmon bycatch, the Council is currently
31 considering a management alternative which includes
32 hard caps, which would shut the fishery down when they
33 reached a set number, and other measures including area
34 closures that would operate much like the salmon
35 savings areas and closed areas when a trigger was met.

36
37 Next slide, please. So, just going
38 briefly through the specific alternatives that the
39 Council is currently considering, the first, as I
40 mentioned, are these hard caps, which would shut the
41 pollock fishery down completely when they've reached
42 them. There is currently four different ways that the
43 Council has kind of looked at as to how to get the
44 number for the hard cap. The first is just using
45 historical averages of three, five and 10 years.

46
47 The second is setting a cap relative to
48 salmon returns and this is something where they're
49 trying to set a cap based on how many fish would have
50 returned to the Yukon. But that's a work in progress

1 and we're not sure -- they don't have all the
2 information that they really need to be able to do
3 that, so we're not sure how much of an option that's
4 really going to be at the end of the day.

5
6 The third means of setting these caps
7 is using the 2007 incidental take amount, which is
8 87,500 for chinook, and this is related to an
9 Endangered Species Act listed chinook stocks from
10 Washington that are present in the bycatch. Because
11 they have been found in the bycatch, this is an already
12 existing number that's used as a limit on the pollock
13 fishery, so that's one of the options for a cap.

14
15 The fourth is based on the Yukon River
16 Salmon Agreement using pre-2002 historical averages
17 since the agreement was put in place in 2002 and says
18 that the U.S. agrees to reduce bycatch. From there,
19 the Council is using those pre-2002 numbers in a five
20 and a 10-year average.

21
22 The other option that I mentioned is
23 the area closures and there are two basic types of area
24 closures that are being considered. One is a trigger
25 closure, which is like the salmon savings areas where
26 there's a set number and the area only closes if that
27 number is reached.

28
29 The other type of closure that they're
30 considering is a fixed closure and here there's an area
31 that's closed for a certain time of the year every year
32 and this is based on a couple areas where consistently
33 in the beginning of the year, for instance, they have
34 high bycatch rates. So with a fixed closure that would
35 just be closed no matter what the numbers were.

36
37 Next slide, please. So we really
38 identified that hard caps, as far as means of
39 protecting western Alaska salmon, there are a lot of
40 different ways to go about reducing salmon bycatch, but
41 for right now and the amount of data that we have,
42 setting a hard cap is really the only thing that will
43 offer the protection and the limits of the number of
44 salmon that can be caught as bycatch that we're looking
45 for.

46
47 I just wanted to show you kind of the
48 theory behind some of those cap numbers. I wanted to
49 show you what these numbers look like when you put them
50 on paper. You can see here we have a three-year

1 average for the most recent three years and that's
2 about 68,000 for chinook and 498,000 for chum. In a
3 five-year average, which is 57,300 for chinook and
4 355,000 for chum. There's a 10-year average for the
5 most recent and then you can see the pre-2002 five and
6 three-year averages, which are much lower. Just to let
7 you know, the Council, the way they're looking at
8 these, they can take different options for chinook and
9 for chum. So they could pick, for instance, the pre-
10 2002 five-year average for chinook and the three-year
11 average for chum. It doesn't have to be the same
12 methodology for each one.

13

14 Next slide, please. What the Council
15 has done and they're currently looking at these
16 alternatives and there's actually a draft environmental
17 impact statement in the works on these. What they've
18 done is taken that range of numbers from the previous
19 slides and divided it into four sort of equally based
20 options. The options which you'll actually be choosing
21 from are the four options that are listed here ranging
22 from 29,323 to 87,500 for chinook and from 60,000 for
23 chum to 498,733.

24

25 Next slide, please. So, finally the
26 timeline for salmon bycatch, I think I've shared with
27 this Council before, it's unfortunately very, very
28 long. We're about to go into the April Council meeting
29 where the Council is reviewing a preliminary
30 environmental impact statement and we'll still be
31 refining those options that they're considering. At
32 their June meeting we'll be doing kind of an initial
33 review and sending the EIS out for public comment. The
34 public comment period, from what I understand, will be
35 from June through August 2008 and then the Council is
36 scheduled to take final action on this next December
37 2008. After that, this has to get translated into a
38 rule by the National Marine Fisheries Service and the
39 final rule will be issued in September 2009, assuming
40 everything stays on schedule. If there was something
41 like a hard cap, which is on a yearly basis, they
42 wouldn't start it until January 2010.

43

44 So that's where we are as far as the
45 process and there are a number of opportunities coming
46 up to send more letters to each of these Council
47 meetings where they will be considering these options.
48 There's an opportunity to send letters and to comments,
49 as well as the environmental impact statement has its
50 own set of comments, deadlines, where there will be an

1 opportunity to comment as well.

2

3 That's all the information I have to
4 present today. I'm happy to answer any questions you
5 have.

6

7 MADAME CHAIR ENTSMINGER: Thank you,
8 Becca. Questions of Becca, Council Members.

9

10 MR. FRENZL: Becca, this is Matt
11 Frenzl. How confident are you with the figure of
12 127,000? Is that fairly -- how did you come across
13 that number?

14

15 MS. ROBBINS-GISCLAIR: I couldn't hear
16 that question.

17

18 MR. FRENZL: This is Matt Frenzl from
19 Delta. How confident are you of the number of 127,000
20 for the 2007 figures?

21

22 MS. ROBBINS-GISCLAIR: Was the question
23 how did they.....

24

25 MR. FRENZL: How did they come up with
26 that figure, yeah?

27

28 MS. ROBBINS-GISCLAIR: Well, basically
29 there aren't any limits on the bycatch. From what I
30 understand, part of it was that the biomass of pollock
31 is down and actually their allowable catch for this
32 year is much lower than it was last year, so they were
33 basically spending a lot more time with their nets in
34 the water and straining a lot more water in the process
35 of catching their pollock. From what I understand,
36 that was part of it and to some extent the pollock
37 fishers that I've heard from don't really know why they
38 caught that much.

39

40 MR. FRENZL: Thank you.

41

42 MADAME CHAIR ENTSMINGER: Virgil.

43

44 MR. UMPHENOUR: Becca, I was doing a
45 little math because I looked at it and it didn't look
46 right. You said the bycatch was 122,000 chinook. I
47 thought it was 139, but when you multiply the 122,000
48 times 56 percent and then multiply that by 40 percent,
49 you get 27,328 instead of what you have in your
50 handout, which is 23,000. Can you explain that or is

1 that just a simple mistake?

2

3 MS. ROBBINS-GISCLAIR: I can explain
4 both parts of it actually. The first 139,000 number, I
5 believe that was the bycatch for the whole groundfish
6 fishery and the 122,000 is the portion of that that the
7 pollock fishery is responsible for. On the numbers
8 multiplying out what percentage from the Yukon River,
9 what I did is apply marine mortality to that, assuming
10 not all of the fish that the pollock fleet had caught
11 would have returned because some of the fish wouldn't
12 survive in the ocean, so that's why it's lower than if
13 you just did straight multiplication.

14

15 MR. UMPHENOUR: Thank you. So it was
16 122,000 in the pollock fishery, but the total Bering
17 Sea fishery was 139,000, correct?

18

19 MS. ROBBINS-GISCLAIR: That's correct.

20

21 MADAME CHAIR ENTSMINGER: Yes.

22

23 MR. UMPHENOUR: Okay, but the people
24 who are catching the pollock are also catching the
25 flounder and all that other stuff, is that not correct?
26 It's mainly the trawl fleet?

27

28 MS. ROBBINS-GISCLAIR: The pollock
29 fleet is a mid-water trawl fleet and they are engaged
30 just in catching pollock. For the most part, their
31 hulls are pollock and whatever salmon they come up
32 with. They're not fishing other things at the same
33 time.

34

35 MR. UMPHENOUR: I understand that, but
36 the trawlers are out there fishing for a number of
37 different species. They even fish for codfish, so the
38 difference between 122,000 and the 139,000 is when the
39 same people are fishing for different species, is that
40 not correct?

41

42 MS. ROBBINS-GISCLAIR: Sorry, I didn't
43 understand correctly the first time. The difference is
44 the fisheries that are fishing for other species, not
45 for pollock. For the most part, those are different
46 people because they're trawling on the floor of the
47 ocean, not mid-water, as the pollock fishery is.

48

49 MR. UMPHENOUR: You mean there's a hard
50 on bottom trawling?

1 MS. ROBBINS-GISCLAIR: Yes.
2
3 MR. UMPHENOUR: So they're squashing
4 all the crabs while they're at it. Thank you.
5
6 MADAME CHAIR ENTSMINGER: Yes, the
7 answer is they're squashing all the crabs?
8
9 MS. ROBBINS-GISCLAIR: The bottom
10 trawlers? Yeah. There's another whole set of problems
11 with bottom trawling. They don't actually catch a lot
12 of salmon, but there are a number of other
13 environmental consequences.
14
15 MADAME CHAIR ENTSMINGER: Other Council
16 Members, any questions.
17
18 MR. GLANZ: I have one. This is Bill
19 Glanz. Who is making the count on these salmon, the
20 fleet themselves or is there somebody aboard there from
21 the State that does this?
22
23 MS. ROBBINS-GISCLAIR: I'm sorry, I
24 didn't catch that question.
25
26 MR. GLANZ: Who is counting the king
27 salmon on this ship when they bring them aboard,
28 somebody from the State or is the captain?
29
30 MS. ROBBINS-GISCLAIR: Was the question
31 who's responsible for counting the salmon?
32
33 MR. GLANZ: Yes.
34
35 MS. ROBBINS-GISCLAIR: There's a
36 Federal Observer Program and the pollock boats are
37 required to carry observers and based on the size of
38 the boat and the sector that they belong to, there's
39 varying amounts of coverage that's required. The
40 factory trawlers, for instance, all have to carry two
41 observers and then the boats that are over 60 feet have
42 to carry observers 100 percent of the time and those
43 under carry them, I think, a third of the time although
44 I'm not sure on that. So it varies depending on the
45 boat, but that's who's counting. The capture boats
46 that are not carrying observers all the time, they're
47 required to keep all the salmon they haul up and then
48 they count them when they deliver to the shoreside
49 plant as well.
50

1 MR. GLANZ: Thank you.

2

3 MADAME CHAIR ENTSMINGER: I guess I
4 have a comment. In looking at this salmon bycatch
5 timeline, I guess I have heartburn with something
6 taking so long, January 2010 is when you can expect it
7 to go into effect? And there's nothing more that we
8 can do as subsistence users and this Council to make
9 something like that go faster?

10

11 MS. ROBBINS-GISCLAIR: Well, there
12 isn't through the Council process basically because
13 they have to do the environmental impact statement and
14 allow 90 days for comment on it and then NMFS has their
15 own comment period that are required for rules. There
16 is an opportunity -- NMFS does have the ability to
17 issue emergency regulations and that's something we've
18 been pursuing, is trying to get NMFS to issue those
19 basically in the meantime until the Council takes
20 action to have something on the books for the next two
21 years until there's new regulations in place.

22

23 MADAME CHAIR ENTSMINGER: Virgil.

24

25 MR. UMPHENOUR: Yes, Becca. When I
26 testified before the Council in December, I brought
27 that issue up and asked if there was some kind of
28 emergency regulation process that they could do. Have
29 they taken any action on trying to expedite the
30 process, do you know?

31

32 MS. ROBBINS-GISCLAIR: They have not.
33 Basically this is the time line that they're operating
34 under and I have not heard anything from the agencies
35 that they are going forward in the meantime with any
36 emergency regulations.

37

38 MR. UMPHENOUR: Do you know if anyone
39 has contacted National Marine Fisheries Service or NOAA
40 to see if they could somehow put the pressure on them?

41

42 MS. ROBBINS-GISCLAIR: Several of us
43 have talked with them sort of off the record and we are
44 getting ready to send an official request in.
45 Basically the Council doesn't issue the emergency
46 regulations. The agency itself issues them, so we're
47 about to request from the National Marine Fisheries
48 Service that they use their emergency regulation
49 authority to issue something.

50

1 MR. UMPHENOUR: Thank you. So if our
2 RAC sent a letter to the Federal Subsistence Board to
3 put their weight behind this letter, maybe that would
4 help, I suppose. What do you think?

5
6 MS. ROBBINS-GISCLAIR: Yes, it
7 certainly wouldn't hurt and that would be directed, as
8 I mentioned, at the agency, not at the Council.

9
10 MR. UMPHENOUR: Right. So it's the
11 National Marine Fisheries Service that has emergency
12 regulation authority, is that correct?

13
14 MS. ROBBINS-GISCLAIR: That's correct,
15 and I believe they still bring it forward to the
16 Council, but it goes out in one or two Council meetings
17 instead of two years.

18
19 MR. UMPHENOUR: Thank you.

20
21 MADAME CHAIR ENTSMINGER: Any other
22 questions of Becca from our Council.

23
24 (No comments)

25
26 MADAME CHAIR ENTSMINGER: Hearing none,
27 I want to thank you for giving us that presentation and
28 all the work. I have a feeling we're going to be
29 interested in this emergency regulation.

30
31 MS. ROBBINS-GISCLAIR: Thank you for
32 allowing me to do this by teleconference. I appreciate
33 it.

34
35 MADAME CHAIR ENTSMINGER: You're
36 welcome. It works quite well. Vince, if we have an
37 action item now, do we deal with it?

38
39 MR. MATHEWS: Yes, you can deal with it
40 now since there's Staff present and while Becca is
41 online.

42
43 MADAME CHAIR ENTSMINGER: Virgil.

44
45 MR. UMPHENOUR: I move that we send a
46 letter to the Federal Subsistence Board requesting them
47 to officially ask the National Marine Fisheries Service
48 to step in with their emergency regulatory authority
49 and put a hard cap on the pollock fleet and the hard
50 cap we want, beings I'm one of the people that was on

1 the negotiation team for the Canadian Treaty, is the
2 average just prior to when the treaty was signed, which
3 was 2002, for the hard cap. I see they had in their
4 options of what they were going to address, they've got
5 that, so let me look at that. So we're in favor of
6 Option 1 and we would like that in the form of an
7 emergency regulation and we'd like the Federal
8 Subsistence Board to put whatever pressure they have
9 and have this also go to the Secretaries of the
10 Interior and Agriculture as well.

11
12 Beings that's all convoluted, let me
13 try to simplify it. What we would like is the Federal
14 Subsistence Board.....

15
16 MADAME CHAIR ENTSMINGER: A letter of
17 request to the Federal Board.

18
19 MR. UMPHENOUR: We need to send a
20 letter to the Federal Subsistence Board and we want
21 them to request the Secretaries of the Interior and
22 Agriculture to put as much pressure as they can on the
23 National Marine Fisheries Service to implement Option 1
24 in the form of an emergency regulation to take effect
25 as soon as possible.

26
27 MADAME CHAIR ENTSMINGER: Do I hear a
28 second to the motion.

29
30 MR. GLANZ: Second.

31
32 MR. FRENZL: Second.

33
34 MADAME CHAIR ENTSMINGER: A double
35 second. Do I have any discussion on the motion.

36
37 MR. GLANZ: Virgil, you mentioned
38 Option 1. What's the difference between that and the
39 pre-2002 three-year average? I guess the difference is
40 number, but why did you select Option 1?

41
42 MR. UMPHENOUR: I selected Option 1
43 because what Option 1 actually is, is it's the pre --
44 it's Option 1 where it says hard caps in this handout,
45 and the reason why is because that's the five-year
46 average from 1997 to 2001, which was the five years
47 prior to the Salmon Treaty being signed with Canada for
48 Yukon River salmon.

49
50 MR. FRENZL: All right, I understand

1 that.

2

3 MADAME CHAIR ENTSMINGER: Any other
4 questions or comments to the motion.

5

6 (No comments)

7

8 MR. GLANZ: Question.

9

10 MADAME CHAIR ENTSMINGER: The question
11 has been called for. All in favor of the motion to
12 send a letter say aye.

13

14 IN UNISON: Aye.

15

16 MADAME CHAIR ENTSMINGER: Anyone
17 opposed.

18

19 (No opposing votes)

20

21 MADAME CHAIR ENTSMINGER: Hearing none,
22 it passes. Okay.

23

24 MR. CARROLL: If I may add, I think the
25 letter should really stress the threat that we cannot
26 wait three years. I think the letter should really
27 stress the threat to the Yukon River salmon run.

28

29 MADAME CHAIR ENTSMINGER: I don't need
30 that in a motion, do I?

31

32 MR. CARROLL: No.

33

34 MR. UMPHENOUR: No.

35

36 MR. GLANZ: No.

37

38 MADAME CHAIR ENTSMINGER: And I agree
39 with him and I think we all agree we've got to hit on
40 the threat. Too much time goes by and we might lose
41 that fishery. Virgil.

42

43 MR. UMPHENOUR: The report we just
44 received from the Staff a while ago on the forecast or
45 the outlook for Yukon River chinook salmon for this
46 coming year is that there's a real good chance there
47 won't be any commercial fishery whatsoever. Maybe a
48 50/50 chance. Even if there is, it's going to be
49 really, really low abundance. So it's absolutely
50 absurd for these big multi-national companies that own

1 these trawlers to think that they should be allowed to
2 go out and fish in the manner they fish, which is the
3 manner that is the most wasteful ever devised by
4 humans, the most wasteful method of fishing period, to
5 be able to do that unrestricted with no penalty
6 whatsoever for them being totally irresponsible in
7 pursuit of the greenback dollar.

8

9 Madame Chair.

10

11 MADAME CHAIR ENTSMINGER: Well stated.
12 I hope you're correct in everything you said.

13

14 MR. UMPHENOUR: I was correct and those
15 people hate me and I hate them.

16

17 (Laughter)

18

19 MADAME CHAIR ENTSMINGER: Up front. We
20 are up front. Thanks, Virgil. We're going to move
21 along to the Fisheries Resource Monitoring Program.
22 Richard Cannon.

23

24 MR. CANNON: Thank you, Madame Chair.
25 Council Members. My name again for the record is
26 Richard Cannon. I am the OSM fisheries biologist
27 assigned to the Yukon River. Please refer to Page 101
28 of your Council books for a short update on the
29 Fisheries Resources Monitoring Program.

30

31 During past Council meetings you have
32 been briefed about changes to the Monitoring Program.
33 These changes will be implemented this year. We will
34 be moving to a two-year cycle where a monitoring plan
35 will be developed every other year.

36

37 The next Request for Proposals will be
38 issued in fall 2008 for projects that will begin in
39 2010. A draft monitoring plan will be prepared by the
40 Office of Subsistence Management staff and the
41 Technical Review Committee. The draft plan will be
42 presented to Regional Advisory Councils during their
43 October through November 2009 meetings. The Federal
44 Subsistence Board will meet in January 2010 to review
45 and approve a final plan. Investigators may request up
46 to four years of funding for long-term monitoring
47 projects, and up to two years of funding for new
48 project starts.

49

50 The table found in the middle of Page

1 101 lists the 14 fisheries monitoring projects that
2 will be operated in the Yukon Region during 2008. The
3 2008 Monitoring Plan for the Yukon Region was approved
4 as recommended by the Technical Review Committee and
5 the Western Interior, Yukon-Kuskokwim Delta, and
6 Eastern Interior Regional Advisory Councils

7
8 Twelve projects will be conducted in
9 the Yukon Region in 2008, including twelve salmon and
10 two non-salmon monitoring projects. Two new projects
11 will begin in 2008. Researchers will document the use
12 of subsistence-caught fish to feed sled dogs in the
13 Yukon River, and that's Project 08-250. The program
14 will also fund development of a strategic science plan
15 for Yukon and Kuskokwim whitefish species, Project
16 08-206.

17
18 That concludes my brief overview of
19 this monitoring program, Madame Chair, and I'd be happy
20 to take any questions the Council has.

21
22 MADAME CHAIR ENTSMINGER: Thank you,
23 Rich. Council Members, any questions. This is the
24 part where I get somewhat lost, all the fisheries stuff
25 is pretty complicated.

26
27 MR. CARROLL: I have a question.
28 Richard here. I don't see anything about the Chandalar
29 or Sheenjek River up in the Yukon Flats area. Just
30 wondering why it's not underneath this program or been
31 phased out or what.

32
33 MR. CANNON: Madame Chair. Richard.
34 Those projects are ongoing but they're not funded
35 through this program.

36
37 MR. GILBERT: I have a question.

38
39 MADAME CHAIR ENTSMINGER: Go ahead,
40 Matt.

41
42 MR. GILBERT: Why isn't the Yukon
43 Intertribal Watershed Council a part of these
44 organizations? I'm sure they do studies, too.

45
46 MR. CANNON: Madame Chair. Through the
47 Chair to Matt. The Intertribal Council could have the
48 opportunity to be involved if they were doing projects
49 or actually involved in doing projects, but I don't
50 believe that Council does that. I don't believe they

1 do monitoring projects for fisheries.
2
3 MR. GILBERT: But they do do harvest
4 counts, right?
5
6 MR. CANNON: I don't know the answer to
7 that.
8
9 MR. GILBERT: Thanks. That's all I
10 wanted to ask.
11
12 MADAME CHAIR ENTSMINGER: Does anyone
13 have the answer to that.
14
15 (No comments)
16
17 MADAME CHAIR ENTSMINGER: Any other
18 questions. Virgil.
19
20 MR. UMPHENOUR: Does the Staff need a
21 motion from the Council supporting these projects for
22 anything or this is just information?
23
24 MR. CANNON: Through the Chair to Mr.
25 Umphenour. No, we do not need that at this time.
26
27 MR. UMPHENOUR: Thank you. These are
28 the ones that are ongoing. Do you have a list of
29 anything you might be considering in the future, any
30 new projects?
31
32 MR. CANNON: No, basically we'll be
33 doing a call for the 2010 field season and we'll have
34 -- any new projects that we'll have we'll be coming
35 back to give you a briefing on that at your later
36 Council meetings.
37
38 MR. UMPHENOUR: Thank you.
39
40 MADAME CHAIR ENTSMINGER: Rich, didn't
41 I hear you say that the Western Interior RAC did
42 support?
43
44 MR. CANNON: Yes, they did. All three
45 of the Yukon Councils supported these monitoring
46 projects.
47
48 MADAME CHAIR ENTSMINGER: We did it and
49 I forgot. Sorry about that. Any other questions.
50 Matthew.

1 MR. GILBERT: I need to make a
2 correction. I apologize. I think the Yukon
3 Intertribal Watershed Council would fall under Partners
4 for Fisheries Monitoring Program.

5
6 MADAME CHAIR ENTSMINGER: Thank you,
7 Rich. We're moving along. Next is Partners. How long
8 is that presentation?

9
10 MS. BERKBIGLER: Depends on how many
11 questions Virgil asks me.

12
13 (Laughter)

14
15 MADAME CHAIR ENTSMINGER: She's an
16 honest lady. She's up front. I like it.

17
18 (Laughter)

19
20 MS. BERKBIGLER: It could be 10 minutes
21 or so.

22
23 MADAME CHAIR ENTSMINGER: Do you want
24 to go 10 minutes or have lunch? Council Members.

25
26 MR. FRENZL: Let's do this.

27
28 MADAME CHAIR ENTSMINGER: Okay. I'm
29 for doing this also, so let's go ahead.

30
31 MR. CANNON: Madame Chair.

32
33 MADAME CHAIR ENTSMINGER: Yes, I see
34 the program update and your name is next to it.

35
36 MR. CANNON: Yes. I need to just give
37 you a brief update on the program and then I'll hand it
38 off to Brandy to talk about her project.

39
40 MADAME CHAIR ENTSMINGER: Okay. Go
41 ahead.

42
43 MR. CANNON: Thank you, Madame
44 Chairman. Again, for the record, my name is Richard
45 Cannon with the Office of Subsistence Management. This
46 briefing for the Fisheries Partners Program is found on
47 Page 103 of the Council books.

48
49 The Partners for Fisheries Monitoring
50 Program was initiated in 2002 to strengthen Alaska

1 Native and rural involvement in subsistence fisheries
2 management and research. The Partner scientists
3 conduct fisheries research projects and rural
4 internship programs within the Monitoring Program.
5 Statewide, their participation has fostered over 100
6 new partnerships, mentored over 80 rural college
7 students in the sciences and assisted over 200 high
8 school students in educational science programs, and
9 generated recurrent matching funds from the National
10 Science Foundation.

11
12 The Office of Subsistence Management
13 announced a call for proposals in November of 2006 to
14 implement the second phase of the program beginning in
15 2008, following the initial 5-year phase that concluded
16 in 2007. The Service received 14 proposals that
17 requested, in total, \$1.7 million annually. Six
18 scientist and educator positions will be supported in
19 phase two, four full-time and two part-time positions.
20 Positions will be located in the Yukon, Kuskokwim,
21 Southwest, and Southcentral regions.

22
23 Within the Yukon region, Tanana Chiefs
24 Conference was again awarded a Partner fishery
25 biologist position. The position will serve as
26 principal investigator on Henshaw Creek weir and
27 support development of a Yukon/Kuskokwim whitefish
28 strategic plan. The biologist will also mentor rural
29 college students through projects and education
30 programs.

31
32 I can now introduce Brandy's
33 presentation on her project.

34
35 Thank you, Madame Chairman.

36
37 MADAME CHAIR ENTSMINGER: While her
38 computer is searching, any questions of Rich. Is it
39 done searching, Brandy?

40
41 MS. BERKBIGLER: It has to reboot.

42
43 MADAME CHAIR ENTSMINGER: So we need a
44 little time?

45
46 MS. BERKBIGLER: Yeah. It didn't read
47 it the first time.

48
49 MADAME CHAIR ENTSMINGER: A reboot
50 takes 10 minutes?

1 MS. BERKBIGLER: Yeah.

2

3 MADAME CHAIR ENTSMINGER: Oh, I think
4 we have an answer to a question that came up earlier.

5

6 MR. PAPPAS: If you don't mind, this is
7 off topic, but it gives a little bit extra time for the
8 reboot. I investigated the subsistence halibut fishery
9 in Southeast Alaska. It is managed by National Marine
10 Fisheries with cooperation with the Department since it
11 is in State waters under the authority of the
12 International Pacific Halibut Commission and there are
13 15,000 folks that do participate in the fishery that
14 they have to have a specific Federal permit, they are
15 allowed a large number of halibut per day, I don't know
16 exactly what it is, and no annual limit. The
17 regulations have been under review for three years.
18 Folks are allowed to sell up to like \$400 a year of
19 halibut, but not to any commercial markets. It's a
20 customary trade and barter kind of situation. That is
21 under review, so I couldn't get the exact regulations,
22 but, yes, you can exchange halibut for money.

23

24 The reporting of the harvest is
25 collected through Fish and Game, Subsistence Division,
26 with post-season surveys. They contact every permit
27 holder that does participate or not and also the
28 information is collected through contracting through
29 different tribal organization such as Sitka Tribe of
30 Alaska. The average harvest per person annually is
31 eight to nine halibut.

32

33 So there isn't a limit on total number
34 of halibut per year or a limit of total number of
35 pounds you can keep, but there is a limit monetarily of
36 what can change hands and that might change soon.
37 That's what I have for you.

38

39 Thank you.

40

41 MADAME CHAIR ENTSMINGER: Did you say
42 15,000 permits?

43

44 MR. PAPPAS: Yes, there are 15,000.
45 They're called SHARK permits. It's an acronym and I
46 don't know what it means. They're issued annually and
47 the Subsistence Division has to contact each one of
48 them. It's a mail-out survey. They do three different
49 tiers of that and then they follow up with phone calls,
50 so it's a very extensive reporting process. And the

1 reports require the total number of fish and the
2 poundage harvested by person.

3

4 MADAME CHAIR ENTSMINGER: For our
5 information. Thank you.

6

7 MR. PAPPAS: So I was incorrect on the
8 record earlier. It's not the Federal Subsistence Board
9 arena. There is also a State Subsistence Fishery,
10 which allows two hooks, two fish, per day. it's a
11 little bit confusing, but National Marine Fisheries
12 does manage that in State waters and Federal waters.

13

14 Thank you, Madame Chair.

15

16 MADAME CHAIR ENTSMINGER: Thank you,
17 George. I have to tell you something George told me
18 earlier. He said that Southeast RAC Chair charges five
19 bucks for every time the cell phone rings and for every
20 time we miss a name or 10 minutes late. What did they
21 raise, 400 bucks, for the Girl Scouts at one meetings?
22 Whew, boy, we could have fun here.

23

24 You're going to look at me when you're
25 ready?

26

27 MS. BERKBIGLER: Yes.

28

29 MADAME CHAIR ENTSMINGER: Vince, we
30 could give that housekeeping announcement again. We
31 were hoping a lot of people would have come last night
32 so we had a lot of extra food. Some of that stuff I'm
33 going to donate to the dog mushers because they have a
34 big thing coming up on Friday with a potluck dinner. I
35 think you had announced if anyone wants to contribute
36 towards the effort here, we have a local Boys and Girls
37 Club that we wanted to donate money to, so anybody that
38 wants to contribute, there was some put in last night,
39 we'll take more, not a problem.

40

41 MS. BERKBIGLER: Okay. Good afternoon,
42 Madame Chair and Council Members. My name is Brandy
43 Berkbigler with Tanana Chiefs Conference. I'm the
44 Partners fisheries biologist. I'll give you a quick
45 presentation on our projects we'll be doing this summer
46 and a couple of preliminary results from the projects
47 we did last summer.

48

49 Our 2008 projects update, I'm just
50 going to give a brief update. The Henshaw Creek Weir,

1 which was funded through the FIS OSM program was a
2 cooperative agreement with TCC and U.S. Fish and
3 Wildlife Service. Last year was the last year of that
4 project. We submitted a proposal, which you guys
5 reviewed in the fall, and then the Federal Subsistence
6 Board, with agreement, all approved it and Henshaw
7 Creek is now funded for another four years and it's
8 going to be solely operated by TCC.

9
10 Then we also did a Challenge Cost-Share
11 Grant last year for 2007, was the first year we did it,
12 and then we reapplied again this year for a science
13 camp out at Henshaw Creek and we also combined a little
14 bit of traditional knowledge. I had some elders come
15 up and do some traditional activities with the students
16 as well as us teaching the western side. So we
17 received approved funding for that for this year and we
18 also added on another component, to have a camp in
19 Allakaket.

20
21 And then we had funding for
22 age/sex/length of subsistence caught chinook salmon in
23 Holy Cross and Bishop Rock. We have received word of
24 funding again for that project this year. This is the
25 second year of the Tanana fall chum radiotelemetry
26 project, which was funded through AYKSSI, Alaska Yukon-
27 Kuskokwim Sustainable Salmon Initiative.

28
29 And then there's also the new project,
30 the Yukon-Kuskokwim Whitefish Strategic Plan that I
31 will be involved in when that starts this year.

32
33 There was a couple projects we put in
34 for and we're still waiting to hear notification if we
35 were awarded funding for those projects and also some
36 of them we received that we are not going to be funded.
37 The first one we're waiting to hear notification from
38 the R&E for the Ruby Tribal Council subsistence chinook
39 salmon sampling. This was also the same project that
40 was put in for the Tribal Wildlife Grant and I heard
41 that we didn't get funded but we ranked third out of
42 all the Alaska proposals, so this R&E grant was kind of
43 a downsize of the Tribal Wildlife Grant that Ruby was
44 putting in.

45
46 We're still waiting on notification
47 from the Pacific Coast Salmon Recovery Fund as to the
48 juvenile chinook otolith microchemistry project, which
49 is the same one we applied to AYKSSI for and were not
50 funded. If you recall, that's the one I was going to

1 tie in a master's project so I could get my graduate
2 degree.

3

4 Moving on to Henshaw Creek Weir, just a
5 couple pictures. If you've never seen a weir before,
6 this is out at Henshaw Creek and it's been in place
7 since 2000. This year it will be in operation again.
8 To give you an idea of location, it's on the Koyukuk
9 above Allakaket and below Bettles, right there on the
10 left-hand side.

11

12 The preliminary counts were 32,000 chum
13 and 569 chinook and of those I have the male and female
14 ratios, so pretty even for chum and significantly
15 different for -- I shouldn't say significantly, but
16 it's a pretty big difference for the chinook that we
17 seen this year coming back. The objectives of this
18 project are determine daily escapement and run timing
19 of adult salmon, determine the age, sex and length
20 composition and determine the number of resident fish
21 passing the weir.

22

23 So, in our preliminary brood table that
24 we received back from the State with our ASL data
25 analyzed we're still going to be publishing a final
26 report, which will be due in June, so I'll make sure we
27 get copies to you guys of the final results and that is
28 a report published by TCC and the Fish and Wildlife
29 Service for funding the FIS project in total.

30

31 So here, just the preliminary chum
32 salmon numbers, the standard mean lengths at the bottom
33 for the age classes and then for the chinook salmon
34 there's the percentages over to the right-hand side,
35 but at the bottom is the mean lengths of the age class
36 for the females and males that returned back to the
37 spawning grounds.

38

39 With the Challenge Cost-Share Grant
40 we'll be advertising in April for students to attend
41 the one-week-long camp at Henshaw Creek and then there
42 will be an additional camp in Allakaket for three days
43 and that will be for kindergarten through 12th grade
44 and we're inviting like the whole community.

45

46 Some of the lessons we'll be teaching
47 at Henshaw Creek will be fish identification, fish
48 dissection, stream ecology, aquatic invertebrates and
49 then also introducing the students that are up there to
50 the operation of a weir and data collection.

1 So then the subsistence chinook and
2 salmon collection in Holy Cross and Bishop Mountain
3 will be advertising to work with volunteer fish camps
4 in both these communities and our sample goal is 200
5 chinook and the data we'll be collecting from them is
6 just the ASL and we'll be doing genetic fin clips and
7 also recording the gear type and the location.

8
9 So, from 2007 we were able to collect
10 204 chinook salmon. We worked with five different
11 fishing persons. There was 100 males, 104 females, so
12 it was a pretty even ratio. Out of the age classes
13 from that sample was 3 percent age four, 24 percent age
14 five and 73 percent age six that came back for that
15 area. There's the mean lengths at the bottom for each
16 age class for the males and females.

17
18 Then in Bishop Mountain there was 200
19 samples collected, but only 186 of those were able to
20 be aged due to some of the scales that were collected
21 were regenerating, so they weren't able to age those
22 specific scales. So out of the 186 there was 91 males
23 and 95 females, 49 to 51 percent ratio, and then 3
24 percent age four, 19 percent age five and 77 percent of
25 those were age six harvested in that area.

26
27 In Holy Cross they used 8.5 set and
28 drift gillnets and then here and Bishop Mountain it was
29 8-inch set gillnets. So then there's the lengths at
30 the bottom by age class with males and females.

31
32 The last project is the Tanana Fall
33 Chum Radiotelemetry Project and it was funded through
34 AYKSSI and it's a cooperative study with all the
35 Partners. I did do an article in the TCC Council
36 newspaper which Vince provided you a copy of. It's
37 investigating the spawning habitats utilized in the
38 upper portion of the Tanana River drainage and this
39 year was the first year, so it was a pilot study just
40 to test the tags because we needed to figure out which
41 size would be best, and also with the size of the tags
42 determine the size of the battery, which then
43 determines the life of the battery.

44
45 So in the preliminary results the small
46 tag was regurgitated more frequently and the medium and
47 large tags were better, but if we go with the large tag
48 we'll have longer battery life which will be needed
49 since these fish are still spawning into November, so
50 the colder water will require longer battery life.

1 So, out of the 30 tags deployed we
2 tested 120 tags of the three sizes, but then we
3 deployed 30 of the tags, 10 of each size. This fall
4 we'll be deploying 300 tags and trying to work with the
5 fishers as much as possible that if they do recover any
6 of the tags in their fishing to try and get those back
7 to redistribute. Also, there's habitat monitoring
8 equipment that's been in place now where we found the
9 fish located and we'll be recovering that in the
10 spring.

11
12 With this slide you can see where the
13 fish were tagged down in the Kantishna and they're
14 traveling. All the red dots are moving and it will
15 recycle, so this is their movement pattern from
16 September when we tagged them, September 17th and 19th,
17 till December. The squares you can't see because of
18 the light on the screen right now, but there's four
19 squares just above in between the two top arrows and
20 those are the habitat monitoring equipment in place.
21 Just to give you an idea, they're above the Salcha but
22 they're below the Delta River. There's one that ends
23 up going into the Delta River, the very far right.

24
25 And then we did tag a little early on
26 the run since it was late this year and we couldn't
27 tell that until it was after the fact. This next year
28 since we're putting out 300 we're going to tag
29 throughout the run, so we should get a better idea of
30 all the fish going up as opposed to just the ones that
31 we were able to tag here.

32
33 With that, are there any questions.

34
35 MADAME CHAIR ENTSMINGER: That's pretty
36 cool, them fish going up that river. Any questions.

37
38 MR. UMPHENOUR: (Shakes head
39 negatively)

40
41 MADAME CHAIR ENTSMINGER: Virgil,
42 you're going to make it easy on us, huh, you're hungry.

43
44 (Laughter)

45
46 MR. FRENZL: I have one short question.
47 You mentioned regurgitating the tag. What does that
48 mean?

49
50 MS. BERKBIGLER: Basically throwing it

1 up. We'll stick the tag into the stomach and it will
2 sit in the stomach since the salmon aren't feeding when
3 they're traveling up the river. What we were trying to
4 find is which tag, number one, if it was a large tag
5 and it was too large it would rupture the stomach and
6 would kill the fish. If it was too small, the fish
7 could regurgitate it and then you wouldn't have the tag
8 data. So we were trying to find which one would fit
9 the best.

10
11 MADAME CHAIR ENTSMINGER: So how many
12 did you kill?

13
14 MS. BERKBIGLER: 120.

15
16 MADAME CHAIR ENTSMINGER: Did you eat
17 them?

18
19 MS. BERKBIGLER: Yeah, they were all
20 distributed. I didn't eat them personally.

21
22 (Laughter)

23
24 MADAME CHAIR ENTSMINGER: All right.
25 Any other questions. See, I made you ask a question.
26 Go ahead, Virgil.

27
28 MR. UMPHENOUR: So these are the tags
29 like they had on the king salmon basically so they have
30 the antenna sticking out of their mouth?

31
32 MS. BERKBIGLER: Correct.

33
34 MR. UMPHENOUR: So the fish basically
35 has a little radio in its stomach and then the antenna
36 sticks out its mouth.

37
38 MS. BERKBIGLER: Uh-huh.

39
40 MR. FRENZL: Is that right?

41
42 MADAME CHAIR ENTSMINGER: That's how
43 you can do those dots. That's pretty cool.

44
45 MR. FRENZL: Yeah.

46
47 MADAME CHAIR ENTSMINGER: Okay, thanks.
48 I think it's time for lunch and everyone is welcome to
49 help us eat up all this extra food that we have from
50 last night. Let's say between 1:00 and 1:30. If we're

1 done eating, we're going to come back early.

2

3 (Off record)

4

5 (On record)

6

7 MADAME CHAIR ENTSMINGER: Call the
8 meeting back to order. We're now down to Yukon River
9 fisheries management agencies and organizations and
10 their roles. Russ Holder.

11

12 MR. MATHEWS: Rich is not here. I'll
13 call Rich. Oh, no, Jeff is covering it.

14

15 MADAME CHAIR ENTSMINGER: I'm going to
16 lose on this \$5 thing for names. I'm going to be
17 paying out a lot. Sorry.

18

19 MR. MELEGARI: Madame Chairman. My
20 name is Jeff Melegari again with U.S. Fish and Wildlife
21 Service in Fairbanks. I'd just like to read into the
22 record a brief description of some of the management
23 agencies involved in the Yukon River salmon fisheries
24 management.

25

26 Management of salmon fisheries in the
27 Yukon River is primarily the responsibility of the
28 State of Alaska. However, the Federal Subsistence
29 Management Program and the U.S./Canada Yukon River
30 Panel also play a role in managing Yukon River salmon.
31 The following is a brief description of the role and
32 responsibilities of each of these three regulatory
33 bodies.

34

35 The Federal Subsistence Management
36 Program is responsible for ensuring continued customary
37 and traditional subsistence uses of fish and wildlife
38 under Title VIII of the Alaska National Interest Lands
39 Act. Since 1999, the Federal government has enacted
40 subsistence fisheries regulations with the intent of
41 providing a subsistence priority to Federally qualified
42 rural subsistence users in waters within and adjacent
43 to federal Conservation Units in Alaska under ANILCA.
44 The Federal priority for subsistence fisheries applies
45 to those portions of the Yukon River drainage which are
46 within and adjacent to Federal public lands,
47 approximately half of the Yukon River drainage. The
48 Federal Subsistence Board, representing the Secretaries
49 of Interior and Agriculture, adopts regulations through
50 a public process involving recommendations from

1 Regional Advisory Councils.

2

3 The Alaska Department of Fish and Game
4 manages fish and wildlife on all lands and waters up to
5 three miles offshore. The Alaska Board of Fisheries
6 adopts fishing regulations (subsistence, personal use,
7 commercial, and recreational fisheries) through a
8 public process involving the local fish and game
9 advisory committees. Under state law, subsistence has
10 the highest priority use over other uses and all state
11 residents qualify for subsistence. State regulations
12 apply to all lands and waters unless Federal rules
13 supersede on Federal public lands.

14

15 The dual subsistence management system.
16 Currently, subsistence fisheries are under a dual
17 subsistence regulatory system for waters in which the
18 Federal government has jurisdiction. The public can
19 submit proposals to change regulations and submit
20 comments on proposals within both the State and Federal
21 subsistence regulatory systems. State and Federal
22 agencies provide data, evaluate proposals, and may
23 comment within both regulatory systems. State and
24 Federal subsistence regulations may differ where
25 Federal jurisdiction is asserted. State and Federal
26 agencies attempt to coordinate in-season fisheries
27 management under the Yukon River Subsistence Fisheries
28 Management Protocol.

29

30 The U.S./Canada Yukon River Salmon
31 Agreement. The U.S./Canada Yukon River Panel was
32 provided for by Congress in the Yukon River Salmon Act
33 of 2000. The Yukon River Panel, consisting of Canadian
34 and U.S. members, is responsible for carrying out
35 provisions established in the Yukon River Salmon
36 Agreement, which was signed in 2002 as an annex to the
37 Pacific Salmon Treaty. The panel provides
38 recommendations to U.S. and Canadian management
39 entities concerning conservation and management of
40 Canadian-origin salmon. The U.S./Canada Yukon River
41 Joint Technical Committee, consisting of Canadian and
42 Federal, State, local and regional organizations,
43 provides technical support to the panel. The Agreement
44 specifies ADF&G is the responsible management entity
45 for Alaska/United States for the purposes of any
46 agreement with Canada regarding management of salmon
47 stocks originating from the Yukon River in Canada.

48

49 MADAME CHAIR ENTSMINGER: Any
50 questions.

1 (No comments)

2

3 MADAME CHAIR ENTSMINGER: I just had
4 one here. On your last sentence, ADF&G is the
5 responsible management entity for Alaska/U.S. Does
6 that mean Alaska and U.S. or does that mean.....

7

8 MR. MELEGARI: I believe that means
9 Alaska and U.S.

10

11 MADAME CHAIR ENTSMINGER: So basically
12 ADF&G is the lead person to the Canadians.

13

14 MR. MELEGARI: Yeah.

15

16 MADAME CHAIR ENTSMINGER: I see a lot
17 of nodding heads.
18 Okay. I appreciate this report. Any other questions
19 or comments.

20

21 (No comments)

22

23 MADAME CHAIR ENTSMINGER: Thank you.
24 Now it's the call for proposals for Federal subsistence
25 fisheries for the 09-11 regulatory years. Vince.

26

27 MR. MATHEWS: This is the time if you
28 want to draft proposals or submit proposals. I would
29 encourage you to give the intent of the proposal and
30 allow you to use your expertise on council as well as
31 staff to actually come up with the final language.
32 That would be reviewed by the Chair for approval, but
33 that's your call if you want to utilize that. I
34 believe there's some interest in some proposals, so
35 this would be the time.

36

37 MADAME CHAIR ENTSMINGER: I have a
38 feeling I know what it is. Shoot.

39

40 MR. UMPHENOUR: Thank you, Madame
41 Chair. I move that we submit the same two proposals
42 that we had last year to the Federal Subsistence Board
43 this year. After I get a second, I'll explain the
44 stuff.

45

46 MR. GLANZ: I'll second.

47

48 MADAME CHAIR ENTSMINGER: Almost had a
49 couple seconds there, but go ahead.

50

1 MR. UMPHENOUR: What the proposals
2 would be -- one proposal would be to limit gillnets
3 that are larger than 6-inch mesh to no deeper than 35
4 meshes. That would be the first proposal.

5
6 MADAME CHAIR ENTSMINGER: Which is
7 exactly what we had put in before.

8
9 MR. UMPHENOUR: Right. The second
10 proposal would be to the maximum mesh size allowed for
11 a gillnet in the Yukon River would be 7.5-inch stretch
12 mesh, would be the second proposal. As we reported
13 earlier in the meeting, we ended up with a tied vote.
14 I think the reason why the Forest Service
15 representative on the Federal Subsistence Board that I
16 think was going to vote for the proposal but changed
17 his mind at the last minute and I think one of the.....

18
19 (Cell phone ringing)

20
21 MADAME CHAIR ENTSMINGER: Five bucks.

22
23 (Laughter)

24
25 MR. UMPHENOUR: Let me just say I'll
26 call him back.

27
28 MADAME CHAIR ENTSMINGER: No, I don't
29 think I should allow it.

30
31 (Laughter)

32
33 MR. UMPHENOUR: I didn't think that
34 would happen.

35
36 MS. WHEELER: Timing is everything.

37
38 MADAME CHAIR ENTSMINGER: Somebody is
39 trying to tell you something.

40
41 (Laughter)

42
43 MR. UMPHENOUR: Anyway, what had
44 happened is the State representative at the Board got
45 to speak for close to an hour just before final
46 deliberations and that was the Director of Commercial
47 Fisheries for the State. He said the State was doing
48 several things to gain more information. One of the
49 things is that it was implied by the State that the
50 aging of salmon in the past they had not done very

1 accurately and that the aging may have been not correct
2 and that we may not have had as many seven and eight
3 year old chinook salmon in the population as previously
4 thought. Well, the preliminary results are in from
5 that study and that doesn't change anything. There was
6 nothing significant about that other than it was more
7 difficult to tell a two year in freshwater fish than a
8 one year fish spent in freshwater. So that was one of
9 the things that was brought up that I think may have
10 caused this person to change his mind.

11
12 The other thing that was brought up was
13 the fecundity of the fish. When I say that, that means
14 the number of eggs each female fish has and there have
15 been fecundity studies done in the past. I had data
16 from 1989 fecundity study and one done in 2005. The
17 Tanana River in District 6, the fecundity of the king
18 salmon had dropped by 24 percent. So the Department
19 stated that somehow, and I still don't understand how
20 this study done in 2005 that maybe it wasn't done in a
21 -- they didn't do a very good job on it. Whoever it
22 was that counted the eggs somehow didn't do a very good
23 and I don't know for sure what the reason was. They
24 said the eggs weren't frozen properly or something, but
25 I know they were because I froze them all. I don't
26 know what the deal was on that.

27
28 MADAME CHAIR ENTSMINGER: Virgil, do
29 you think we need to get into all that part of it since
30 it's a proposal?

31
32 MR. UMPHENOUR: I'm just pointing out a
33 couple of things here so that the people are aware of
34 it.

35
36 MADAME CHAIR ENTSMINGER: Well,
37 everybody here is probably aware of it.

38
39 MR. UMPHENOUR: But those are two of
40 the issues that I think may have caused that person to
41 change their mind because the first part of
42 deliberations he was leaning that way after the
43 proposal was brought to the table.

44
45 MADAME CHAIR ENTSMINGER: Yes, it
46 appeared so. So we have a motion before us and a
47 second that these two proposals be put before the
48 Federal Subsistence Board once again and we'll just
49 talk to that.

50

1 MR. UMPHENOUR: Okay. There's some
2 more studies that are being done right now, studies
3 directed at shedding information on these two proposals
4 and what the effect will be if these proposals are
5 passed. Richard Cannon can give us a brief overview of
6 what might come out sometime this summer on one of the
7 studies.

8
9 MR. CANNON: Madame Chairman. The
10 studies that Mr. Umphenour is referring to is a
11 research modeling study that is being done by the U.S.
12 Fish and Wildlife Service by Dr. Jeff Bromagin and Jeff
13 is attempting to model the factors that could have
14 accounted for a decline in the size and age of fish for
15 chinook salmon over time. That study is scheduled to
16 be completed in June; however, Jeff has told me he may
17 be asking for an extension of his deadline to the fall
18 of this year. He's not sure if he'll need that, but
19 it's something he's considering.

20
21 Thank you.

22
23 MADAME CHAIR ENTSMINGER: Council
24 Members. Vince.

25
26 MR. MATHEWS: Virgil, in your motion,
27 are you indicating that you would you like your
28 proposal submitted with the additional data that may
29 have come since the last time you submitted it, these
30 different studies and that, in the language of the
31 proposal?

32
33 MR. UMPHENOUR: I think we should
34 update the proposals to include any additional
35 scientific information that's become available since
36 then and also point out that this other study that Dr.
37 Bromagin is doing that that analysis is due by fall.

38
39 MR. MATHEWS: Madame Chair. One last
40 question for the mover of the motion. Are you still
41 maintaining the same phase-in time period since the
42 Board looked at a longer phase-in time period during
43 that vote?

44
45 MR. UMPHENOUR: I think I would look at
46 the same phase-in time period that we had previously.
47 We've already lost a year. The outlook for this coming
48 year, that is just a result of not taking action sooner
49 and the longer we wait to take action, the more in the
50 toilet and the less productive the Yukon River chinook

1 run is going to be because of the loss of fecundity and
2 older age classes.

3

4 MADAME CHAIR ENTSMINGER: Am I correct,
5 Vince, you're looking for more justification?

6

7 MR. MATHEWS: Yes, that's all I'm
8 looking at. We've had different conversations with
9 Virgil about different options with this situation,
10 which included request for reconsideration of the Board
11 and special action, so I'm just refreshing him on that.
12 I think Richard and I are comfortable with what you
13 said so far. The proposal will add in any additional
14 reference to data that has been collected or will be
15 collected that the Board would consider. And he's made
16 it clear that the same phase-in would stay the same as
17 the original proposals.

18

19 MADAME CHAIR ENTSMINGER: Okay. Since
20 it's a proposal and we put it forth before and we're
21 putting it forth again, I guess that's all we need to
22 talk to.

23

24 MR. UMPHENOUR: This issue has been
25 addressed and it's been addressed for quite some time.
26 Maybe Polly could give you a brief overview of how it
27 was addressed in 2001 because her and I were working
28 together addressing this exact same issue and what the
29 Board did at that time was -- that's when we
30 implemented the windows schedule in and we screwed up.
31 The reason we screwed up was because of our workload at
32 the time and we made it so that there was a loophole so
33 the Department could deviate from it when the
34 commercial fishing period starts, but that was not the
35 original intent. I'd just like her, so you don't have
36 to listen to me all the time, just tell how long we
37 worked on this issue and what time we finished it in
38 the morning.

39

40 MADAME CHAIR ENTSMINGER: You're
41 absolutely so polite.

42

43 MS. WHEELER: Thank you, Madame
44 Chairman. Member Umphenour. This was a while ago and
45 it was when I was working for the State of Alaska
46 Department of Fish and Game and we had the committee
47 work that was done and then, as I remember, we finished
48 up the committee report about 2:00 or 3:00 in the
49 morning and then presented it the next day. It was a
50 lot of work, a lot of intense workload, the Department

1 Staff work, Comm Fish, Sport Fish, Subsistence
2 Division. There was a lot of work before the Board.
3 It was a month long Board meeting and this was one part
4 of many, but there was a lot of work and effort that
5 went into it at that time. If I were a lawyer, I'd
6 remember the billable hours, but that was all off time
7 and Fish and Game didn't give comp time. It was late
8 in the night when we finished that report. Mr. Chair
9 -- or Madame Chair, excuse me.

10

11 MADAME CHAIR ENTSMINGER: That's all
12 right, sometimes they call me Mister.

13

14 MR. UMPHENOUR: The reason why I bring
15 this up is because at the time this was addressed we
16 had to do what normally would have been three Board
17 meetings that normally would have lasted 15 days for
18 two of them and about 10 days for the other one and we
19 did all that in one meeting. The majority of the time
20 we never quit work before 10:00 or 11:00 at night and I
21 know that night Polly and I finished with that report
22 between 2:00 and 3:00 in the morning and I was supposed
23 to be prepared to present that report to the Board at
24 8:30 in the morning.

25

26 MS. WHEELER: And you were.

27

28 MR. UMPHENOUR: And I did.

29

30 (Laughter)

31

32 MR. UMPHENOUR: So that's the only
33 reason I bring this out, because there's very little
34 institutional memory on what happens there, but there's
35 two of us that participated in the process and I was
36 the chair of the process at the time. This is still
37 the same issue eight years later.

38

39 Thank you.

40

41 MADAME CHAIR ENTSMINGER: Right. I
42 have a question. As you know, government moves very
43 slow sometimes. The timing of the Board of Fish to
44 take this up next versus the Federal Board, which would
45 come first. Can someone answer that.

46

47 MR. UMPHENOUR: I can answer it.

48

49 MADAME CHAIR ENTSMINGER: Okay.

50

1 MR. UMPHENOUR: The Federal Board will
2 take it up first. I don't know if they're going to
3 meet in December or January, but the next time the
4 Board of Fisheries would take this up would be the AYK
5 meeting which will be held a year from -- it will be
6 two years from last January, which will be
7 approximately a year after the Federal Subsistence
8 Board would take it up.

9
10 I can tell you one thing. If the fish
11 run is so bad that there's absolutely no commercial
12 fishery again this year like there was in 2000 and if
13 they have to restrict subsistence users and if we don't
14 meet our border passage to Canada, I think the Board of
15 Fisheries might be wanting to take it up sooner. We've
16 been in violation of the treaty with Canada the last
17 two years running and if we're in violation a third
18 year in a row, the Canadians are not going to be very
19 happy.

20
21 MADAME CHAIR ENTSMINGER: Speaking to
22 your motion then, the wording of the two new proposals
23 that are going forward would have some added
24 justification is what I'm hearing, correct?

25
26 MR. UMPHENOUR: That's correct, there
27 will be added justification because we have new
28 scientific data and we're going to have more new
29 scientific data.

30
31 MADAME CHAIR ENTSMINGER: Okay. Any
32 more discussion on the proposal. Matthew.

33
34 MR. GILBERT: Yeah, it's just this
35 Yukon-Kuskokwim Delta Subsistence RAC opposed it and
36 said king salmon subsistence and commercial fisheries
37 are very important to the people of the Lower Yukon.
38 Do the Yup'ik do commercial fisheries? I don't think
39 so. They don't do commercial fisheries, do they?

40
41 MADAME CHAIR ENTSMINGER: Yes. That's
42 a major problem.

43
44 MR. GILBERT: Oh.

45
46 MADAME CHAIR ENTSMINGER: Yes, 42 of
47 them came out to testify at the meeting. We can get
48 you up to speed on that. I think what they're saying
49 right there is they also subsistence fish. So, in
50 speaking to the proposal, what we would want to vote on

1 the proposal is in a motion form, do we want to put the
2 proposal forth. That's what we're voting on. It would
3 be similar to what had gone forth before except there's
4 added information for the justification.

5
6 MR. CARROLL: I call for the question.

7
8 MADAME CHAIR ENTSMINGER: The question
9 has been called for. All in favor of putting these two
10 proposals forth once again to the Federal Board say
11 aye.

12
13 IN UNISON: Aye.

14
15 MADAME CHAIR ENTSMINGER: All opposed.

16
17 (NO opposing votes)

18
19 MADAME CHAIR ENTSMINGER: The two
20 proposals will go forward again. Richard, I'd like you
21 to also look at it when it's finished being written and
22 Virgil and then it goes to me. I count on you guys
23 very much on this part of it because it's not my
24 specialty. Virgil, do we have time to put this forth
25 again for the Fish Board in the future at our next
26 meetings?

27
28 MR. UMPHENOUR: Right. Whenever the
29 call for proposals comes out for the Board of Fish,
30 then we'll have time to do that then. It's the same
31 every year. The 10th of April is the deadline.

32
33 MADAME CHAIR ENTSMINGER: I don't think
34 we need to go through the merits of the proposal now,
35 but we may want to do that with the Fish Board once
36 again.

37
38 MR. FRENZL: Madame Chair. I'd like to
39 apologize for my lateness. I was detained. I met an
40 old friend of mine, Fred Rungey, who is back in town.
41 Hurrying back over my old truck stalled. I got it
42 running again, but I apologize for any delay it may
43 have caused.

44
45 MADAME CHAIR ENTSMINGER: That's a true
46 Alaskan speaking.

47
48 MR. FRENZL: I'll cheerfully put
49 something in the Brownie Fund or something.

50

1 MADAME CHAIR ENTSMINGER: Not a
2 problem. Thank you. So Fred is back in town?

3

4 MR. FRENZL: Yes.

5

6 MADAME CHAIR ENTSMINGER: Cool. I
7 haven't seen him in a while. Is there any other
8 fisheries proposals? Anyone has anything they'd like
9 to put forth? Okay, Virgil.

10

11 MR. UMPHENOUR: The Fairbanks Advisory
12 Committee is putting several proposals forward for the
13 Copper River meeting, which will be next year, and
14 those proposals will affect our region, the upper part
15 where you live, Sue. Will affect the Upper Copper
16 River drainage and most of those we will get to address
17 prior to the Board of Fish meeting and so we can
18 address those at that point of time. The Board of
19 Fisheries proposals are different than the Board of
20 Game in that they print one proposal book a year. The
21 proposal book will be out by September more than likely
22 and so we'll have the proposal book so we can look at
23 those proposals then and discuss them and make our
24 recommendations at that point in time. I just wanted
25 to bring up the fact that the Fairbanks Advisory
26 Committee is submitting some proposals that will be
27 beneficial to the subsistence users in the Upper Copper
28 River drainage.

29

30 Madame Chair.

31

32 MADAME CHAIR ENTSMINGER: Okay. Thank
33 you, Virgil. Anything else on this.

34

35 (No comments)

36

37 MADAME CHAIR ENTSMINGER: Next is
38 drainage-wide consensus building options update.
39 Vince.

40

41 MR. MATHEWS: Basically each of you
42 should have gotten a copy of a joint letter from your
43 chairperson and the chairperson for Western Interior,
44 Jack Reakoff, asking the Yukon-Kuskokwim Delta Regional
45 Advisory Council to agree to allowing the coordinating
46 fishery committee and the chairs or their designee to
47 meet to look at options on improving communication and
48 cooperation. The Yukon-Kuskokwim Delta Regional
49 Advisory Council meets later this week. I did contact
50 the coordinating fishery committee members. I was only

1 able to reach one by phone, but Staff from OSM, Larry
2 Buklis, will be presenting this topic to them.

3
4 For Matt, basically the issue of
5 fisheries is dear to all along the river, but sometimes
6 people get into finger-wagging and name-calling and
7 this effort is to try to look at better ways of
8 communicating to stay focused on the issue and see if
9 there's possible common ground. I'll report back at
10 the next meeting or before the next meeting, assuming
11 that Yukon-Kuskokwim Delta agrees to this effort to
12 look at other options. So that's the full update, but
13 it was a joint effort between Sue and Jack Reakoff.

14
15 MADAME CHAIR ENTSMINGER: So, Vince, is
16 there any indication that we'll ever get to meet again?

17
18 MR. MATHEWS: I would think they'll
19 agree to this. We have another option beyond that, but
20 I think they'll agree to it and we'll have to look at
21 scheduling it. I'm not going to hoodwink you. We're
22 all focusing on that Board of Fish meeting, so we're
23 trying to see if we can get some better communication,
24 cooperation both from the Federal side, but basically
25 to come to the Board of Fish with -- I don't want to
26 say a consensus position, but one that focuses on the
27 issues and allows that Board as well as the Federal
28 Board before it to focus on the issue and not on the
29 side discussions and concerns. We'll see by the end of
30 the week. I hope to listen to that meeting in Kalskag
31 by teleconference, so I hopefully will get an
32 indication by listening in where they go.

33
34 MADAME CHAIR ENTSMINGER: Okay. Moving
35 on. Number 10, Office of Subsistence Management,
36 status of C&T use determinations. It's not going to be
37 Pete Probasco.

38
39 MS. WHEELER: Just to add a little
40 variety, it's me again.

41
42 (Laughter)

43
44 MS. WHEELER: I'm going to be fairly
45 brief on this because since this briefing page was
46 prepared the Federal Board actually met on the policy.
47 There's a briefing in your RAC books on Page 104 on the
48 status of the C&T policy. As you probably remember,
49 for those of you that were here in the fall, a draft
50 policy on C&T use determinations was presented to each

1 of the 10 Regional Advisory Councils. We were looking
2 for public comment. The draft policy laid out the
3 existing Board process for addressing C&T use
4 determinations. There was a three-month public comment
5 period beginning at the end of August going through
6 December 1. We actually extended it by a week at the
7 request of several groups. A total of 13 comments on
8 the draft policy were received. I know Vince put some
9 in your packet. I have a stack here if any of you are
10 interested in looking at them.

11
12 The comments on the policy spanned a
13 pretty broad range of perspectives, supporting the
14 status quo to completely changing how we do things,
15 rigid thresholds, definitions for everything. The
16 Federal Board met on it last week to decide what to do
17 with it. Basically the Federal Board opted to defer
18 further work on the draft policy pending the outcome of
19 the case currently before the ninth circuit court of
20 appeals.

21
22 As you probably all are very well
23 aware, the State of Alaska sued the Federal Subsistence
24 Board on their finding to include Chistochina and all
25 of Unit 12 for moose and Judge Holland came out with
26 his decision on June 27, 2007 basically in support of
27 how the Federal Board has done -- basically in support
28 of that decision, but also in support of how the
29 Federal Board has done customary and traditional use
30 findings. The State appealed that decision, so now
31 it's before the ninth circuit court of appeals. It was
32 briefed, the briefs were developed by the Department of
33 Justice and the Board last week met and because of all
34 the litigation at hand, they opted to defer further
35 work on the policy to wait and see what the outcome was
36 going to be from the ninth circuit court of appeals.

37
38 So that's the late-breaking news. I
39 actually even have a press release for you which says
40 basically what I just said.

41
42 MADAME CHAIR ENTSMINGER: And the press
43 release is from.

44
45 MS. WHEELER: The press release is from
46 the Office of Subsistence Management.

47
48 MADAME CHAIR ENTSMINGER: I'd like a
49 copy of that.

50

1 MS. WHEELER: I have lots of copies and
2 I'd just as soon not go home with them.

3
4 MADAME CHAIR ENTSMINGER: Any questions
5 of Polly on this policy. I have in from of me -- it's
6 from Gloria Stickwan, she's part of the AHTNA, and it's
7 to the Eastern Interior RAC. She's asking of this RAC,
8 please consider including the amendment discussed in
9 number 4 on the attached page in the Eastern Interior
10 RAC's comments on the proposed policy on implementation
11 of customary and traditional use determination. The
12 attached page is taken from the AHTNA Subsistence
13 Committee's comments on proposed policy.

14
15 All I have in front of me is a
16 handwritten note from her and then this. I couldn't
17 find -- is this in that packet of comments?

18
19 MS. WHEELER: Madame Chair. It is in
20 the packet. There aren't any page numbers per se on
21 the packet, but it's about halfway through. It's a
22 five-page comment signed by Linda Tyone, chairperson.
23 What I would say to that is that, again, the Board has
24 basically deferred further action on the draft policy
25 until there's a decision by the ninth circuit on the
26 Chistochina case.

27
28 So while obviously the Eastern Interior
29 RAC can move forward and make whatever recommendations
30 they want to make, I suspect that until the court
31 decision comes out there's not going to be -- I mean
32 the Board opted to not do anything further until the
33 court decision comes out. When is the ninth circuit
34 going to rule? Who knows. Lawyers are pretty
35 reluctant to say specifically as to when that might be.
36 They're thinking maybe January of 2009, so it's a ways
37 away.

38
39 MADAME CHAIR ENTSMINGER: What I just
40 want to report to the Council is when I have an
41 organization as big as AHTNA in my region, these are my
42 neighbors and friends, when they ask something this
43 important to us, I want us to talk about it and discuss
44 if we want to take it up. I just found it. It's in
45 our green folder. The front says public comments
46 submitted in response to the Federal Subsistence
47 Board's draft policy.

48
49 MR. MATHEWS: For the Council Members,
50 I only provided it to Sue and Virgil. Polly is passing

1 out a copy.

2

3 MADAME CHAIR ENTSMINGER: Oh, I'm
4 sorry. They didn't have it. Just us.

5

6 MS. WHEELER: Now they do.

7

8 MADAME CHAIR ENTSMINGER: She opened it
9 to where this starts and what AHTNA was asking of us --
10 and I believe Gloria is on the Southcentral.

11

12 MS. CELLARIUS: Gloria Stickwan is a
13 member of the Southcentral RAC, although when she asked
14 me to bring you the note with the request, it's a
15 request from Gloria personally.

16

17 MADAME CHAIR ENTSMINGER: Okay, I
18 gotcha. Even though she's sending it to us personally,
19 she also works with this committee, the AHTNA
20 Subsistence Committee. All I want you to go to is Page
21 3 and look at number 4. That is what she's asking us
22 to look at. The policy should be amended to include a
23 section under guiding considerations that states that
24 after the Federal Subsistence Board has made a positive
25 C&T determination for community or area, there will be
26 a strong presumption that the determination is valid
27 and that the Board will only consider a proposal to
28 modify or resend a C&T use determination if the
29 proponent has demonstrated substantial new information
30 supporting the proponent's claim. This will prevent a
31 community from having to constantly defend a C&T
32 determination from a hostile State administration or
33 sport/commercial use group hoping to find a changed
34 Board or a more favorable political situation. It will
35 also save OSM Staff time and effort better spent on
36 more productive areas supportive of subsistence uses.

37

38 She's asking us to support this
39 position. I want you guys to be aware of this and I
40 want your opinion.

41

42 MR. GLANZ: So what I'm reading is if
43 it's determined that the C&T -- if the village goes to
44 a population of 10,000 there is no rescinding it? I
45 don't understand exactly what it means.

46

47 MADAME CHAIR ENTSMINGER: I think she's
48 specifically talking about what happened to
49 Chistochina.

50

1 MR. GLANZ: But she did not specify
2 just a village. Once they make the determination, it's
3 valid forever.

4
5 MADAME CHAIR ENTSMINGER: She says
6 unless has demonstrated substantial new information
7 supporting the proponent's claim. So that would do it.

8
9 MR. GLANZ: An increased population
10 would do it.

11
12 MADAME CHAIR ENTSMINGER: Yeah.

13
14 MR. GLANZ: Okay.

15
16 MADAME CHAIR ENTSMINGER: Polly.

17
18 MS. WHEELER: Just to be careful here
19 that we're not mixing apples and oranges, there's rural
20 determinations and then there's customary and
21 traditional use determinations, so they're all part of
22 the Federal Subsistence Management Program. The
23 population is a rural issue. The C&T determination is a
24 pattern of use issue, so they're sort of two different
25 animals. Related, but different.

26
27 MADAME CHAIR ENTSMINGER: But this one
28 is C&T.

29
30 MS. WHEELER: Correct. What AHTNA is
31 saying there is that once the Board acts on a C&T use
32 determination the assumption is that's a valid
33 determination and that we're not going to go back every
34 year and have a proposal to revise it, revisit it,
35 change it, alter it. That's what that lengthy
36 paragraph is saying.

37
38 MADAME CHAIR ENTSMINGER: But then
39 there are areas that C&T's are all rural residents that
40 haven't really been done a C&T.

41
42 MS. WHEELER: That's correct.

43
44 MADAME CHAIR ENTSMINGER: So this would
45 affect that.

46
47 MS. WHEELER: No, because in the
48 absence of a C&T finding it's all rural residents.

49
50 MADAME CHAIR ENTSMINGER: Okay.

1 MS. WHEELER: So if you do not have a
2 C&T use finding, the pool of users is all rural
3 residents. Once you have a finding, our program
4 operates on the assumption that anybody can submit a
5 proposal to add or change that C&T finding once it's
6 made.

7
8 MR. GLANZ: I understand. So I'll make
9 a motion that we adopt it as read, number 4.

10
11 MADAME CHAIR ENTSMINGER: This would be
12 our comment to the policy. I hear a motion.

13
14 MS. WHEELER: I was just going to add
15 we will take these comments back, but you need to
16 recognize that the public comment period per se is
17 closed, but we can take this as an Eastern Interior
18 comment to the policy, recognizing that the comment
19 period itself is closed. I just want to be clear for
20 the record.

21
22 MADAME CHAIR ENTSMINGER: Okay. So we
23 can do that. I was also told that possibly the
24 Southcentral RAC put this in their report to the
25 Secretary, the annual report to the Secretary.

26
27 MS. WHEELER: I suspect that they
28 probably did because they did actually put in formal
29 comments to the C&T policy, so I suspect that they did
30 put something in their annual report, but to be honest
31 I don't know that for a fact.

32
33 MADAME CHAIR ENTSMINGER: I was told
34 that. So what the motion is before us we're going to
35 comment to a comment period that's closed. Is that
36 what we've got going here?

37
38 MS. WHEELER: What you can say is that
39 you recognize the Federal Board has deferred action --
40 I'm just throwing this out as a suggestion. You
41 recognize that the comment period is closed, that the
42 Federal Board has deferred action on the policy until
43 after the ninth circuit has ruled; however, you're
44 still interested in letting them know what you think if
45 or when they take it up again.

46
47 MADAME CHAIR ENTSMINGER: That's a
48 motion, huh.

49
50 MR. GLANZ: Yes, it sure is. So we

1 need a second on that, right?
2
3 MADAME CHAIR ENTSMINGER: Right. I
4 understand it. Does everyone else understand it. Do I
5 hear a second.
6
7 MR. UMPHENOUR: Second.
8
9 MADAME CHAIR ENTSMINGER: Any other
10 discussion.
11
12 (No comments)
13
14 MR. UMPHENOUR: Question.
15
16 MADAME CHAIR ENTSMINGER: The question
17 has been called for. All in favor say aye.
18
19 IN UNISON: Aye.
20
21 MADAME CHAIR ENTSMINGER: No
22 opposition.
23
24 (No opposing votes)
25
26 MADAME CHAIR ENTSMINGER: It passes.
27 Now we are moving rapidly along. Status report on
28 requests for reconsideration of the rural/non-rural
29 determinations. This is information only.
30
31 MS. WHEELER: Madame Chair. In the
32 interest of feeling the press of the agenda, I will
33 just refer you to Page 105 in your books. You can read
34 that at your leisure. It's dealing with the requests
35 for reconsideration of the rural/non-rural
36 determinations. I would just add in response to
37 Matthew's comments yesterday about Delta being rural,
38 it retained its rural status based on the initial
39 evaluation and that has not been challenged, so I
40 suspect that's intact.
41
42 MR. FRENZL: It is.
43
44 MS. WHEELER: And it will stay that
45 way. Just to answer your question from yesterday.
46 That's all I have on that issue, Madame Chair.
47
48 MADAME CHAIR ENTSMINGER: Thank you,
49 Polly. Annual report.
50

1 MR. MATHEWS: On the fall meeting you
2 guys had no topics with the annual report with the open
3 window up till February and there was no topics
4 submitted. Basically I'm just going to transfer over
5 to Sue to sign a letter, it's now required, that the
6 Councils that don't have an annual report send in a
7 letter that they're not submitting an annual report.
8 So this letter will go to you for signature today and I
9 can turn that in. But you do not have a 2007 annual
10 report to submit.

11
12 MADAME CHAIR ENTSMINGER: Is that
13 because we lost the window of time to do so?

14
15 MR. MATHEWS: The window was that the
16 fall meeting with it open until February for people to
17 submit topics. None were submitted.

18
19 MADAME CHAIR ENTSMINGER: Gosh, help me
20 out, Council Members. Didn't we just want to push
21 forward what we've always had out there? No memory?

22
23 MR. UMPHENOUR: I have some memory, I
24 think.

25
26 MADAME CHAIR ENTSMINGER: An elephant
27 memory. Refresh mine.

28
29 MR. UMPHENOUR: I'll try to refresh
30 your memory. I think what we said is that our issues
31 that we've put in our annual report are still valid,
32 but we basically don't have any new issues, but all the
33 ones that we've had for the last five years or so have
34 been basically the same issues and we feel are all
35 still valid. Something on the order of that, I
36 believe.

37
38 MADAME CHAIR ENTSMINGER: As long as
39 that's in the letter Vince, is it.

40
41 MR. MATHEWS: The Council at this time
42 has no issues to bring forward and will not be
43 submitting a 2007 annual report.

44
45 MADAME CHAIR ENTSMINGER: Well, I would
46 want it to say that our issues are the same as the
47 past. Does it say that?

48
49 MR. MATHEWS: No, it does not say that.
50

1 MADAME CHAIR ENTSMINGER: I think it
2 needs to. The letter should state that our issues are
3 ongoing, the same.

4
5 MR. GLANZ: Yes, ongoing.

6
7 MR. MATHEWS: So then I would just
8 resubmit the 2006 one then.

9
10 MADAME CHAIR ENTSMINGER: Well, you can
11 submit that letter just stating so. No new issues, but
12 the old ones are still on the table we would assume.

13
14 MR. MATHEWS: Okay. I'll modify the
15 letter and get it to you for signature. Not today.

16
17 MADAME CHAIR ENTSMINGER: We have to
18 think about that annual report sometimes. If there's
19 key issues that you really have heartburn about, this
20 is what we can go directly to the Secretary of Interior
21 with, a report.

22
23 MR. MATHEWS: No, it's been delegated
24 to the Federal Subsistence Board to act on and respond
25 to.

26
27 MADAME CHAIR ENTSMINGER: Okay. Now
28 it's the organization reports. Native corporations,
29 village, tribal or others. We probably got those
30 throughout the meeting. Now Alaska Department of Fish
31 and Game has a report. The area biologist is here, so
32 if we want to talk about any of the caribou herds or
33 anything that's going on in this region, this would be
34 the time to ask questions.

35
36 Terry.

37
38 MR. HAYNES: Thank you, Madame Chair.
39 None of us have prepared reports to present to you, but
40 we do have a fisheries biologist here who might be able
41 to answer questions if they haven't already. Of
42 course, like you say, the area biologist from Tok is
43 here if you have questions or would like information
44 from him. If you have questions of Staff who aren't
45 here, I can certainly take those back to the Department
46 and try to get answers for you.

47
48 MADAME CHAIR ENTSMINGER: Virgil.

49
50 MR. UMPHENOUR: I have a question of

1 the fisheries people. That is Prince William Sound
2 Aquaculture Association got a nasty letter from the
3 Commissioner's Office about a year ago and they were
4 not in compliance with the State regulations on their
5 egg tags and a whole bunch of different stuff, genetics
6 and everything else, and I was wondering whatever come
7 of that. You might not even know what I'm talking
8 about.

9

10 MR. PAPPAS: I can get an answer for
11 you. I can make some phone calls and be back in five
12 minutes, sir.

13

14 MR. UMPHENOUR: Well, if you can find
15 out what happened, but of course you know there's a guy
16 that works in the Commissioner's Office and Comm Fish
17 Division in Juneau, his name starts with an F, I think,
18 that's in charge of the hatcheries, the P&P
19 coordinator, I think is his title. I'm just wondering
20 if PSWAC complied with what they were supposed to do or
21 not.

22

23 MR. PAPPAS: Through the Chair. Mr.
24 Umphenour. I'll be back in five minutes.

25

26 MR. UMPHENOUR: Off you go.

27

28 MADAME CHAIR ENTSMINGER: Just put your
29 phone on mute.

30

31 (Laughter)

32

33 MADAME CHAIR ENTSMINGER: Any questions
34 of the area biologist that you talked about the
35 Fortymile Caribou Herd.

36

37 MR. GLANZ: I think we had a half an
38 hour meeting in the kitchen.

39

40 MADAME CHAIR ENTSMINGER: Oh, they've
41 been meeting behind doors. No, I'm kidding. They've
42 actually had a nice pow-wow in the kitchen. Is there
43 any summation of the 30 minutes you'd like to tell us
44 about.

45

46 MR. GLANZ: Not really. It was just
47 going over some points in there. Actually the caribou
48 distribution and so forth that we talked about. We're
49 involved with the Fortymile Herd pretty much.

50

1 MADAME CHAIR ENTSMINGER: So we do more
2 business sometimes when we're having lunch, huh. Go
3 ahead, Virgil.

4
5 MR. UMPHENOUR: At the Board of Game
6 meeting, of course you didn't present this, but you're
7 the area biologist, but they did a study to determine
8 how many grizzly bears are out in Unit 20E in that area
9 where they put the barbed wire out and cut their hair
10 and baited them and hair samples and did DNA analysis.
11 I found that pretty interesting. One of the things
12 they pointed out, those big burns that were up in the
13 Fortymile area, which is a lot of the caribou habitat,
14 is that the grizzly bears would not hardly even go out
15 in those big burns.

16
17 So that leads me to kind of a question
18 and that is what kind of an impact do you think those
19 burns have and et cetera on the habits of the Fortymile
20 Caribou Herd or have you guys tried to figure that out.

21
22 MR. GROSS: Through the Chair. We have
23 a lot of monitoring data that Rod Vorteer (ph), our
24 research biologist, has been continuing to collect and
25 we help them out at the Tok office. The caribou, just
26 in general, talking to Rod and my observations, they're
27 not utilizing the burn especially during the winter.
28 They travel through it, but they're really not spending
29 a lot of time there. They spend more time there during
30 the summer, especially with the new growth coming back.
31 That's when they're calving and the bears are out of
32 the den and so on. I think what you're kind of getting
33 at is what kind of effect is this going to have on bear
34 predation on the Fortymile Herd. Is that kind of where
35 you're going?

36
37 MR. UMPHENOUR: Not necessarily. That
38 and if it looks like it's changing the habits of where
39 the caribou -- you know, of their range and where they
40 roam around at.

41
42 MR. GROSS: It has somewhat. For the
43 most part, their core summer and calving range is
44 pretty much the same. I would say in the last few
45 years we've seen the herd spread over a larger area
46 during the winter. They really haven't analyzed any of
47 the data, but they're definitely not using all the
48 country they used to use prior to the burn because it
49 doesn't provide the same winter habitat now. We
50 actually lost -- some of the area that was burned was

1 some excellent caribou habitat as well. The Nelchina
2 Herd had actually been using quite a bit of that
3 habitat, kind of the southern end of the Unit 20E here.
4 They probably change their patterns more so than the
5 Fortymile Herd has. It has had an effect, but not a
6 major effect I wouldn't say.

7

8 MR. GLANZ: I've heard estimates it's
9 going to be 50 years before the caribou feed comes back
10 in where they like to hang around or is that just a
11 guesstimate?

12

13 MR. GROSS: That's pretty accurate,
14 probably 50 to 60 years before we would expect to see a
15 lot of winter use again.

16

17 MR. GLANZ: Okay.

18

19 MR. GROSS: Another thing you're
20 probably kind of referring to there is say the boreal
21 lichen can take up to 50 or 60 years to kind of
22 reestablish itself on range that's been heavily
23 utilized.

24

25 MR. GLANZ: In all the millions of
26 acres burned around this, how long before the moose
27 habitat gets back around? I guess 10 or 15 years.

28

29 MR. GROSS: It was an extensive enough
30 burn that we're seeing a lot of variety of responses.
31 Some of our burns that we've had in 20E have taken 30
32 years before they've really responded, but there's
33 areas up there right now that seem to be coming back
34 quite well and the moose are utilizing the heads of
35 some of these draws where there's willows coming back,
36 where there's really nothing unburned for 10, 15 miles.
37 So they're in the burn. They're utilizing the new
38 vegetation now in some areas.

39

40 MADAME CHAIR ENTSMINGER: How old is
41 that burn?

42

43 MR. GROSS: '04, '05.

44

45 MADAME CHAIR ENTSMINGER: There was
46 some in 1990, I believe.

47

48 MR. GLANZ: Yeah.

49

50 MR. GROSS: And some of those '90 burns

1 are like that Danny did.

2

3 MADAME CHAIR ENTSMINGER: That Danny
4 did?

5

6 MR. GROSS: Yeah, some of them in the
7 '90s, like the one up on the East Fork.

8

9 MADAME CHAIR ENTSMINGER: The
10 prescribed burns.

11

12 MR. GROSS: And some of the earlier
13 burns. Some of them are just not responding yet. The
14 moose aren't responding to them yet and some they are.
15 It's just depending on which one you're talking about.

16

17

18 MADAME CHAIR ENTSMINGER: Oh, I see.
19 Any more questions on the caribou.

20

21 MR. GLANZ: I just have one. What's
22 going to be the way to stop all the thousands of people
23 running around with snowmachines and guns? Everybody
24 says we need a drawing, we need this or we need that.
25 I have no idea what the solution would be in there.

26

27 MR. GROSS: It's an allocation issue.
28 The Department has no recommendation.

29

30 (Laughter)

31

32 MR. GROSS: I anticipate that we're
33 going to have quite a bit of discussion about this at
34 the advisory committee levels. With the five advisory
35 committees that were involved in the Harvest Management
36 Plan, that's probably where this is going to lie, at
37 least initially. So I'd anticipate in the next two
38 years I'll have a chance to talk to all of you.

39

40 MR. GLANZ: I'd really like to have
41 another teleconference where we can all get together on
42 that between now and August on whatever we're going to
43 do on that. Thank you.

44

45 MADAME CHAIR ENTSMINGER: Did you have
46 something, Terry.

47

48 MR. HAYNES: Madame Chair. Thank you.
49 I just wanted to mention there are some Council Members
50 that aren't aware of the Funding Agreement that the

1 Department has with the Office of Subsistence
2 Management. Each year for a number of years we've
3 received some funding from OSM that Jeff and his staff
4 use to monitor hunting activity, monitor caribou
5 activity, issue permits during Fortymile Caribou
6 hunting season. The Fortymile Caribou hunt is the only
7 Federal subsistence hunt in the state administered by a
8 joint State/Federal permit. Over the years that's been
9 in place it's been a very smooth flowing hunt. It's
10 really a model hunt and it works most effectively for
11 the users to have a single permit being used. In order
12 to regulate this hunt pretty efficiently and
13 accurately, the support that we get from the federal
14 government to monitor in-season activities, it's
15 essential to keeping that hunt going. So just on
16 behalf of the Department I just want to acknowledge
17 that we really appreciate that support that we get.

18

19 MADAME CHAIR ENTSMINGER: Thank you for
20 sharing that, Terry, because that is important.

21

22 MR. GLANZ: If I may, I want to tell
23 you guys Gronquist is a really good asset there for us
24 up in the Central area and she works closely with you
25 guys and even with us. She'll call and say the State
26 is going to close it tomorrow, how many more caribou do
27 you guys need out of there. Six people haven't got
28 any. Okay, give me a call when they got them or
29 something like that. So she's really worked good with
30 us also. And you folks have worked good with us also.

31

32 Thank you.

33

34 MR. GROSS: I guess I would reiterate
35 what Terry said. I would call this critical funding
36 because this particular year we closed the hunt in two
37 days, so we didn't have as much need for monitoring
38 flights, but there are years when these critters can
39 catch us by surprise if we're not looking and we need
40 to fly them pretty often. Without that funding a lot
41 of years I'm really scraping the bottom of the barrel
42 trying to keep up with it.

43

44 One other thing I can relate to you,
45 since I've been here as far as Federal subsistence
46 hunters, the Fortymile Herd have been concerned,
47 there's been a few times when there could have been --
48 I think there was some folks that wished there would
49 have been a little more opportunity, but for the most
50 part we've had really good success, people are really

1 happy and have been really successful. On the Taylor
2 Highway they have a month season in November before the
3 regular hunt starts and people have been doing
4 excellent in that hunt for the last three to four
5 years. In Central, there's not a lot of subsistence
6 hunters there, but there's enough flexibility with this
7 that we can maintain Federal corridors or Federal areas
8 open and still maintain a good, tight harvest.

9

10 MADAME CHAIR ENTSMINGER: Yeah.
11 Getting back to the fact that this area is like a model
12 that Terry mentioned. It's really important that we
13 try -- this is the kind of thing I like to see happen,
14 is where we're working together and not butting heads
15 so much and it worked out really well in the situation.
16 Actually we can thank the local ACs. My husband
17 started all the meetings, probably been over 20 years
18 ago already, when he was the chair of the AC here. He
19 thought you've got to get all the Federal people
20 involved and that's what it takes, everybody to work
21 together on it. It's a long process, but it's
22 certainly had a good outcome.

23

24 MR. GROSS: Uh-huh.

25

26 MADAME CHAIR ENTSMINGER: I just had a
27 question for you. The Chisana Caribou Herd, someone
28 asked earlier what the numbers were currently today.
29 Do you have that figure off the top of your head?

30

31 MR. GROSS: Madame Chair. Yes. It's
32 around 750 caribou. I think the official estimate is
33 766 with a plus or minus 50.

34

35 MADAME CHAIR ENTSMINGER: What has it
36 gotten down to?

37

38 MR. GROSS: After a more extensive
39 research effort started in '03, we actually found out
40 -- we probably bottomed out at around 650 caribou, but
41 there was a decline for 14 years prior to that, from
42 1,800 down to about 650.

43

44 MADAME CHAIR ENTSMINGER: I think Frank
45 was saying 300, so he's off on that?

46

47 MR. GROSS: He is, yeah. And that was
48 our last estimate before the more intense research
49 project was started.

50

1 MADAME CHAIR ENTSMINGER: Oh, you had
2 an estimate of 300?
3
4 MR. GROSS: Yeah. That was just prior
5 to when I got here. I think it was a matter of not
6 finding all the animals. There's about 140 radio
7 collars on those animals. There's only about 750
8 animals in the entire herd, so that's a pretty
9 substantial effort. So we've got a really good
10 estimate right now.
11
12 MADAME CHAIR ENTSMINGER: So the AC's
13 effort to try to have a minimal season, evidently the
14 Department was premature.
15
16 MR. GROSS: I think as we kind of
17 discussed at the advisory committee meeting that the
18 research staff thought there could be a limited harvest
19 of bulls right now, but because it's such a complicated
20 international situation, I guess, with this herd it's
21 going to take quite a bit of coordination. On top of
22 that we only had 13 calves per 100 during the count
23 this last fall. That's very low.
24
25 MADAME CHAIR ENTSMINGER: After the
26 supplemental feeding.
27
28 MR. GROSS: This last year was the
29 first year that they didn't have any kind of pen reared
30 project going. It's difficult to say how much of a
31 factor that made, but certainly it did play a part.
32
33 MADAME CHAIR ENTSMINGER: I guess what
34 I want from you is do you see us having to go through
35 the same process that you did with the Fortymile
36 through the Chisana to see some limited harvest in the
37 future.
38
39 MR. GROSS: Well, of course, the Board
40 can implement a season, but I think.....
41
42 MADAME CHAIR ENTSMINGER: Which Board
43 are you talking?
44
45 MR. GROSS: Either one.
46
47 MADAME CHAIR ENTSMINGER: A Board could
48 do so.
49
50 MR. GROSS: They could do -- I believe

1 they have the authority to do so. I think it would be
2 met with a lot of opposition from all the parties
3 involved. I do foresee probably some form of pretty
4 extensive planning effort. I don't know about
5 extensive. I would hope we could do it in a few
6 meetings.

7

8 MADAME CHAIR ENTSMINGER: But nothing
9 is on its way right now?

10

11 MR. GROSS: The latest thing I heard is
12 the Yukon staff is planning, has funding to do some
13 monitoring this next fall and they are planning or have
14 begun an effort to establish a planning process to
15 develop a management plan. They have stated that that
16 should begin this year in 2008.

17

18 MADAME CHAIR ENTSMINGER: With Alaska.

19

20 MR. GROSS: Alaska will be involved,
21 yeah. I just haven't had a chance to talk to them and
22 their caribou biologist retired about a year ago and
23 they're just bringing a new person on. Hopefully in
24 '08 we'll start the process and we'll see by 2010.

25

26 MADAME CHAIR ENTSMINGER: Go ahead,
27 Virgil.

28

29 MR. UMPHENOUR: And those are the only
30 Woodland Caribou that are in Alaska, right?

31

32 MR. GROSS: According to genetic
33 studies, the herd is more closely related to Woodland
34 Caribou than Barren Ground (ph). There's some
35 contention about exactly what they're considered, but
36 that's what we've stated in the past and that's what I
37 guess I would continue to say. We're considering it a
38 Woodland Caribou Herd right now and the only one in
39 Alaska.

40

41 MR. UMPHENOUR: So the year before last
42 you did pen up some pregnant cows and kept them there
43 until after the calves were six weeks or whatever, so
44 my question is how many did they do and what was the
45 calf survival on those?

46

47 MR. GROSS: In 2006, the late winter
48 2006, the Partners captured 50 pregnant cows. I think
49 to the following year they had -- I think it was pretty
50 high, 65, 70 percent survival. It was pretty

1 significant compared to the wild animals.

2

3 MADAME CHAIR ENTSMINGER: Thirteen.

4

5 MR. GROSS: But that didn't happen I
6 don't think every year. I think the year before that
7 it was considerably lower than that. But they brought
8 the fall calf/cow ratios from maybe the teens up into
9 the low to mid 20's, so it did make a difference.

10

11 MR. UMPHENOUR: Thank you.

12

13 MR. GROSS: Thank you.

14

15 MADAME CHAIR ENTSMINGER: Thank you,
16 Jeff. Richard.

17

18 MR. CARROLL: Is there any data on the
19 Steese Highway Herd? It's a small herd, but one that's
20 way down there. Do you guys keep track of that?

21

22 MR. GROSS: I guess the Fortymile Herd
23 impacts the Steese Highway and there's also the White
24 Mountain Herd. Are you referring to the White Mountain
25 Herd?

26

27 MR. CARROLL: That's probably the herd.
28 That's the one that wintered out in Fairbanks there and
29 used to go into the Discovery Creek/Preacher Creek
30 area.

31

32 MR. GROSS: I would say that's the
33 White Mountain Herd. I don't have any information on
34 it. Tom Seeton, the biologist there in Fairbanks,
35 would be the one to ask that. The way I understand it,
36 it's a small, fairly stable herd, which I think they
37 harvest a minimal number. I would say no more than
38 2 percent of the herd a year.

39

40 MR. CARROLL: I bring it up just for us
41 to be aware of that herd. With possible oil and gas
42 development into that part of their habitat, I think
43 close monitoring should be recommended from us on that
44 herd.

45

46 MR. GLANZ: I think, Richard, you may
47 be confusing with the Steese getting into that because
48 I've flown that White Mountain Herd that he's talking
49 about. I've never seen many animals out there.
50 They're so inaccessible that they're just -- unless a

1 wolf gets them, they're safer there than they are in my
2 back yard.

3

4 MR. CARROLL: This herd I'm talking
5 about they sometimes winter around Victoria Creek or in
6 that area right there.

7

8 MR. GLANZ: That's the same ones I've
9 seen. A lot of sheep in that area there in Victoria
10 Creek. There's also a minimal amount of caribou in
11 there.

12

13 MR. CARROLL: The last Native guy
14 probably that hunted that herd from the Birch
15 Creek/Beaver Creek area just passed away last week or
16 so. The residents of Birch Creek Village used to hunt
17 that herd until the late '40s, I think, and just sort
18 of disappeared.

19

20 MR. GLANZ: We can get Tom Seeton maybe
21 to talk to us at the next meeting or whenever we're up
22 in that area, especially if we have to go up to Minto
23 or Fairbanks. I'm sure he'd be more than happy. He's
24 more than willing to come to the meetings.

25

26 MADAME CHAIR ENTSMINGER: Pete.

27

28 MR. DEMATTEO: The last we dealt with
29 adjusting the proposals regulatory season dates for the
30 Fortymile Caribou we had to make considerations for the
31 White Mountain Herd. The numbers that were given to
32 us, there was like between six and eight hundred
33 animals. At the time, I think the Department had a
34 quota of 30 on those. Does that sound right, Terry? I
35 think it was a maximum of 30 animals. But the thing
36 was, they're very inaccessible, these particular
37 creatures, because they live west of the American
38 Creek, west of the Preacher Creek and they also go over
39 toward the Ray Mountains, so they can be pretty
40 inaccessible access-wise. If they even get close to
41 this oil exploration you're talking about, I don't
42 think so. I don't think they overlap with that.

43

44 MADAME CHAIR ENTSMINGER: Go ahead.

45

46 MR. CARROLL: You're talking from
47 Livengood up. You're talking about a 90-mile right-of-
48 way they're going to receive through there and they're
49 going to cut right through the Mount Swaska and the
50 Victoria Mountain right there. That's their main

1 little hideout.

2

3 MADAME CHAIR ENTSMINGER: Go ahead,
4 Terry.

5

6 MR. HAYNES: Thank you, Madame Chair.
7 I don't have much to add to what Pete said, although
8 there is a Federal hunt in Unit 25C west of the east
9 bank of the main stream of Preacher Creek to its
10 confluence with American Creek, then west of the east
11 bank of American Creek and I think we've kind of
12 referred to that as the White Mountain Herd. There's
13 both an early fall and late fall winter season in that
14 area. Hunting effort is pretty limited.

15

16 The late season hunt, which has been of
17 probably more concern to the Department than the early
18 season hunt is something a number of years ago there
19 wasn't a lot of participation in the late season hunt,
20 but the Federal Board established that late season hunt
21 to be administered with the State registration permit
22 and I remember one of the recommendations the
23 department made at the Federal Board meeting where that
24 hunt was approved was to ensure that people in Central
25 had easy access to the permits and that was a
26 commitment we made to make sure the people from Central
27 for example didn't have to drive to Fairbanks to get a
28 permit. So there has been some participation in that
29 late season hunt and I haven't kept up with it in
30 recent years, but it is a fairly small harvest.

31

32 MR. GLANZ: Thank you, Terry. Like I
33 say, we usually go after the Fortymile Herd. It's a
34 whole lot easier to get at.

35

36 MADAME CHAIR ENTSMINGER: Any other
37 questions or comments.

38

39 (No comments)

40

41 MADAME CHAIR ENTSMINGER: Now it's BLM.
42 Oh, I'm sorry, another Fish and Game. Oh, you've got
43 information for us.

44

45 MR. PAPPAS: Madame Chair. George
46 Pappas, Department of Fish and Game, response to the
47 Prince William Sound Aquaculture Association issue. By
48 regulation, there is a requirement for periodic
49 internal review of the relationship and activities
50 between the Department and PSWAC. During the most

1 recent internal review an array of issues and concerns
2 covering a wide spectrum of responsibilities such as
3 in-season reportings and other issues you'd mentioned
4 earlier surfaced that obviously require improvements.
5 A response and action plan was constructed to address
6 and improve the spectrum of identified issues and
7 concerns. The issues are wide and various and probably
8 too complex to summarize here, but a cooperative effort
9 between PSWAC and the State is underway to address
10 these issues identified and immediate action should be
11 recognized this upcoming season.

12

13 Does that help to answer your question,
14 sir?

15

16 MR. UMPHENOUR: That helps. They did
17 have lots of discrepancies. They just totally ignored
18 violations.

19

20 MR. PAPPAS: As I was informed, the
21 State of Alaska and PSWAC are supposed to be a little
22 more tightly tied together in operations. Maybe
23 there's been some diversions in recent years but it is
24 heading in the right direction and they're to adhere to
25 the action plan that has been formed.

26

27 Thank you, Madame Chair.

28

29 MR. UMPHENOUR: Thank you.

30

31 MADAME CHAIR ENTSMINGER: Thank you.
32 We're getting lots of information here. Is there
33 someone from BLM that wants to give a report.

34

35 MR. MATHEWS: Yes. Ruth Gronquist gave
36 me a handout that's in your packet. It's basically to
37 inform you that BLM is gearing up for an Eastern
38 Interior Resource Management Plan. If you look at the
39 map, you'll see it covers the Yukon-Charley Rivers,
40 Yukon Flats and Steese/White Mountains areas.
41 Basically, my understanding talking to Ruth is this is
42 just to give you an update on it and ask if you'd like
43 to be on the mailing list to receive the plan as it
44 walks through its different steps. I'll leave it at
45 that.

46

47 MADAME CHAIR ENTSMINGER: She's asking
48 if we want to be on the mailing list?

49

50 MR. MATHEWS: Well, indirectly, yeah.

1 If you'd like to know more. It does cover a lot of
2 your areas. I'll be honest with you, the next steps
3 aren't real clear to me how far this goes off, but
4 they're saying the next three years.

5
6 MADAME CHAIR ENTSMINGER: We can always
7 be on the mailing list. If we want to talk about it or
8 not is another issue. So, action-wise, if we just want
9 to stay on the mailing list.

10
11 MR. MATHEWS: Yeah, the mailing list
12 and I can convey to her that you want Staff to provide
13 a summary presentation when.....

14
15 MADAME CHAIR ENTSMINGER: Yeah. Arctic
16 National Wildlife Refuge. Wennona.

17
18 MR. FRENZL: Madame Chair. May I ask a
19 question here.

20
21 MADAME CHAIR ENTSMINGER: You bet.

22
23 MR. FRENZL: We discussed yesterday the
24 Bureau of Land Management and the mining claims that
25 Bill brought up. Can you help me figure out what we
26 did about that.

27
28 MADAME CHAIR ENTSMINGER: We took it up
29 early on. Go ahead, Bill.

30
31 MR. GLANZ: I talked with the Yukon-
32 Charley superintendent and he said the same thing that
33 I was saying. He says that if it's a mining claim,
34 it's a Federal mining claim, it's public land. He said
35 you can go there and shoot a caribou during the
36 subsistence hunt and don't worry about it. He says
37 we'll ask the solicitor to send a letter so you can
38 post it just like that. So we've asked the solicitor
39 from Alaska to investigate and give us a letter yea or
40 nay. He was a law enforcement officer for 20-some
41 years on the Koyukuk or somewhere and he said that's
42 the
43 legal way to do it. He says it is legal to shoot them
44 on a Federal mining claim because Federal
45 administrative public land.

46
47 MR. FRENZL: okay, thanks

48
49 MADAME CHAIR ENTSMINGER: But then
50 you'd ask another Federal employee and they might say

1 it differently.

2

3 MR. GLANZ: Well, that's why I was
4 getting the well, maybe, it's going to be on a case-by-
5 case or if the sun's out and the moon don't shine, you
6 can do it. They could all give me different answers,
7 but this is the best way to go. I want the solicitor
8 to give me a real letter.

9

10 MADAME CHAIR ENTSMINGER: We voted
11 yesterday to send the letter. Okay. And then we
12 talked about duck stamps and he said he clearly had
13 that figured out.

14

15 MR. FRENZL: Right.

16

17 MR. GLANZ: Connie Friend said she'd
18 take care of that at the migratory bird meeting down in
19 Anchorage.

20

21 MADAME CHAIR ENTSMINGER: Good.
22 Wennona.

23

24 MS. BROWN: For the record, Wennona
25 Brown, Arctic National Wildlife Refuge. I did give
26 Vince copies of Arctic's written report to hand out. I
27 don't know if anybody had a chance to take a look at it
28 or had any questions or if there were any parts you
29 wanted me to kind of run through.

30

31 MR. CARROLL: Yes.

32

33 MADAME CHAIR ENTSMINGER: Oh, I'm
34 sorry, you have a question.

35

36 MR. CARROLL: Yes. Is there anything
37 we could find out about the moose. I didn't know. I
38 thought I knew something you guys didn't know about,
39 the moose coming out of the Crow Flats up there.
40 That's been our main source for years and the Canadians
41 knew it before we did. They're the ones that told us
42 about it. Our main source of moose in the Upper Yukon
43 Flats and then the Porcupine. I haven't heard from
44 them. I haven't got what's going on because we haven't
45 had the moose population coming out of there lately.
46 Do you guys know anything about it?

47

48 MS. BROWN: Mr. Carroll, through the
49 Chair. On Page 7 of the report there is a short
50 synopsis on the south Brooks Range herd, which is the

1 Firth-Mancha and Coleen River drainage area. The
2 Arctic Refuge does periodically survey those animals.
3 The last time they did was looks like 2002 and I'd have
4 to find out on what regular basis. It's every two to
5 three years that they do surveys up there.

6
7 MADAME CHAIR ENTSMINGER: That isn't
8 enough information for you though, is it, Richard. You
9 want to know what happened.

10
11 MR. GILBERT: Madame Chair.

12
13 MADAME CHAIR ENTSMINGER: Go ahead,
14 Matt.

15
16 MR. GILBERT: All it says is a severe
17 winter. That's the only possible factor that's given
18 for the decline.

19
20 MR. CARROLL: It's Richard. Most of
21 the guys that hunt up there and I do already knew this
22 stuff without having to read it, just from being there
23 and watching the moose population. What I wanted to
24 know is if you guys have a relationship going with the
25 Canadians. They have a game reserve, I think, up in
26 the Crow Flats area. It's like their last little hold-
27 out, the way they look at it. When all else fails,
28 that's been breeding enough moose for years and they're
29 not really moose killers up there. They go after the
30 caribou. If you guys got a relationship going with
31 them and if we can sort of understand why there's not
32 moose coming out of there, maybe they're starting to
33 kill them now. I don't know. As far as I know, they
34 don't really hunt moose that much.

35
36 MS. BROWN: Richard, I don't know the
37 answer to that. I'll have to go back and ask the
38 refuge and get back to you on that. I know they do
39 joint surveys. I think the wildlife biologist was
40 actually leaving just this past weekend to go over
41 there to start trying to do caribou surveys again on
42 the Porcupine Herd.

43
44 MADAME CHAIR ENTSMINGER: Any other
45 questions.

46
47 (No comments)

48
49 MADAME CHAIR ENTSMINGER: Okay,
50 Richard, you got to follow that through now.

1 MR. CARROLL: Uh-huh. I want to eat
2 that moose.

3
4 (Laughter)

5
6 MADAME CHAIR ENTSMINGER: I want you to
7 eat that moose, too. Next would be the Yukon Flats
8 National Wildlife Refuge. Is there someone here to
9 speak to that. It is Wennona. She's got them both.

10
11 MS. BROWN: Again, thank you, Madame
12 Chair. Wennona Brown now for the Yukon Flats National
13 Wildlife Refuge. As you indicated yesterday, most of
14 our time, at least mine in particular, has been
15 involved with the Land Exchange issues. I just wanted
16 to run through a couple things.

17
18 On the moose populations for the Yukon
19 Flats because of weather and other conditions we did
20 not get a survey done last fall, but they did do a
21 spring survey, actually completed it just last week, so
22 that data will be forthcoming in the next few weeks.

23
24 Just the general impression that the
25 people participating in the surveys was they didn't see
26 a whole lot of moose, so we'll see how that all shakes
27 out once they get everything compiled and the data
28 analyzed.

29
30 The Refuge is in the planning stages
31 right now of a wolf telemetry study, to start that this
32 fall, to track the movements of moose. So will be
33 working, I think, with Department of Fish and Game on
34 that. We are in the formulating the proposal stage
35 right now or getting the study plan all put together so
36 we'll all be ready to get that started this fall.

37
38 MADAME CHAIR ENTSMINGER: Wennona, you
39 might have confused me. You said wolf first and then I
40 heard moose.

41
42 MS. BROWN: I'm sorry. They're
43 starting a wolf study this fall, collaring wolves and
44 tracking them, and we're doing the study plan right now
45 to get that study started this fall.

46
47 MADAME CHAIR ENTSMINGER: Okay.

48
49 MS. BROWN: Under their funding
50 agreement with CATG, we're in our fourth year of that

1 funding agreement. Probably in the next couple of
2 months we'll be initiating the negotiations for the
3 follow-on to that. So far CATG has been conducting
4 harvest surveys for us. They do the 17(b) easements
5 and locating and marking those. They've been
6 conducting the moose surveys on the eastern part of the
7 refuge so that the refuge staff does the western part
8 of the refuge. And maintaining our facilities in Fort
9 Yukon and each year doing an outreach activity. This
10 year the outreach activity revolves around doing
11 regulation workshops in some of the villages. I think
12 they've conducted one in Fort Yukon. They may actually
13 be in Beaver today. I think they're doing Chalkyitsik
14 Thursday.

15
16 Upcoming stuff for this year. We do
17 intend to do waterfowl harvest surveys again this
18 summer as well as our annual fish camp survey in July.
19 I have a couple of ongoing graduate student projects.
20 One on nesting waterfowl up on the areas near Beaver
21 and another one will be looking at moose habitat in the
22 study areas along the Yukon, kind of between Beaver and
23 White Eye, in that area.

24
25 Starting a pilot project with a UAF
26 fisheries student this summer to look at using remote
27 sensing information to predict and evaluate fish
28 habitat. So that will be an interesting study that we
29 hope to have information on in the fall.

30
31 We're also starting to put the report
32 together for the non-salmon TEK fishery study that
33 we've been working with with ADF&G that was funded
34 through the FIS program. We hope to be taking that
35 information out this summer to be reviewing it to the
36 villages to get the final reports in on time.

37
38 We've put out a newsletter in December.
39 We've been trying to get those out twice a year and to
40 keep everyone updated on our activities. Yesterday you
41 met our new refuge manager. If anybody has any
42 questions.

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

46
47 MR. GLANZ: Last year me and Richard
48 asked your Refuge director about the tremendous amount
49 of cow moose killed out there in the flats. I was
50 wondering if they did another survey flight this fall

1 during hunting season and have any idea how many were
2 killed.

3

4 MS. BROWN: Mr. Glanz. We did have
5 patrols out this fall. I know there were a couple of
6 illegal kills investigated, but I don't have the
7 specifics. I could get back to our law enforcement
8 officer and get further information back to you.

9

10 MR. GLANZ: I know it was like 30 or 40
11 killed last year. That's okay. Just for my
12 information. I wondered if it went down, which I hope
13 it did, through education managers. They've been
14 putting cow moose pictures up in the post office and
15 showing what offspring will bring in a 10-year cycle,
16 which is like 80 or 90 or something. Anyway, I hope
17 public education has went out there.

18

19 MS. BROWN: That's one of the points of
20 regulation workshops, was to reinforce the effects of
21 killing cow moose. They also work in the waterfowl
22 regulations and the requirements for the spring hunting
23 and whatever else people have questions about on the
24 various aspects of the permits and reporting
25 requirements and those sorts of things.

26

27 MR. GLANZ: Thank you.

28

29 MADAME CHAIR ENTSMINGER: Go ahead,
30 Richard.

31

32 MR. CARROLL: Bill, I know you were
33 concerned along with me. Unofficially, I don't think
34 there's a high number of illegal kills as there was in
35 the past due to direct enforcement and as of right now
36 I know there's two people under investigation right now
37 in Fort Yukon for illegal kills and that's good for
38 them.

39

40 MR. GLANZ: I know you were involved in
41 trying to get more enforcement in the Flats there.
42 Thank you.

43

44 MADAME CHAIR ENTSMINGER: I think you
45 come from the old school. Good deal. Any other
46 questions of Wennona.

47

48 (No comments)

49

50 MADAME CHAIR ENTSMINGER: Thanks,

1 Wennona.

2

3

MS. BROWN: Thank you.

4

5

MADAME CHAIR ENTSMINGER: Yukon-
6 Charley. Is there anyone here? I guess he spoke to us
7 yesterday. Did I skip something? I did. I turned the
8 page. I guess I'm getting anxious. Sorry about that.
9 Tetlin National Wildlife Refuge. Hi, Connie.

10

11

MS. FRIEND: Madame Chair. Council
12 Members. I'm Connie Friend, subsistence coordinator
13 for Tetlin National Wildlife Refuge. We intended to
14 welcome you, but I guess we should actually just thank
15 you for coming at this point. Peter Keller will be
16 presenting to you some of our biological data,
17 activities that we've done throughout the year as soon
18 as I read into the record our general report.

19

20

We opened the 2007-2008 registration
21 subsistence caribou hunt in Unit 12 on November 10,
22 2007. This winter season, which allows subsistence
23 caribou hunting on Federal lands in Tetlin Refuge and
24 the northeast corner of the Wrangell-St. Elias National
25 Preserve, will remain open probably until the end of
26 April. There have been 50-plus permits issued and
27 probably about 6 harvests at this point, with some
28 harvest from the returning herd.

29

30

The Winter Subsistence Moose Hunt in
31 Unit 12 was open from November 20 until December 10,
32 2007. Twenty-eight individuals registered for this
33 hunt and we still haven't had any reported
34 harvest of that hunt.

35

36

The public comment period closed on the
37 Refuge Draft Revised Comprehensive Conservation Plan
38 and Environmental Assessment on January 18, 2008 and we
39 are currently reviewing the comments and expect a final
40 CCP to be completed sometime this year.

41

42

The Refuge welcomed Peter Keller as our
43 new Subsistence Wildlife Biologist in late October. He
44 is originally from Rhode Island, but comes to us from
45 Arkansas National Wildlife Refuge in Texas. So the 75-
46 degree weather was a huge change for Peter and he
47 misses the fresh fruit. He has degrees in Wildlife
48 Conservation Biology and Environmental Science &
49 Management. Peter will be available at this and future
50 meetings for questions or concerns that the Council may

1 have regarding Tetlin Refuge and biology in our area.

2

3 Our Upper Tanana TEK Subsistence Study,
4 I call it my forever fishery study, is currently
5 undergoing its final editing and I'm told we should be
6 able to have it completed by this spring. It documents
7 the decline in abundance and size of whitefish in every
8 fishery within the Upper Tanana River watershed. It
9 also documents the value of lifestyles lived in close
10 relationship and harmony with the land. A monograph
11 based on our fisheries study, which was presented by
12 myself at the Denali Park Science Symposium in
13 September 2006, was published along with 23 others in
14 Alaska Park Science, Crossing Boundaries in a Changing
15 Environment booklet. Electronic copies of the report
16 are available.

17

18 The Refuge continued its Moose
19 Distribution/Movement Study in 2007. In 2004, the
20 Refuge, with assistance from ADF&G, captured and
21 radio-collared 10 adult cow moose with VHF radio
22 transmitters. Five of the collars were also equipped
23 with satellite transmitters. In November of '05, we
24 captured and radio-collared an additional 10 cow moose,
25 doubling our sample size for the radiotelemetry study
26 to 20 adult cow moose. The Refuge has tracked the
27 collared animals to monitor distribution, movements and
28 survival and calf productivity. The past year, we
29 continued to monitor collared animals weekly during
30 calving season, and monthly the remainder of the year.
31 To date, only three marked cows have died.

32

33 Following are preliminary calf
34 production and survival data for 2007-2008 (which are
35 current as of November 29, 2007): parturition rate,
36 95%; calf production rate, 118 calves/100 cows; 25%
37 twinning rate; 15% calf survival rate. More data from
38 the moose collaring project are available in our
39 Biological Program Summary, which Peter will give you
40 and is available on the table over there if you'd like
41 copies to take home.

42

43 According to data gathered from our
44 snowshoe hare population monitoring, snowshoe hare
45 populations last peaked on Tetlin Refuge in 1999.
46 Recent survey results indicate that snowshoe hares are
47 currently approaching the next cyclic high.

48

49 Other biology projects include the
50 following: Christmas Bird Count, Landbird Phenology

1 Survey, Breeding Bird Survey, Off-Road Point Count
2 Survey, Fall Migration Monitoring, Assessment of the
3 burn severity of the Black Hills Fire on the Tetlin
4 Refuge, Furbearer Abundance and Fire Severity Study,
5 Invasive Plant Survey, Landcover Mapping Project, and
6 technical and logistical support to other studies
7 taking place on the Refuge.

8

9 Peter will give you a little more
10 information on some of those things. That concludes my
11 report. Thank you.

12

13 MADAME CHAIR ENTSMINGER: Thank you,
14 Connie. Peter.

15

16 MR. KELLER: I'm Peter Keller, the new
17 wildlife biologist for Tetlin, as Connie has mentioned.
18 I'm glad she's here and has read most of what I was
19 going to say.

20

21 (Laughter)

22

23 MR. KELLER: But a few of the updates.
24 Last spring the Upper Tanana Valley, including the
25 whole refuge, was designated as an important bird area,
26 and you can read this in the summary. IBA's are
27 important bird areas and they provide essential
28 breeding habitat, wintering habitat or migratory
29 habitat for a significant portion of a population of
30 birds and the Upper Tanana Valley just last week
31 received global significance for its contribution to
32 the Trumpeter Swan and Sandhill Crane populations. So
33 that's a really big thing.

34

35 We have ongoing waterfowl pair and
36 brood surveys. We've been doing it since 1983, but
37 they were standardized in 1989. We have a graph in
38 here from back till then. Basically the populations
39 are stable, producing about 35,000 duckling every year
40 and last year it was 34,228 according to our
41 calculations, so there's a range in there from maybe
42 28,000 to 40,000 ducklings produced.

43

44 We have a fall migration monitoring
45 station. It's the second longest running land bird
46 banding station in Alaska. The Alaska Bird Observatory
47 has the only one that's longer and it's only a year
48 longer. Every fall we band birds at this station and
49 we're using this data trying to see how climate change
50 is affecting migration timing, juvenile dispersal and

1 other things for land birds. We captured about 2,900
2 birds of 29 species last year.

3
4 I'm not sure if there's much else to
5 say. I think I'll wrap it up there. If you have any
6 questions, I'll be happy to try to answer them.

7
8 MADAME CHAIR ENTSMINGER: Council
9 members.

10
11 (No comments)

12
13 MADAME CHAIR ENTSMINGER: I have a
14 question. I teach a little after-school things in
15 Mentasta and last spring, those cows that were
16 collared, the program was working with Northway and
17 they were working with the kids in Mentasta. Is that
18 continuing to go forward?

19
20 MR. KELLER: The program is being
21 phased out as the collar batteries are dying. We
22 expect a lot of the batteries to die fairly soon and
23 the collars are dropping off.

24
25 MADAME CHAIR ENTSMINGER: And then it
26 will end, the program ends.

27
28 MR. KELLER: Yes.

29
30 MADAME CHAIR ENTSMINGER: I see. As we
31 were talking with the northern refuge, the education
32 process about shooting cows and how many cows it makes
33 if you don't shoot that cow over a period of time, is
34 that something you guys are working with with the
35 villages here?

36
37 MR. KELLER: I don't know that
38 information. Tony, do you have anything to say about
39 that. Sorry.

40
41 MADAME CHAIR ENTSMINGER: Welcome Tony
42 again.

43
44 MR. BOOTH: Madame Chair and the
45 Council. Tony Booth for the record, Tetlin Refuge
46 manager. Yes, that's been a part of our environmental
47 education program. In our report we don't go into very
48 much detail on our environmental education program. I
49 assumed that you guys were not too overly interested in
50 it, but that aspect of it has been integrated in our

1 classroom programs and we do have pretty active
2 environmental ed program at least here in Tok. That
3 specific topic was covered again this year, but it has
4 been repeatedly integrated as part of it.

5
6 I wanted to also elaborate on the
7 status of those collars. Partly what's happened -- now
8 those things were initially deployed in our initial
9 collaring effort in 2004. We only deployed four of
10 those collars. They were designed by the manufacturer
11 to automatically fall off starting this last April.
12 Well, they didn't. The timer in there is high-tech and
13 it was supposed to automatically fall off and they
14 didn't do it. They've been sort of falling off
15 randomly since then. They'd still be giving a signal
16 after they fell off and we'd retrieve them and then
17 deploy them on another animal. Because of the
18 malfunction we haven't been able to do it. Finally,
19 three of them ultimately fell off and then we still
20 have two out there I think that are still attached. So
21 that kind of affected our environmental ed program.

22
23 MADAME CHAIR ENTSMINGER: Just for your
24 information from me, anything that educates people
25 about conservation and things that they might not be
26 aware of is actually important to me as a Council
27 Member. I believe it is for many of the other ones.
28 When you start educating people about over-egging, for
29 instance, somewhere, if those eggs could make birds and
30 you get more birds, that's more for everybody and for
31 the resource it's good. That's the kind of stuff we
32 like to hear about.

33
34 MR. GLANZ: Right.

35
36 MR. FRENZL: I agree.

37
38 MR. BOOTH: We intend to maintain that
39 message. I don't remember specifically this last year,
40 but we have had that as a part of our program.

41
42 MADAME CHAIR ENTSMINGER: You're just
43 usually working in the schools, maybe not so much with
44 each village, as a school educational program for the
45 cow moose and how it generates more moose, that type of
46 thing, an educational part of it.

47
48 MR. BOOTH: Each of the schools we work
49 with.....

50

1 MADAME CHAIR ENTSMINGER: It's through
2 the schools.
3
4 MR. BOOTH: Yeah, through the school
5 classrooms.
6
7 MADAME CHAIR ENTSMINGER: So you're
8 educating kids, and maybe not adults is what I'm
9 getting at.
10
11 MR. BOOTH: That is correct. Our
12 primary effort is at the school classroom, youngsters.
13
14 MADAME CHAIR ENTSMINGER: Is the
15 program you talked about educating adults?
16
17 MR. CARROLL: I know in Yukon Flats
18 they've got a real good educational program for the
19 school children.
20
21 MADAME CHAIR ENTSMINGER: How about
22 adults?
23
24 MR. CARROLL: And adults also.
25
26 MADAME CHAIR ENTSMINGER: How do they
27 do it with the adults?
28
29 MR. CARROLL: Just like little kids,
30 same thing.
31
32 MADAME CHAIR ENTSMINGER: They have a
33 little classroom thing and they come?
34
35 MR. CARROLL: Food and.....
36
37 MADAME CHAIR ENTSMINGER: Oh, food.
38
39 (Laughter)
40
41 MR. CARROLL:door prizes. We're
42 trying to get them and give away door prizes.
43
44 MADAME CHAIR ENTSMINGER: That's a good
45 idea.
46
47 MR. GLANZ: We tried beer in Central
48 and it really works.
49
50 (Laughter)

1 MADAME CHAIR ENTSMINGER: You might
2 want to be careful where you do that. Okay. Yes,
3 Pete.

4
5 MR. DEMATTEO: I just want to add that
6 that teaching concept you're referring to showing the
7 moose in the center with the rings, I think it shows
8 the potential offspring over 13 or 14 years. I just
9 want to say that's a product of Fish and Game. More
10 specifically, it's the genius of an area biologist
11 named Randy Cagen (ph), who passed away 14 years ago or
12 something. He was area biologist of Bethel and when he
13 thought this up, it's becoming more and more popular, I
14 know a lot of refuges have incorporated into their
15 programs as far as education. Fish and Game used to
16 have coffee cups, if I remember, with that on it. It's
17 a big hit in the villages.

18
19 MADAME CHAIR ENTSMINGER: That's what I
20 like to hear, the positive positive. Go ahead, Tony.

21
22 MR. BOOTH: I just wanted to make sure
23 the recommendation of the Council here is for us to
24 focus more on the adult education because we've been
25 focusing on kids mostly.

26
27 MADAME CHAIR ENTSMINGER: Don't you
28 guys agree?

29
30 MR. FRENZL: I wouldn't necessarily say
31 more, but equally if possible.

32
33 MR. BOOTH: I meant more in respect
34 than we have.

35
36 MR. FRENZL: Yeah.

37
38 MADAME CHAIR ENTSMINGER: I just want
39 to take the time since Tetlin is here. Connie and I
40 got together and Connie is really highly responsible
41 for a lot of this food that you guys ate, so we can
42 thank her for that and also Virgil brought a lot of
43 stuff and other people brought things, but I know
44 Connie and I actually worked pretty hard on Sunday to
45 cook you guys up enough to eat and I think we did a
46 good job.

47
48 (Applause)

49
50 MADAME CHAIR ENTSMINGER: Thank you.

1 Did you guys want to invite anyone that wanted to run
2 over and see the facility here? You had mentioned that.
3 They could do that before they leave out of here today.

4

5 MR. BOOTH: I realize there's a lot of
6 time constraints here, but for anyone who's interested
7 you're welcome to come over and visit the Refuge
8 headquarters facility. We're headquartered here in
9 Tok. I guess we're the only Federal land management
10 entity sort of located here anymore.

11

12 MADAME CHAIR ENTSMINGER: That's left
13 here with an office.

14

15 MR. GLANZ: Excuse me. So BLM took
16 their Tok office out of here then?

17

18 MR. BOOTH: That is correct.

19

20 MR. GLANZ: Oh, I didn't know that. I
21 used to work for them and had to come down here. Okay.

22

23 MR. BOOTH: I don't know what time you
24 expect you'll be done today, but you're welcome to talk
25 to me during a break and just let me know and I'll give
26 you a tour of the general area. I realize it's just
27 showing you the headquarters. The Refuge is down the
28 road a ways further. You'd probably rather see the
29 Refuge.

30

31 MADAME CHAIR ENTSMINGER: Okay. Are we
32 ready for break or do you want to keep moving.

33

34 MR. UMPHENOUR: Let's take a short
35 break.

36

37 MADAME CHAIR ENTSMINGER: We're going
38 to take a short break.

39

40 (Off record)

41

42 (On record)

43

44 MADAME CHAIR ENTSMINGER: Moving
45 rapidly along. We're down to the Park Service and
46 we're poised because the other two aren't here. She's
47 not on the list, Vince. Could you make sure that
48 Wrangell-St. Elias is on our agenda in the future.

49

50 MR. MATHEWS: Oh, okay.

1 MADAME CHAIR ENTSMINGER: Thank you.
2 Barbara.

3
4 MS. CELLARIUS: Thank you, Madame
5 Chair. Barbara Cellarius, Wrangell-St. Elias National
6 Park and Preserve. Vince is handing out to you two
7 pieces of paper. One is an agency report that we put
8 together and one is labeled ORV Planning Newsletter.
9 I'm not going to read either of these things to you,
10 but I just want to highlight a couple things.

11
12 The first thing actually isn't specific
13 to the Park, but some of you know Judy Gottlieb, who
14 has been the Park Service's representative on the
15 Federal Subsistence Board, and she retired at the end
16 of last month. So I thought that folks here might be
17 interested to hear that. Dave Mills used to be the
18 superintendent of Yukon-Charley, is temporarily filling
19 in that position she has in the regional office,
20 although there's now direction from the Secretaries
21 that the regional directors be the person who actually
22 sits on the Federal Subsistence Board, so things are
23 moving around a little bit there.

24
25 Then I'll just move on to some Park
26 specific things. So you've got a written report.
27 Mason did a moose survey last fall and there's a fairly
28 lengthy discussion of that, but I'll just let you read
29 that. Mason Reid is our wildlife biologist. He's
30 leaving us in early April and we're currently
31 advertising for that position. So if you know anyone
32 who is looking for a wildlife biologist job, it's
33 advertised on USA Jobs. It's a website and I've listed
34 the website address on the written report. We've made
35 arrangements for someone to come in temporarily behind
36 him so we won't have a lack of coverage this summer.

37
38 MADAME CHAIR ENTSMINGER: Just a quick
39 question. Mason is moving on?

40
41 MS. CELLARIUS: He is moving to
42 Washington state. On the written report he wrote
43 something up for you, so you can read that. Our SRC
44 meeting is next week in Mentasta. Last fall saw the
45 completion of the Upper Tanana Ethnographic Overview
46 and Assessment, which Terry Haynes, who is here today,
47 and Bill Simeon wrote. I've got some copies at the
48 back of the room.

49
50 The last thing I want to talk about is

1 this ORV planning newsletter. The Park Service was
2 sued for its management of recreational ORV use on a
3 number of trails off of the Nabesna Road. The current
4 status in that lawsuit is that we've agreed to do an
5 environmental impact statement looking at the
6 management of those trails. So we're getting that
7 started with a series of public meetings, so there's
8 going to be a meeting in Tok on the 25th, which is
9 Tuesday. On the 26th there's a meeting in Slana. Also
10 meetings in Glennallen, Fairbanks and Anchorage. At
11 this point what we're trying to do is get information
12 from the public about what kinds of concerns they might
13 have or ideas they might have about the management of
14 those trails. This is a process that's going to take a
15 couple of years. You'll probably be hearing more about
16 it from me in the future. The lawsuit and consequently
17 the EIS, the focus is recreational ORV use, not
18 subsistence use. Obviously, if we do something to
19 improve the trails, there may be an improvement for
20 subsistence users as well at some point in the future.

21
22 MADAME CHAIR ENTSMINGER: There's talks
23 of improvements?

24
25 MS. CELLARIUS: Well, that's certainly
26 one of the options.

27
28 MADAME CHAIR ENTSMINGER: Okay.

29
30 MS. CELLARIUS: And that's one of the
31 reasons we want to hear from other kinds of users of
32 the trails, not just recreational users, about the
33 kinds of things. I'm not real deeply involved in this
34 at this point. We've hired somebody to lead up the
35 planning effort, but there's a lot of concern about the
36 environmental condition or about the condition of some
37 of the trails. So doing something to improve the trail
38 conditions I think is something that's going to be
39 considered in the EIS.

40
41 MADAME CHAIR ENTSMINGER: Barbara, I
42 just read down here these are not hearings. All
43 meetings will be open house format. If they're not
44 hearings, what does that mean as far as what your input
45 means to the government?

46
47 MS. CELLARIUS: It's not going to be a
48 public hearing like having microphones and having
49 people come up one at a time and give testimony, but
50 we'll be collecting comments from people.

1 MADAME CHAIR ENTSMINGER: Which means
2 the same.

3
4 MS. CELLARIUS: The point of these
5 meetings is to collect public comments.

6
7 MADAME CHAIR ENTSMINGER: That's what I
8 want to hear.

9
10 MS. CELLARIUS: But it's not
11 necessarily going to be this kind of format where
12 there's a microphone and a court reporter. I think
13 it's more there will be a chance for people to learn
14 about what's going on and then for them to provide
15 comments. As I said, this is the very beginning of the
16 process. We're not at the point, for example, with
17 Yukon Flats on the Land Exchange where they have a
18 document that people are commenting on. That's
19 something that will be further on down the road. Then
20 there will be a public comment period.

21
22 MADAME CHAIR ENTSMINGER: But we will
23 see an EIS.

24
25 MS. CELLARIUS: Yes. Unfortunately
26 there will be another one of these large documents. If
27 the Council is interested, I will do my best to have
28 somebody come and give you a verbal report.

29
30 MADAME CHAIR ENTSMINGER: This is
31 definitely in our region because it's in Unit 12, on
32 that Nabesna Road country. It's really important to
33 the people of this region, so we want to stay informed.

34
35 Any questions of Barbara.

36
37 (No comments)

38
39 MADAME CHAIR ENTSMINGER: So the
40 Wrangell-St. Elias, for you, Matthew, it takes in both
41 Unit 12 and Unit 11 and we stay interested in that in
42 this region because people qualify to hunt there.

43
44 MR. GILBERT: I was just curious who
45 are you being sued by.

46
47 MS. CELLARIUS: I think it's in here,
48 but it was three environmental organizations. The
49 National Parks Conservation Association, Alaska Center
50 for the Environment and the Wilderness Society. So

1 that was in 2006 that they filed a lawsuit against the
2 National Park Service regarding recreational ORV use on
3 these nine trails off the Nabesna Road. We issue moose
4 permits for Unit 11 and sort of down toward the end of
5 the road is Unit 12, which is in your region. But we
6 issue quite a number of permits to people who live up
7 in this area, Northway, Tok, Tanacross, these
8 communities up here.

9

10 MADAME CHAIR ENTSMINGER: For 11 or for
11 12?

12

13 MS. CELLARIUS: We issue the permits
14 for 11, 12 is a little bit different, there's not a
15 State registration permit -- or there's not a Federal
16 registration permit, so what you need is a Federal
17 harvest ticket. But it's not unusual for people to
18 drive the length of the road and hunt under -- there
19 are Federal seasons and harvest limits for both parts
20 of the road. It's just that I can tell you because I
21 look at who gets the permits that I can tell you that
22 people from this region hunt the Nabesna Road.

23

24 MADAME CHAIR ENTSMINGER: Right. But
25 they technically do not need an ORV permit because you
26 don't need one for subsistence, correct?

27

28 MS. CELLARIUS: That's correct.

29

30 MADAME CHAIR ENTSMINGER: But they get
31 them anyway.

32

33 MS. CELLARIUS: What I'm saying is we
34 issue Federal moose permits.....

35

36 MADAME CHAIR ENTSMINGER: Okay.

37

38 MS. CELLARIUS:to people from
39 this region and because we're issuing Federal moose
40 permits to people in Unit 11, I'm assuming that at
41 least some of them continue on down the road to Unit 12
42 to hunt moose. It's just that we don't track it quite
43 the same way because there's not a Federal registration
44 permit for Unit 12.

45

46 MR. GLANZ: Do you understand?

47

48 MADAME CHAIR ENTSMINGER: No.

49

50 MR. GLANZ: She's not issuing off-road

1 permits, she's issuing moose permits.

2

3 MADAME CHAIR ENTSMINGER: Right, I
4 understand she's doing moose permits, but I think she's
5 got me a little bit.....

6

7 MS. CELLARIUS: I'm issuing moose
8 permits for Unit 11. I don't issue moose permits for
9 Unit 12 because there's not a Federal registration.

10

11 MADAME CHAIR ENTSMINGER: They use the
12 State.

13

14 MS. CELLARIUS: Right, they use the
15 State. The point that I want to make is that people
16 who live in Tok and along the Alaska Highway.....

17

18 MADAME CHAIR ENTSMINGER: Upper Tanana.

19

20 MS. CELLARIUS:the Upper Tanana
21 residents, we're seeing that they're coming in to get
22 Unit 11 permits, so residents of this region it's of
23 interest to them because they hunt along the road.

24

25 MADAME CHAIR ENTSMINGER: Right.
26 Because in Unit 11 they don't have a C&T and so they're
27 called recreational at that point?

28

29 MS. CELLARIUS: No, no. When I say
30 recreational, I'm talking -- the people who have to get
31 a recreational ORV permit are people who do not live in
32 a resident zone community.

33

34 MADAME CHAIR ENTSMINGER: That's right.

35

36 MS. CELLARIUS: I guess the point I'm
37 trying to make is that hunting along the Nabesna Road
38 is something that people in the Upper Tanana region do.

39

40 MADAME CHAIR ENTSMINGER: Yeah.

41

42 MS. CELLARIUS: I probably gave you too
43 much detail that was confusing, but I just wanted to
44 make the point that it's an area that's of interest to
45 residents of this region.

46

47 MADAME CHAIR ENTSMINGER: Any questions
48 of Barbara.

49

50 (No comments)

1 MADAME CHAIR ENTSMINGER: Thanks,
2 Barbara. But this region is definitely going to be
3 interested in this.

4
5 MS. CELLARIUS: Okay, I will pass that
6 message on.

7
8 MADAME CHAIR ENTSMINGER: I'm sorry,
9 Barbara. This just came to me. When I showed this to
10 Jeff Gross or he showed it to me actually, I was aware
11 of it but he wasn't aware of the meeting on the 25th
12 until we talked about it yesterday. But he has spoke
13 to you about it.

14
15 MS. CELLARIUS: (Shakes head
16 negatively)

17
18 MADAME CHAIR ENTSMINGER: So maybe
19 something fell through the cracks there if the area
20 biologist wasn't aware that there's a Tok meeting March
21 25th. How did this get noticed?

22
23 MS. CELLARIUS: As I said, we hired
24 someone to take charge of the planning effort and I'm
25 not directly involved in the planning effort. I just
26 wanted to make sure you have the latest information I
27 could get. That's what I had.

28
29 MADAME CHAIR ENTSMINGER: Something's
30 fallen through the cracks and I guess it has to do with
31 that Federal Register and you have to read 18 pages of
32 documents to find it. That's usually the case that I
33 find on these issues.

34
35 MS. CELLARIUS: I'm not sure what the
36 Federal Register requirements were. I think there was
37 something published in the Federal Register that spoke
38 generally about the fact that we're doing the EIS. I'm
39 not sure how much detail there was.

40
41 MADAME CHAIR ENTSMINGER: I would
42 request that the area biologist and Chair of the AC be
43 put on your list of notifications for these meetings
44 and all the local villages on the Upper Tanana and I
45 can provide you with a list of fax numbers. They don't
46 do much for email.

47
48 MS. CELLARIUS: I will pass that
49 message on.

50

1 MADAME CHAIR ENTSMINGER: Thank you.
2 Other agency groups.
3
4 (No comments)
5
6 MADAME CHAIR ENTSMINGER: We've got 'er
7 down here now.
8
9 (Laughter)
10
11 MADAME CHAIR ENTSMINGER: There was
12 just a couple things I wanted to touch on before we
13 move rapidly along here. A couple things came up from
14 the public, a proposal for black bears being a
15 furbearer animal. I know our Federal call is a little
16 out, but how can we make sure we don't let this fall
17 through the cracks.
18
19 MR. MATHEWS: Through me.
20
21 MADAME CHAIR ENTSMINGER: Through our
22 coordinator.
23
24 MR. DEMATTEO: Madame Chair. Vince and
25 I roughly talked about this, how we're going to weed
26 through the next couple years. I guess we landed on we
27 would keep a running list of things that have to happen
28 and when they should happen by and that's the best we
29 can do at this point. Just let your Staff keep that
30 list going as a reminder list and then Vince will
31 notify them.
32
33 MADAME CHAIR ENTSMINGER: If it's okay
34 with the Council, I would like this to be a check-off
35 that we have this for the future to possibly put forth
36 a proposal for wildlife.
37
38 MR. GLANZ: Also, Madame Chair. Matt
39 there at Arctic Village he wants to have the Red Sheep
40 hunt, that Red Sheep Creek, in the next hunt schedule.
41
42 MR. MATHEWS: Yes, we have that.
43
44 MADAME CHAIR ENTSMINGER: Actually, I
45 would like to know in the future when the Board of Game
46 next call for proposals would be that would deal with
47 handicrafts. I would be interested in a black bear
48 handicraft to start with, with claws attached, through
49 the State process. If we can make sure we know when
50 the next call is for statewide Board proposals that

1 would bring up black bear handicraft.

2

3 MR. UMPHENOUR: I think they just had a
4 statewide meeting in January, so when it would be
5 addressed would be two years from January, I would
6 think, but I could be wrong.

7

8 MR. MATHEWS: I'll check the website.

9

10 MADAME CHAIR ENTSMINGER: I just want
11 to know. I don't want that to fall through the cracks.
12 I was really bummed at myself that it fell through this
13 last time. Those were the things I wrote down. Anyone
14 else have anything else we have overlooked here we need
15 to finish up before we finish our agenda.

16

17 (No comments)

18

19 MADAME CHAIR ENTSMINGER: Okay.
20 Regional Council business. Election of Officers. What
21 is the status currently, Vince.

22

23 MR. MATHEWS: Right now you have three
24 officers. Yourself as chairperson and then vice-chair
25 is Virgil. Your person as secretary was Donald
26 Woodruff. He didn't reapply, so that slot is open as
27 well as the current chair and vice-chair. It's an
28 annual election.

29

30 MR. GLANZ: I'd like to make a motion
31 that the present officers retain their present
32 positions if they're willing to.

33

34 MR. CARROLL: Second the motion and ask
35 for a unanimous consent on that.

36

37 MADAME CHAIR ENTSMINGER: So we
38 just.....

39

40 MR. CARROLL: If nobody objects, then
41 you retain your seats.

42

43 MADAME CHAIR ENTSMINGER: Is there any
44 objections. Virgil, do you have any objections?

45

46 MR. GLANZ: Sue, do you mind?

47

48 MADAME CHAIR ENTSMINGER: I don't mind.

49

50 (No objections)

1 MR. GLANZ: We still need a secretary.
2
3 MADAME CHAIR ENTSMINGER: Right. Do I
4 hear a nomination for secretary. Vince will describe
5 it. If the chair or vice-chair can't go to the Federal
6 Subsistence Board, the next person in line is the next
7 officer, being the secretary. The secretary isn't
8 required to sit here and write notes.
9
10 MR. CARROLL: So this organization is
11 set up for a third in line, a secretary, not a second
12 vice-chair?
13
14 MR. MATHEWS: I don't know what the
15 charter says. I think it just says secretary.
16 Functionally, it's just the second vice-chair. So
17 instead of going through and changing the charter,
18 which has to go to the Secretary of Interior,
19 functionally just keep it as a second vice-chair.
20
21 MADAME CHAIR ENTSMINGER: Functionally,
22 but the title is called secretary. Matthew, did I hear
23 you had a nomination.
24
25 MR. GILBERT: I'd like to nominate
26 Richard, but he said he didn't want to, but I'd like to
27 nominate him for the secretary though.
28
29 MR. CARROLL: I will accept the
30 nomination.
31
32 MR. GLANZ: Second.
33
34 MADAME CHAIR ENTSMINGER: And I'm going
35 to ask for unanimous consent. Anyone opposed.
36
37 (No objections)
38
39 MADAME CHAIR ENTSMINGER: Okay. That
40 part's done. What's Regional Council appointments?
41
42 MR. MATHEWS: Yes, you appoint to the
43 SRC and I believe that's current, so we don't need
44 that. I just keep it on there in case there's other
45 appointments to like Fortymile Planning Committee if
46 that came back up.
47
48 MADAME CHAIR ENTSMINGER: Okay.
49
50 MR. MATHEWS: There's none that I know

1 of. Barbara has confirmed that you don't need to
2 appoint somebody or re-appoint to the SRC. Denali, you
3 don't have an appointment. So I think you're fine.

4
5 MADAME CHAIR ENTSMINGER: There's just
6 those two that we appoint.

7
8 MR. MATHEWS: For Subsistence Resource
9 Commission.

10
11 MADAME CHAIR ENTSMINGER: Yukon-Charley
12 does not have one because it's preserve, I assume.

13
14 MS. CELLARIUS: It's a national
15 preserve.

16
17 MADAME CHAIR ENTSMINGER: Okay.
18 Correspondence received and sent. Vince.

19
20 MR. MATHEWS: If you want to know what
21 was sent and received, you should have gotten all the
22 copies. That's just a listing on Page 108. You can
23 look at it. If you didn't receive one, let me know.
24 It's just my way of accounting to you what's been done.

25
26 MR. UMPHENOUR: It's the last page of
27 the book.

28
29 MR. MATHEWS: When I work two regions,
30 I've got to try to track both, so it's just a way of
31 letting you know.

32
33 MADAME CHAIR ENTSMINGER: But you send
34 all of this to us. It's just a synopsis.

35
36 MR. MATHEWS: It's a list for record
37 keeping in case I miss somebody or whatever.

38
39 MADAME CHAIR ENTSMINGER: Okay.
40 Matthew.

41
42 MR. GILBERT: Madame Chair. I think we
43 have some of these already.

44
45 MADAME CHAIR ENTSMINGER: Yeah.
46 They're all sent to us and he just have this list of
47 what has been received and sent. As a new member you
48 probably got some of them but not all. So this is,
49 what, for the year, Vince.

50

1 MR. MATHEWS: It's from your last
2 meeting.
3
4 MADAME CHAIR ENTSMINGER: Okay. So
5 when did he start receiving them.
6
7 MR. MATHEWS: He was appointed
8 February, so it would be anything since February.
9
10 MADAME CHAIR ENTSMINGER: If you want
11 any of that stuff, just let us -- okay, you don't want
12 any more paper?
13
14 (Laughter)
15
16 MADAME CHAIR ENTSMINGER: I can't help
17 it. You'll have to forgive me.
18
19 MR. GILBERT: It's good fire paper.
20
21 MADAME CHAIR ENTSMINGER: So this is
22 our Council's chance to give closing comments or talk
23 about concerns, positive things or about the meeting.
24 We'll start with Bill again.
25
26 MR. GLANZ: I don't really have a whole
27 lot of comments. I'm just glad to see out there in
28 Yukon Flats, Richard, and me in the Central area we're
29 starting getting the message out about the cow caribou
30 and moose both even though they're shooting them out
31 there by us. This is pretty informative. I'm getting
32 my feet wet. I'm starting to know what's going on a
33 little better. Every meeting you learn a little bit
34 more. I appreciate everybody's patient with me. Once
35 in a while I go a little nuts, but I'm okay.
36
37 (Laughter)
38
39 MR. GLANZ: Thank you, everybody.
40
41 MADAME CHAIR ENTSMINGER: That's what
42 we look forward to. I just have to point out how many
43 years you've been on the Council and now you feel like
44 you're just.....
45
46 MR. GLANZ: You do. It just takes a
47 while. I'm kind of like you, Sue, when it comes to the
48 fishing. I go out and get a few king and that's it,
49 unlike Virgil who is really into the fishing and knows
50 the laws and rules. I'm more into the game than the

1 fishing. I really enjoy the game part of it.

2

3 Thank you, guys.

4

5 MADAME CHAIR ENTSMINGER: Thank you,
6 Bill. Virgil.

7

8 MR. UMPHENOUR: I think most of my
9 concerns I've already expressed here at the meeting. I
10 think we had a pretty good meeting. I think we're
11 moving forward on some things. Some of the things I
12 think our RAC has pioneered basically in the state.
13 Some of the issues we've pioneered that have affected
14 the whole state. I think we're probably the most
15 progressive RAC. I don't really have anything else to
16 say. I've covered everything I really wanted to cover
17 during the meeting.

18

19 Thank you.

20

21 MADAME CHAIR ENTSMINGER: Thank you,
22 Virgil. Richard.

23

24 MR. CARROLL: I want to thank the Tok
25 people. Connie, thank you very much for all your
26 effort in the kitchen and making sure we're.....

27

28 MADAME CHAIR ENTSMINGER: And Tony for
29 doing dishes.

30

31 (Applause)

32

33 MADAME CHAIR ENTSMINGER: We'll have to
34 write that down in the record books, Tony.

35

36 (Laughter)

37

38 MR. BOOTH: No, please don't.

39

40 (Laughter)

41

42 MADAME CHAIR ENTSMINGER: Don't tell
43 your wife? Okay.

44

45 MR. CARROLL: I'm beginning to feel a
46 little comfortable. This is my third meeting, I think.
47 I feel real comfortable with the working spirit and I
48 think we're actually making inroads and addressing some
49 of the concerns across our region. It's a wide region,
50 a big region. I look forward to being fair and honest

1 with each group and everybody gets equal representation
2 and everybody gets a chance to say what they feel.
3 I've been able to get my understanding across and I've
4 been able to understand everybody here and walk away
5 with no regrets and no bad feelings. I thank you all
6 for participating.

7
8 MADAME CHAIR ENTSMINGER: Thank you,
9 Richard. Very good. Matthew.

10
11 MR. GILBERT: Hi. Matt Gilbert. It
12 was a good meeting. I want to thank Tok people, too.
13 It was a pretty relaxed little community here. It was
14 a pretty relaxed meeting and I learned a lot. There's
15 a lot of regulations and a lot of stuff to swallow, but
16 I managed to understand a big portion of it. I was
17 really curious of the status of the C&T use
18 determination policy. I didn't know there was an open
19 comment deadline for that. Had I known I would have
20 made a comment. It looked like it was really important
21 because AFN wrote a letter to it and I really wish I
22 had known about it earlier and learned about the issue.

23
24
25 Along with that Yukon Drainage
26 Fisheries Association and all other agencies and
27 Eastern RAC, I think we all need to start incorporating
28 the factor of climate change, global warming. I don't
29 hear a lot of people talking about that and it's
30 definitely an issue that's out there and might be a
31 factor for some of these fluctuations in the
32 populations of certain animals. I just feel like it
33 would be a promising thing to investigate when looking
34 at these irregularities and population fluctuations and
35 surveys and anomalies.

36
37 I was also curious about that one guy
38 that came in here and said that people were ripping up
39 the signs that was put up by the local communities for
40 AHTNA land. I wanted to hear more about that but he
41 took off. Other than that, I think you guys made very
42 wise and well thought out decisions. I enjoyed the
43 meeting.

44
45 MADAME CHAIR ENTSMINGER: Thank you,
46 Matt. I can talk to you about that C&T policy and she
47 can too. Some of the things he brought up I'll ask
48 Vince to help you out through that. Thank you, Matt.
49 This is a lot to absorb. I would say you're pretty on
50 the ball because I was more like Bill there. It took

1 me three years to put my head around some of this
2 stuff. Last but not least -- you're going to be
3 Matthew to me and this is Matt.

4

5 MR. FRENZL: I'd like to make an
6 official name change. Two T's in Matthew and no final
7 E in Frenzl. I'd like to thank the people in Tok,
8 appreciate their hard work. They did a fine job
9 putting on this meeting. This is my second meeting.
10 I've enjoyed this meeting. I would like to suggest if
11 somehow we can incorporate for fishing and trapping
12 similar things. Like Henshaw Creek is to fishing. If
13 we could somehow get involved in that.

14

15 MADAME CHAIR ENTSMINGER: What was it
16 again?

17

18 MR. FRENZL: Well, Henshaw Creek is a
19 great project for kids involved with fishing. If we
20 could get something going for hunting and trapping for
21 a similar type of age student, that would be a great
22 idea. I think it would be a good idea for somebody
23 like Mike Cronk to pick up the ball and do something
24 with that. I think that would be a good thing to do.

25

26 MADAME CHAIR ENTSMINGER: I'll be open
27 for idea to know how we could go about that.

28

29 MR. FRENZL: It just popped in my head
30 a day or two ago and I thought I'd throw it out to get
31 more youth involved in something like that. That whole
32 lifestyle is kind of dying out and it seems that would
33 be a good way to perk it up a little bit. Anyhow,
34 thanks again. I enjoyed the meeting. I think the
35 working relationship here is very good.

36

37 MADAME CHAIR ENTSMINGER: Thank you,
38 Matthew. Last but not least your Chair. I just love
39 hearing from you guys. I really appreciate that you
40 feel comfortable because that's important. That's what
41 makes these kinds of things work. I'm going to
42 reiterate the joining of hands of the non-Native/Native
43 people, rural/non-rural and to me especially the State
44 and the Federal, the joining of hands and trying to
45 work together. It's very, very, very important to me.

46

47 Currently I feel a little distressed at
48 some of this stuff that the State is coming up with, me
49 personally, and I believe that might be shared within
50 the group. Somehow we can figure out how to make some

1 of this stuff better. I'd like us to work towards
2 that. What else am I missing. I don't think anything.
3 You guys can call me anytime if you have anything
4 besides the Staff. I would appreciate hearing it. A
5 lot of times you get to these meetings, there's a lot
6 of stuff coming down on you, and you wish you would
7 have been able to talk to somebody before the meeting
8 so you get more out of the meeting while you're here,
9 so don't be afraid to make those phone calls.

10

11 I think that's it for me. Anything
12 else from Staff. Yes, Connie.

13

14 MS. FRIEND: Please take some food when
15 you leave.

16

17 MADAME CHAIR ENTSMINGER: This is
18 potlatch style. Now it's not potluck, it's potlatch.

19

20 MR. CARROLL: Madame Chair. Move for
21 adjournment.

22

23 MR. GLANZ: Second.

24

25 MADAME CHAIR ENTSMINGER: All in favor.

26

27 IN UNISON: Aye.

28

29 MADAME CHAIR ENTSMINGER: Officially
30 adjourned. Thank you.

31

32 (Off record)

33

34 (END OF PROCEEDINGS)

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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:

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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 29th day of March 2008.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/12