

1 EASTERN INTERIOR FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8 Arctic Village, Alaska
9 March 20, 2007
10 9:15 o'clock a.m.
11

12
13 COUNCIL MEMBERS PRESENT:

14
15 Sue Entsminger, Chairman
16 Richard Carroll
17 William Glanz
18 James Nathaniel, Sr.
19 Virgil Umphenour
20 Donald Woodruff

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26 Regional Council Coordinator, Vince Mathews
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P R O C E E D I N G S

(Arctic Village - 3/20/2007)

(On record)

CHAIRWOMAN ENTSMINGER: We're going to call this meeting to order. Eastern Interior RAC, March 20th, we're punctual as usual, 9:25.

(Laughter)

CHAIRWOMAN ENTSMINGER: What time is it, mine's fast.

MR. UMPHENOUR: 9:15.

CHAIRWOMAN ENTSMINGER: 9:15, okay. I want to welcome everyone here, it's been a beautiful morning here this morning. It reminds you that you're still in Alaska when it's still probably 20 below in March.

Now, an invocation by an elder.

MS. GIMMELL: I just wanted to welcome everyone to Arctic Village. I'm very glad that you guys could make it and I hope your stay is welcome with our people and just enjoy yourself, and I think we're going to have a good meeting.

Thank you.

CHAIRWOMAN ENTSMINGER: Richard's going to open with prayer.

(INVOCATION BY MR. CARROLL)

CHAIRWOMAN ENTSMINGER: Thank you, Richard. Vince will do a roll call.

MR. MATHEWS: Yes, do you want me to call you Madame Chair or just Chair because I'm going to stumble if you don't give me direction.

CHAIRWOMAN ENTSMINGER: You know it wouldn't hurt my feelings, you can call me whatever you like just so it's nice.

MR. MATHEWS: Okay. I'd be more

1 comfortable with Madame Chair, if that's all right.
2
3 CHAIRWOMAN ENTSMINGER: Sounds good.
4
5 MR. MATHEWS: Roll call. Gerald
6 Nicholia is absent due to work. Sue Entsminger.
7
8 CHAIRWOMAN ENTSMINGER: Here.
9
10 MR. MATHEWS: Andy Bassich is absent
11 because of work also.
12
13 MR. RIVARD: Turn your mic back on.
14
15 REPORTER: No, it's already tripped.
16
17 MR. MATHEWS: Oh, sorry, we already
18 blew it already. Well, I'll be.
19
20 (Pause - Repower System)
21
22 MR. MATHEWS: There we go. Just go
23 down the list, Gerald Nicholia, absent. Andy Bassich
24 absent because of work conflict. Donald Woodruff.
25
26 MR. WOODRUFF: Here.
27
28 MR. MATHEWS: James Nathaniel, Sr.
29
30 MR. NATHANIEL: Here.
31
32 MR. MATHEWS: Bill Glanz.
33
34 MR. GLANZ: Here.
35
36 MR. MATHEWS: Amy Wright's absent
37 because of work and difficulty with her work, it was
38 kind of an emergency situation so she's absent.
39
40 Virgil Umphenour.
41
42 MR. UMPHENOUR: Here.
43
44 MR. MATHEWS: Richard Carroll, Jr.
45
46 MR. CARROLL: Here.
47
48 MR. MATHEWS: Mathew Frenzl. He called
49 me, he has a family emergency that happened Friday, he
50 just couldn't get away. So he apologized profusely on

1 that and does want to be active but he just could not
2 get away because it was family.

3

4 So Mr. -- Madame Chair, that means we
5 have six Council members of 10 so you have a quorum.

6

7 CHAIRWOMAN ENTSMINGER: Thank you,
8 Vince.

9

10 MR. MATHEWS: I want to.....

11

12 CHAIRWOMAN ENTSMINGER: I want to
13 welcome Richard to the Council. He reminds me a little
14 bit of his long lost relative, Craig, so we're really
15 glad to have you here and hope you can help us out
16 through your area.

17

18 Now, we'd like the introduction of
19 agency Staff.

20

21 MR. MATHEWS: Yeah, Sue, before I go
22 through agency Staff, each of you got one of these
23 notebooks in front of you, this is additional materials
24 than your book. And I'll just walk you through it
25 because you'll have kind of a visual idea of what's in
26 there. I think they're all in the same order, I tried
27 to do that.

28

29 The pink one is just for your
30 information, this is guidance on Regional Council
31 Advisory member conduct. It's later on your agenda but
32 that gives you an idea, it's just for information, it
33 gives us sideboards of what to do.

34

35 The -- for Richard and others, I made
36 this an obscene color for a purpose. I think some of
37 you guys have talked already and I know Sue and Virgil
38 know this very well and possibly James, whatever
39 recommendation you do, you've got to have it based on
40 evidence, et cetera. And so if you follow this
41 procedure, and it's on the back of your nameplate, too,
42 I can help you with it as long as you allow me to. But
43 if you touch each one of these then it's a clean
44 record. And on some of them they're obviously no
45 brainer proposals you may not need to go through each
46 step but if you get in the pattern, I'm sure Sue and
47 Virgil can tell you how their Boards -- when they were
48 on the Board of Game and Board of Fish got stopped down
49 the road because they didn't follow a procedure. We're
50 not as strict on the procedure but to strengthen the

1 person going to the Board it's best to follow a
2 procedure.

3
4 The next thing is a letter, which is
5 the .805c letter. I haven't had a chance to meet with
6 Richard other than to explain to him the three criteria
7 that the Board can use to reject your recommendations.
8 This is the report card back, Richard, when the Board
9 takes action they're bound by law in writing to reply
10 to the Council why they rejected your recommendation.
11 What we've done since Day 1 is just give you a full
12 read out of what the Board did on the proposals you
13 guys comment on. So we'll cover that later in the
14 agenda.

15
16 And I don't know if it's in the book,
17 I'm pretty sure it's not in the book, these are the
18 four proposals that's in your packet that were deferred
19 from your Council for fisheries. They had to do with
20 net size, net depth, windows schedule, things like
21 that.

22
23 And then I put in there, which I sent
24 to you guys also, a copy of your draft annual report.
25 It says draft annual report. Again, for Richard, the
26 annual report is part of ANILCA, and it's there to
27 address issues beyond proposals. So your Council has
28 submitted an annual report since day one, since '93.
29 And the State Advisory Councils before that also had
30 annual reports.

31
32 I'm just walking you through this so we
33 can find it.

34
35 The next one is kind of a poor copy of
36 it but it's the best one we had of the letter from the
37 Alaska Federation of Natives concerning budgets and
38 we'll be talking about that later on the agenda.

39
40 And the last thing is -- no, actually
41 there's two things, excuse me. This is something you
42 guys have been talking about global warming, it's
43 really not on your agenda. This is an informational
44 item for you guys to look at, it's pretty informative.
45 It's just provided as information, it doesn't mean
46 we're supporting or rejecting it, or anything, it's
47 just basically information for you.

48
49 This is something I threw in there
50 because of your interest in guides and transporters.

1 So when I ran into Sue back in January at the -- well,
2 Sue didn't know I ran into her, but at the meeting in
3 January at the Guide Board, these were laying out, at
4 the Guide Board. It's the ethics for guides and
5 transporters. I provided it to all Council members
6 because I think they need to understand how guides are
7 functioning and what safeguards they have because
8 guides and transporter issues come up a lot, so that's
9 informational.

10

11 I know this is a lot of material but it
12 will help you down the road.

13

14 The last piece is something that Sue
15 requested and it's a good idea but not all these people
16 are going to be here today, she wanted a list of Staff
17 who might be presenting and who they represent and then
18 I threw in there their phone numbers. So if you look
19 at that, Ruth Gronquist will be here today, she's down
20 there under Bureau of Land Management, so you might
21 catch the name Ruth. If you go down the list you see,
22 oh, she works for Bureau of Land Management, wildlife
23 biologist, I want to talk to her about the Fortymile --
24 not the Fortymile -- the White Mountain Caribou Herd,
25 you got her phone number and you can call it. So this
26 is what I call the Staff cheatsheet sheet.

27

28 Okay, and then I just threw in an extra
29 sheet of paper if you guys need to write anything.

30

31 So that's there, it may help you when
32 you get other handouts. I don't know -- for those of
33 you who have been to these meetings you usually get
34 another half inch of handouts, I'm not sure we're going
35 to have that many this time but, again, if you want to
36 you can use the folder to throw those in there.

37

38 So that gets you up to date on that
39 material. I understand Richard didn't get a copy of
40 the book ahead of time, so I apologize for that. I
41 think what I've mainly impressed Richard and I'm sure
42 that -- and I hope that the Chair would agree is that
43 his main role here is to share his knowledge and
44 understanding and ask at any time any questions that he
45 might have so he can get up to speed quicker on these
46 topics because some of these statewide proposals may be
47 a little complex.

48

49 So that's all the material I have for
50 that Madame Chair.

1 CHAIRWOMAN ENTSMINGER: Okay.
2 Then.....
3
4 MR. MATHEWS: And then I'll introduce
5 the Staff that's here if that will help.
6
7 CHAIRWOMAN ENTSMINGER: Before we go
8 into that, I just want all the Council members to know
9 that if there's something going on that you don't
10 understand, just stop and -- like some of the people
11 you might know who, or what agency they're with, I
12 found it confusing sometimes when there were so many
13 agencies here you don't really know their part to this
14 Council, I just want you to ask. Because it's
15 important to know who they all are.
16
17 And, Vince, I just need to ask you one
18 more thing here.
19
20 MR. MATHEWS: Yes.
21
22 CHAIRWOMAN ENTSMINGER: There's a
23 couple things, in leafing through this, that brings up
24 some questions, are we going to be -- is this inter-
25 related to our agenda?
26
27 MR. MATHEWS: Some of these items are
28 related to the agenda, I was just showing you the
29 layout so when Don -- if Don -- when we talk about the
30 AFN letter, you know it's in here and you have a
31 general idea of what it looks like.
32
33 CHAIRWOMAN ENTSMINGER: Okay, then we
34 can go on.....
35
36 MR. MATHEWS: Yeah, the -- most of.....
37
38 CHAIRWOMAN ENTSMINGER:with
39 introductions.
40
41 MR. MATHEWS:the stuff is
42 informational that I didn't get in time to produce the
43 book. The book is produced several weeks in advance.
44
45 CHAIRWOMAN ENTSMINGER: Okay. Go ahead
46 with the introductions.
47
48 MR. MATHEWS: Well, the introductions,
49 the Staff is going to be pretty slim here, but as other
50 Staff comes in, they're coming in on flights this

1 morning or on Refuge planes so there may be other Staff
2 arriving at a later date.

3
4 CHAIRWOMAN ENTSMINGER: Do you want to
5 wait until they get here and then we'll just do it all
6 at once.

7
8 MR. MATHEWS: Yeah, we could do it all
9 at once.

10
11 CHAIRWOMAN ENTSMINGER: Okay, then
12 we'll.....

13
14 MR. MATHEWS: For the record now Don
15 Rivard's here, the Interior Division Chief for Office
16 of Subsistence Management. Wennona Brown is here for
17 Yukon Flats. And Warren Eastland with Bureau of Indian
18 Affairs. Now, Warren serves a special role, just so
19 you understand that and that's why it's valuable to
20 have him here -- and this is educational for Richard.
21 The actions that you do here on proposals, the next
22 step goes to the InterAgency Staff Committee which is
23 made up of six members and a Chair.

24
25 MR. EASTLAND: Yes.

26
27 MR. MATHEWS: Yes, six plus a Chair.
28 The Chair doesn't vote. They're the ones then that
29 look at all the recommendations, the data and they come
30 up with a recommendation to before the Board. The
31 Board is the actual decision-maker, but this is the
32 next level of review. And.....

33
34 CHAIRWOMAN ENTSMINGER: And he's the
35 only one from Staff Committee.

36
37 MR. MATHEWS: Yes. Yes. Warren is the
38 only one. We were hoping that other ones would be
39 here, but you have to realize that we're at the end of
40 the cycle for all the meetings, we're the last meeting
41 actually.

42
43 MR. RIVARD: North Slope.

44
45 REPORTER: Two, North Slope and
46 Northwest Arctic, by teleconference.

47
48 MR. MATHEWS: No, there's one more,
49 North Slope is meeting -- no, there's two more that are
50 meeting, North Slope and Northwest Arctic by

1 teleconference. Wow. So why am I saying that, you may
2 want to talk to Warren about how Staff Committee deals
3 with your issues if you have concerns on break or
4 whatever. He's here to enlighten that. He represents
5 the Bureau of Indian Affairs. There's a Staff
6 Committee representative for Fish and Wildlife Service,
7 Forest Service, National Park Service, who am I
8 missing, oh, Bureau of Land Management.

9

10 MR. EASTLAND: And the Secretary.

11

12 MR. MATHEWS: And the Secretary, which
13 is, actually, yeah, that's right, that would be Carl
14 Jack. And so that's the next level and so if the issue
15 is of interest to you the Staff Committee can plug in
16 your representative by teleconference when they meet.

17

18 Okay, so then with that, I saw Paul
19 Williams here somewhere, he must have ducked out again.

20

21 MS. BROWN: I heard the plane fly over
22 but I haven't seen him come in yet.

23

24 MR. MATHEWS: Oh, okay, well, Paul
25 Williams is on his way here. Richard Voss is coming
26 in.

27

28 MS. BROWN: Gail Collins.

29

30 MR. MATHEWS: Tina Collins.

31

32 MS. BROWN: Gail Collins, Tetlin.

33

34 MR. MATHEWS: I already mentioned Ruth
35 Gronquist is coming in on another flight. Gerald
36 Maschmann who's with Federal in-season manager is on a
37 flight with.....

38

39 CHAIRWOMAN ENTSMINGER: We can.....

40

41 MR. MATHEWS:Arctic Circle.

42

43 CHAIRWOMAN ENTSMINGER: We can go
44 through that when they get here.

45

46 MR. MATHEWS: Yeah.

47

48 CHAIRWOMAN ENTSMINGER: Yeah.

49

50 MR. MATHEWS: Okay. That's it.

1 CHAIRWOMAN ENTSMINGER: I would like to
2 see introduction of the people here from the area.

3
4 MR. MATHEWS: Yes, they can come up and
5 I did forget to introduce the subsistence coordinator
6 for Denali National Park, Amy Craver. She did used to
7 work for our program, she's going to be a valuable
8 asset here because.....

9
10 CHAIRWOMAN ENTSMINGER: Okay,
11 Vince.....

12
13 MR. MATHEWS:she's a trained
14 anthropologist, so when we get into those areas, we're
15 going to -- without asking her, but we're going to tap
16 her knowledge.....

17
18 CHAIRWOMAN ENTSMINGER: Okay.

19
20 MR. MATHEWS:and expertise
21 hopefully. So the rest.....

22
23 CHAIRWOMAN ENTSMINGER: So let's
24 just.....

25
26 MR. MATHEWS:could come up to the
27 microphone.

28
29 CHAIRWOMAN ENTSMINGER: Could you just
30 introduce yourselves. Introduce yourselves here.

31
32 MR. JAMES: My name is Gideon James
33 from Arctic Village. I work for Venetie and Arctic
34 Village Tribal Government. I'm here to follow the --
35 to testify on some of the game that we have around
36 here, fish and all that stuff. So maybe you'll give me
37 a chance to make my presentation I'll be glad to do
38 that.

39
40 CHAIRWOMAN ENTSMINGER: We'll do that,
41 thank you.

42
43 MS. RUSSELL: My name is Martha
44 Russell, Arctic Village.

45
46 (A couple of people away from the
47 microphone - Mr. John, Ms. Russell, Mr. Gilbert)

48
49 MR. SAM: Edward Sam. Arctic Village.
50 I do research for the tribal government and I'm glad

1 you all came up here to have the meeting up here.
2
3 CHAIRWOMAN ENTSMINGER: Thank you, it's
4 nice to meet you all.
5
6 MR. SAM: Are you going to introduce
7 yourselves.
8
9 CHAIRWOMAN ENTSMINGER: Yes, that will
10 come, I believe it is.....
11
12 MR. MATHEWS: That's not on the agenda.
13
14 CHAIRWOMAN ENTSMINGER: Oh, it's not on
15 it, well, okay, we'll start now and introduce
16 ourselves.
17
18 MR. GLANZ: Bill Glanz.....
19
20 REPORTER: Bill, could you.....
21
22 MR. RIVARD: Turn your mic on.
23
24 MR. GLANZ:from -- Bill Glanz
25 from Central.
26
27 MR. WOODRUFF: Don Woodruff, Eagle.
28
29 MR. UMPHENOUR: Virgil Umphenour from
30 North Pole.
31
32 MR. CARROLL: Could I ask for a little
33 bio, where they're from, you know, just to let people
34 know.....
35
36 CHAIRWOMAN ENTSMINGER: Go ahead, oh,
37 yes, we're introducing ourselves and he has requested
38 just a small -- information on yourself.
39
40 MR. CARROLL: Yes.
41
42 CHAIRWOMAN ENTSMINGER: Start over.
43
44 MR. GLANZ: Well, let's see, I'm
45 retired. I fish and hunt. I've lived in Central 22
46 years. That's about the only thing I got going. I
47 worked in fire service for 20 years and retired.
48
49 MR. WOODRUFF: I'm a trapper in the
50 winter with a dog team so I have some expertise in that

1 area for 28 years.

2

3

Thank you.

4

5

MR. UMPHENOUR: I own a meat and fish
6 processing plant in Fairbanks, Interior Alaska Fish.
7 The last time I was in Arctic Village, well, I came
8 here when I came back from Vietnam in 1971 to the North
9 Pole. And I was the intelligence officer for the First
10 Scout Battalion in 1975, that's out of Nome. And so I
11 came up to Fort Yukon, then to Venetie and then to
12 Arctic Village in January of 1975 to inspect the
13 Armory's and National Guard troops and make sure they
14 were ready to go to training. But that was the last
15 time I was here. I think all the houses then were all
16 little log houses, there were no wood -- regular wood
17 frame houses.

18

19

But anyway I'm a big game hunting
20 guide. I hunt -- I have hunted in the headwaters of
21 the Chandalar River years ago, but I hunt to the west
22 of here in the Koyukuk National Wildlife Refuge and
23 then in the mountains between Unalakleet and Kaltag.

24

25

Thank you.

26

27

CHAIRWOMAN ENTSMINGER: My name is Sue
28 Entsminger. I live near Mentasta Village, which is
29 probably the extreme southern end of this Eastern
30 Interior RAC. I actually trap, sew fur, hunt. I was a
31 commercial fisherman -- woman or whatever you want to
32 call it, for a few years out of Bristol Bay and Norton
33 Sound, Norton Sound was herring, and Bristol Bay I
34 crewed for salmon.

35

36

I also am a registered big game guide
37 and we do a lot of hunting for our own hunting in the
38 Federal lands just south of our home in the Wrangell-
39 St. Elias.

40

41

MR. NATHANIEL: Good morning. My name
42 is James Nathaniel and I'm from Chalkytsik. I'm a
43 subsistence user. I'm retired. And I'm also on this
44 Board here. And that's about all I guess.

45

46

CHAIRWOMAN ENTSMINGER: Thank you.

47

48

MR. NATHANIEL: Thank you.

49

50

MR. CARROLL: Good morning. My name is

1 Richard Carroll, Jr., I'm from Fort Yukon. I was born
2 and raised there. And this is my first meeting and
3 I've never really gotten involved with any kind of
4 Federal, especially subsistence, but I am a subsistence
5 user. I started real young in high school fishing, and
6 I have fished commercially almost every summer, and I
7 do some trapping. I'm a tour guide in the village of
8 Fort Yukon and run river boat trips.

9

10 I'd like to say good morning to Gideon
11 and I know a lot of people here. It's good to see
12 Edward, Jonathan and you got a lady chief here, that's
13 really exciting, must be.

14

15 (Laughter)

16

17 MR. CARROLL: So I'm really glad to be
18 in Arctic Village and don't be afraid to approach me
19 about any of your concerns after the meeting or during
20 a break. So thanks for inviting us to your village.

21

22 CHAIRWOMAN ENTSMINGER: Thank you. I
23 see the rest of Staff has arrived, do you want to
24 finish introductions.

25

26 MR. MATHEWS: Yes. Paul Williams is
27 here, he's from Beaver. He's a Refuge Information
28 Technician for Yukon Flats Refuge. I believe Richard
29 Voss is here, somebody looked all ice'd up, he's here.
30 And then I don't know the other two.

31

32 MR. SOWARDS: I'm David Sowards, I'm a
33 pilot for the Arctic Village.

34

35 MS. COLLINS: And I'm Gail Collins.
36 I'm a biologist at Tetlin Refuge.

37

38 MR. MATHEWS: So it would be Gail
39 Collins and.....

40

41 MS. COLLINS: David Sowards.

42

43 MR. MATHEWS: David Sowards.

44

45 CHAIRWOMAN ENTSMINGER: Formally from
46 Tok.

47

48 (Laughter)

49

50 MR. MATHEWS: Oh, yeah, the other thing

1 I need to cover, sorry, Madame Chair, is that there is
2 a sign in sheet there. That helps tremendously when we
3 have to do minutes and transcripts. So there's a sign
4 up sheet on the table there and it helps with spelling.
5 We don't really want to misspell names. For example, I
6 had to talk to someone yesterday, it's the first person
7 I'd ever met that had one L in Darrel, and he made me
8 aware that it's one L. So anyways that helps with that
9 and it helps us keep track of attendance.

10

11 CHAIRWOMAN ENTSMINGER: Okay. Now, we
12 are to the Regional.....

13

14 MR. MATHEWS: Now, we're up.....

15

16 CHAIRWOMAN ENTSMINGER:

17Council.....

18

19 MR. MATHEWS:to.....

20

21 CHAIRWOMAN ENTSMINGER: Our concerns.

22

23 MR. MATHEWS: Yes. And this is -- for,

24 Richard, this is really important because this gives
25 Staff an inkling of what your issues are, what we may
26 -- the Council may want to add to the agenda and it
27 gives us an inkling of where to go in the future. So
28 these are -- and, again, this is your first meeting so
29 it may be hard to prepare for that. But this is
30 Council member concerns.

31

32 The Chair's report, obviously the Chair
33 is not here so.....

34

35 CHAIRWOMAN ENTSMINGER: Well, I'll give
36 a short report.

37

38 MR. MATHEWS:there's really --
39 she'll have a report. But then this is a time where
40 you may bring up an issue and then we can see if it
41 fits on the agenda.

42

43 So, Madame Chair, it might be best for
44 him to.....

45

46 CHAIRWOMAN ENTSMINGER: I can.....

47

48 MR. MATHEWS:go last.

49

50 CHAIRWOMAN ENTSMINGER:yeah.....

1 MR. MATHEWS: So he gets the.....
2
3 CHAIRWOMAN ENTSMINGER: Okay, Vince.
4
5 MR. MATHEWS:gist of it.
6
7 CHAIRWOMAN ENTSMINGER: Okay, Vince. I
8 just wanted to give a quick report. Amy told me she
9 went to the -- Amy Wright, she went to the Federal
10 Subsistence Board when they took up Delta Junction,
11 when they were doing the rural status evaluation and
12 she explained to me that it was an extreme learning
13 process of what they went through and somewhat
14 frustrating a little bit. And then she said she gave a
15 report that she was reprimanded on. She said that this
16 Council might not would have voted for Saxman being
17 pulled out of Ketchikan as a rural status but it
18 actually ended up that way.
19
20 I mean it's a tough job and it's --
21 going to that Federal Board meeting. And Amy really
22 clearly wanted to say that it was very interesting and
23 anyone that can ever attend that it'd probably be an
24 eye opener for you.
25
26 And actually all of us are involved in
27 other things. There's Subsistence Resource Commissions
28 for each of the Parks around our area. And I was put
29 on for the Wrangell-St. Elias and they had a meeting
30 and their notes will be in here. So I think -- if we
31 don't have a copy of them -- are there copies in here
32 because I ended up printing my own.
33
34 MR. MATHEWS: Yeah, I have a copy. I
35 don't think we got them into the book. I -- this big
36 thick book here is all the tracking of that, so I do
37 have Wrangell, Denali's, Aniakchak, Lake Clark, and
38 that's it, Gates of the Arctic has not met, they're
39 meeting next week, I think.
40
41 CHAIRWOMAN ENTSMINGER: So we'll start
42 with our concerns and we'll just go down, starting with
43 Bill.
44
45 MR. GLANZ: Some of my biggest concerns
46 is the predator control issues, which don't seem to be
47 happening anywhere, and the lack of moose in the
48 Eastern Interior here, which everybody can -- the
49 caribou seem to be doing well in our area, but that's
50 about it, as far as moose they're non-existent almost.

1 And the predator control is non-existent as far as I'm
2 concerned, most of the Federal lands around us.

3

4 That's the only concerns I have at this
5 time right now, other than the lack of fish and size of
6 fish and many, many issues. I'll defer, go ahead,
7 guys.

8

9 CHAIRWOMAN ENTSMINGER: Go ahead.

10

11 MR. WOODRUFF: Yeah, the main issue
12 that I have is that -- to go along with what Bill said,
13 is the -- in our area, the Park Service, and probably
14 throughout the whole nation won't step up to the plate
15 and realize that they have a policy of not managing one
16 species over the other. Well, we all have to eat, and
17 we are the species, I think, that are in charge, and
18 it's a policy by the Park Service, and if that policy
19 can't be corrected or changed or modified, there's no
20 other Federal agency that's going to step up to the
21 plate and say that predator control is a good thing
22 because we want to put some food on the table.

23

24 The other issue that I have is -- it's
25 approaching a real serious problem is that global
26 warming and our harvest dates for hunting, trapping,
27 that's all going to change as global warming
28 progresses, is that the moose aren't coming down to the
29 river, say the mid-September or the late part of
30 September anymore, they're still up in the hills so
31 people aren't harvesting them and we're going to have
32 to go through the process of changing our dates of
33 harvest, otherwise we're never going to see the game.

34

35 Thank you.

36

37 CHAIRWOMAN ENTSMINGER: Virgil.

38

39 MR. UMPHENOUR: Thank you. I noticed
40 there's no place on the agenda for me to give a report
41 on the meetings I attended since my last meeting.

42

43 But anyway we had this Yukon River king
44 salmon size meetings. We had three regular meetings
45 plus we had a teleconference meeting. The three
46 regular meetings were one day meetings and they were
47 held in Anchorage and the first meeting they had three
48 scientific reports that kind of gave the status of the
49 whole Pacific Coast on the size of salmon and saying
50 basically that the size of salmon has decreased a small

1 amount throughout the whole Pacific Coast but that's
2 due to a number of reasons. And one of the reasons
3 speculated by Dr. Helly from National Marine Fisheries
4 Service in Juneau was the competition from the hatchery
5 fish and the marine environment.

6
7 Anyway the second meeting was held
8 right after the Yukon River Panel, which I'm on got
9 back from Whitehorse and it was held in Anchorage. And
10 at the end of that meeting the people from the lower
11 Yukon who are primarily commercial fishermen, they said
12 that they were not willing to make any changes
13 whatsoever in the management of king salmon fisheries
14 in the Yukon River. So the whole thing was a waste of
15 time, basically.

16
17 Anyway we had another meeting on, I
18 believe the 4th of January -- the first meeting was
19 right at the end of October, that second meeting was
20 about the 10th, 11th somewhere of December and then we
21 had the third meeting on the 4th of January, there was
22 nothing really resolved at that meeting except that the
23 lower Yukon commercial fishermen that attended it,
24 which there were lots of them, they just kept bringing
25 up things that -- no science whatsoever, just saying
26 that they don't want to change anything, basically.

27
28 So then when the Board of Fisheries met
29 at the end of January there was a meeting scheduled the
30 night before the Board of Fish started, and the
31 commercial fishing group from the Lower Yukon, the CDQ
32 group, they brought in somewhere between 50 and 70
33 people to testify at the Board meeting. The only
34 people that were there from up river was myself
35 representing the RAC, Andy Bassich from Eagle, who's
36 also on our RAC, he was representing the Eagle Advisory
37 Committee, and then Stan Zuray from Tanana was
38 representing the Tanana/Rampart/Manley Advisory
39 Committee, and then Mike Smith from Tanana Chiefs. And
40 so basically what happened at the meeting was they had
41 all these people getting up there saying that they were
42 going to be extremely poor and et cetera if any of the
43 proposals were passed. What we did, and in our packet
44 here, of course, the public doesn't have the packet,
45 but there's a thing, if you look at the back end of it,
46 it's called RC something, anyway, it's what all of us
47 came up with.

48
49 MR. MATHEWS: Virgil, I just stuffed
50 that in yours because you gave me a copy.

1 MR. UMPHENOUR: Oh, it's just in mine,
2 okay.

3
4 MR. MATHEWS: I have a copy of it,
5 basically he's talking about a Record of Decision -- a
6 record that was provided the Board of Fish, so we can
7 get copies for the rest of you, but that was submitted
8 and he'll explain that but I didn't put it in all your
9 packets, I just wanted to make sure Virgil had a copy.

10
11 MR. UMPHENOUR: Okay. Well, what I'll
12 do is I'll just basically tell what it is.

13
14 In the process with the Board of
15 Fisheries, we had between our RAC and the three up
16 river Advisory Committees, State Advisory Committees,
17 what we had done, is we had -- because some new science
18 came in since we put in our proposals. And this new
19 science that came out was done by -- I believe he's on
20 our Staff, was -- the biometrician, and I can't think
21 of his name off hand.

22
23 MR. MATHEWS: Is it Dave Wiswar?

24
25 MR. UMPHENOUR: No. He works out of
26 the Anchorage office.

27
28 MR. RIVARD: I believe it's Jeff
29 Bromergen.

30
31 MR. UMPHENOUR: Jeff Bromergen. Jeff
32 Bromergen did a study where he analyzed over 90,000
33 king salmon getting caught in the test fishery at the
34 Pilot Station Sonar, which is outside of the village of
35 Pilot Station. And so what his conclusions were was
36 that seven and a half inch mesh, that's gillnets, the
37 square mesh on the gillnet, you stretch it and measure
38 how far across, anyway that seven and a half mesh
39 gillnets were the best gillnets to use if you wanted to
40 pass more of the female king salmon up the river and
41 more of the six and seven year old king salmon. That
42 it caught very few seven year old king salmon. Whereas
43 the eight inch and larger gillnets, which most of them
44 used in the lower river are eight and a half inch mesh,
45 where those nets let very few of these large king
46 salmon get past.

47
48 And so what we did is we amend -- took
49 all these eight proposals and we came up with what we
50 thought would be the best solution to the problem of

1 the extinction of the seven year old king salmon in the
2 Yukon River and that was to go to seven and a half inch
3 -- nets no larger than seven and a half inch mesh and
4 no deeper than 35 meshes deep for nets larger than six
5 inch mesh.

6
7 And so what we were going to do is we
8 talked to Bonnie Williams, the new Board member from
9 Fairbanks and we thought she was going to substitute
10 that proposal that we had come up with for all the
11 eight proposals before the Board. Well, instead of
12 doing that she stabbed us in the back and she led us to
13 believe she was going to do it and then when the first
14 proposal came up, instead of making the motion to
15 substitute that for those eight proposals, she spoke
16 against the proposals because she felt sorry for the
17 poor commercial fishermen in the lower Yukon.

18
19 And so that's basically what happened
20 at the Board of Fisheries meeting.

21
22 And then another thing that happened is
23 the -- I think the Fairbanks AC put in the proposal to
24 subtract the bycatch of the king salmon in the trawl
25 fishery by the vessels that are owned by the lower
26 Yukon CDQ group, and for those of you in the audience
27 that don't know what the CDQ group is, Senator Stevens,
28 back in 1993 got a bill passed where 10 percent of all
29 the fish, crabs, everything that's caught commercially
30 in the Bering Sea goes to certain villages. Well, the
31 lower Yukon has five -- either five or six villages
32 that became part of this, and they -- so their industry
33 makes millions and millions of dollars a year, every
34 year. And the lower Yukon CDQ group owns three
35 trawlers which are these boats, that drag these great
36 big nets through the ocean and they're trying to catch
37 what they call pollock so they can make artificial crab
38 and shrimp and, et cetera, and what they do when
39 they're doing that, because king salmon like to eat
40 these pollock, well, they're catching a bunch of king
41 salmon as well. Well, they got up and gave a report,
42 the CDQ group executive officer, or chief executive
43 officer, gave this report and made a false statement
44 saying that they only caught 50-something king salmon.
45 I had checked with National Marine Fishery Service to
46 find out how many they really caught and I used the
47 average for the fleet and their average for their type
48 of vessels was higher than the average and using their
49 calculations they caught in the neighborhood of 3,700
50 king salmon that were pitched overboard.

1 But anyway that's kind of the report on
2 the Board of Fisheries meeting.

3
4 And I'm going to go over my main
5 concerns now.

6
7 My main concern is still the change in
8 size of the king salmon and I will address that later
9 on in the meeting when we get to fisheries issues.

10
11 And also the hatchery issue.

12
13 Now, I've got, at our last meeting, one
14 of the things we did is because the State Board of Game
15 passed regulations that our RAC had put in last March,
16 a year ago, to liberalize methods and means for hunting
17 wolves, and so what our RAC did at our last meeting is
18 we voted to petition the Fish and Wildlife Service to
19 adopt the same regulations for the Yukon Flats National
20 Wildlife Refuge. And so I don't know how long that
21 process is going to take but we were told six months to
22 a year, but that's still one of my main concerns which
23 has already been mentioned by the guys that spoke
24 before me, is the lack of predator control and a lack
25 of moose for the people in this area. So that's still
26 a major concern of mine.

27
28 And I think that's my main concerns, is
29 lack of predator control and how the process is going
30 to work and whether the process is still going forward
31 as far as doing something about predator control on
32 National Wildlife Refuges because it has to go all the
33 way back to Washington, D.C., and they have to study it
34 a bunch.

35
36 Thank you.

37
38 CHAIRWOMAN ENTSMINGER: Yeah. Can't we
39 finish this?

40
41 MR. MATHEWS: Well, I was just going to
42 explain to Richard why there's a big discussion about
43 the Board of Fish.

44
45 CHAIRWOMAN ENTSMINGER: No. Let's just
46 finish this.

47
48 My concerns are I hate to see the two
49 books and them getting more complicated, between the
50 Federal subsistence book and the State regulations

1 because you have to know where you're hunting and what
2 you're seasons and bag limits are. I mean sometimes it
3 takes an attorney to know what you can and can't do.

4
5 I'm also concerned for many of the
6 things that have already been mentioned here.

7
8 It's interesting because I was talking
9 to someone, there's a nuisance control animal of the
10 Federal government now, for nuisance animals, and it
11 was hinted to me that maybe we ought to change our tune
12 from predator control to nuisance animal control, we
13 might get further because the buzz word, predator
14 control, doesn't fit with the National sentiment.

15
16 And to me, I want to see Alaskans work
17 together and I hate to see the division that takes
18 place sometimes and it's very important to me that we
19 all work together, both Native and non-, rural and non-
20 , I want us all to be respectful to each other's needs
21 and everybody should be able to talk about the
22 concerning issues.

23
24 And like Richard, I'd like anyone here
25 to be able to confront any one of us and talk to us and
26 bring us your concerns any time. And as far as the
27 public meetings go, we want to have your input just so
28 we can hear what's going on.

29
30 Thank you.

31
32 MR. NATHANIEL: Thank you, Sue. Again,
33 my name is James Nathaniel from Chalkytsik. I don't
34 have very much concerns this time around. But do like
35 your front page here, Vince, on this packet here, cow
36 moose with a calf.

37
38 CHAIRWOMAN ENTSMINGER: Two.

39
40 MR. NATHANIEL: Or two calfs, yeah. We
41 seen a lot of them in our area the last couple years
42 but recently those, too, are declining according to the
43 hunters up in our area. And a lot of hunters did not
44 get no moose last fall, no moose at all, no bull moose.
45 So people are really concerned about it, not only in
46 Chalkytsik, other villages are concerned about their
47 moose.

48
49 And I understand here in Arctic Village
50 they are concerned about their sheep and their moose,

1 caribou. And these are the animals that we live on out
2 here in the Bush.

3

4 So moose are -- moose is our main
5 concern in our area, in the whole Yukon Flat area.

6

7 I noticed last year a lot of wolves are
8 coming back. I guess they're cleaning out the moose
9 population also. And trappers are not helping very
10 much on this because they don't trap wolves anymore,
11 there's very few of them that are trapping wolves.

12

13 And another thing, too, that people are
14 concerned about is these lead burn fires by BLM that's
15 taking a lot of our animal resource, especially the
16 young animals, they burn up. Even moose, those young
17 moose get burned up. I don't think they realize that
18 because why don't they fight those fires and, you know,
19 it happened in our area I know. And they burn pretty
20 good size country in our area.

21

22 A couple years ago I was driving down
23 to Dawson and I seen a good many acres of land burned
24 up, up that way, towards Chicken and all the way to
25 Dawson. Man I couldn't believe it, all those lands had
26 been burned up, I don't know what all went with it but
27 they sure burned up a pretty good size area, hundreds
28 and hundreds of miles.

29

30 So these are some of the things that I
31 pick up from my people back home and other places.
32 That's what we're here for, we like to hear from local
33 people their concerns so that we know about it and I
34 don't know we get -- it will probably come up in
35 something.

36

37 Anyway, I'm sure glad to be here and
38 it's kind of cold this morning, but it's all right.
39 Good to see my old buddies here, Edward Sam, Gideon,
40 the guy from Beaver.

41

42 MR. WILLIAMS: Paul Williams.

43

44 MR. NATHANIEL: Paul Williams.

45

46 MR. WILLIAMS: I've known you for 60
47 years.

48

49 (Laughter)

50

1 MR. NATHANIEL: Jonathan John. Good to
2 see you guys. I know there's a lot more people here
3 and hopefully they come later on today.

4
5 So thank you very much.

6
7 MR. CARROLL: Well, I don't know what I
8 got myself into. I submitted a biography or biology,
9 or whatever.

10
11 (Laughter)

12
13 MR. CARROLL: They wanted to know who I
14 was and what I was and put in for this position for a
15 possible appointment. It must have been last year, I
16 actually forgot all about it until I was called to this
17 meeting. I think about a month ago I finally got the
18 word. I spent most of the winter out -- this fall and
19 I finally went out back to our trap line after almost
20 about eight years living in the village. And three of
21 those years I didn't even set a trap but the fur prices
22 are justifying the expenses of fur trapping.

23
24 One of the biggest concerns that I have
25 -- I got some minuses and pluses, but one of the
26 biggest concerns I have is the threat by actually --
27 actually by Fish and Wildlife Service, the threats by
28 our Native owned corporations, like Doyon Limited and
29 the threats for a possible oil and gas development in
30 the Yukon Flats that will threaten our subsistence
31 lifestyle and the very existence of the Native people
32 of the Interior. And the lifestyle of villagers who
33 choose to live in the village.

34
35 A lot of villagers are moving to the
36 cities, Fort Yukon itself has darn near 300 members of
37 our tribe living in Fairbanks alone and they move out
38 there because of the high cost of living in the
39 villages, and the lack of natural resources to harvest.
40 The threat to our -- and I'm agreeing with everybody
41 that spoke right here.

42
43 The lack of predator control, our
44 competition for salmon coming up the river. That's --
45 for guys that fish on the upper end of the Yukon like
46 we do to -- to usually pay the price because of lack of
47 salmon and closures that we put up with in the past
48 just don't sit well with us, I'll tell you and I've
49 fished almost every summer for the last 30 some years,
50 and it's a big -- I maintain a dog team, I'm not

1 mushing dogs this year. But I've been the oldest son
2 in my dad's family with a family of 12 children, I was
3 the only one fishing from high school, and the only one
4 fishing in my family and sharing all that salmon so
5 it's very important to us.

6
7 But that threat right now and I'm
8 sorry, boys from Fish and Wildlife Service and Doyon
9 Limited, I'm here to serve notice on you that I will
10 oppose any land trade and that's just the way it's
11 going to be, I'm here to do it. I don't know whether I
12 can be very effective on this Council meeting that but
13 I feel that there's a threat there and I feel that this
14 Council right here can possibly take a stand and oppose
15 that threat to our subsistence lifestyle. I'm telling
16 you, that's just the way it's going to be.

17
18 And I think I'm going to get along real
19 good with the rest of this Council, I really do. I
20 think we can reach a consensus, I can respect their --
21 if they got different points of view, I can respect
22 that, and I can respect other people's different points
23 of view. That's fine with me. But to change me might
24 be a little bit different. You know why because I am
25 not moving to Fairbanks and I'm not going to retire in
26 Arizona, I'm going to live and die out in the Bush in
27 the villages so that means it's a lifetime thing. This
28 is not, when I get 65 I'm going to go to Scottsdale,
29 Arizona and play golf until I drop dead out there, that
30 ain't going to happen, so this is very important to me.
31 This is an issue close to my heart and I'm willing to
32 speak up for it so don't be afraid to approach me about
33 anything.

34
35 The bear harvesting I think is doing
36 real good. The restrictions that's been lifted on
37 especially grizzly bears and bears. My son took a 30
38 -- 90 mile boat trip a couple summers ago and counted
39 33 bears, 33 bears. Last summer, just in a little boat
40 trip, I seen four of them and took my legal harvest,
41 and so that's fine. And I do eat black bears, not
42 everybody in my family does, but not everybody does --
43 but a couple years I didn't get no moose. I haven't
44 harvested a moose in two years. And I ate -- I think I
45 ate two or three bears that one winter, that's good
46 eating.

47
48 And the salmon, one of the things, I
49 don't know, we'll probably hear from Gideon or somebody
50 from up here on the salmon, I've been involved in the

1 sonar camp down at the -- near the mouth of the
2 Chanadlar River and helping those guys transport their
3 equipment up there for quite a number of years,
4 probably about 10 years. And they've been telling me
5 the salmon's been coming up this way and king salmon,
6 so that's good news, I'm glad that's happening. They
7 counted a lot of salmon coming up the Chanadlar. So
8 more -- you know for some reason, they never used to be
9 that way apparently, but that's good. Those are some
10 good things.

11
12 The wolves. I understand there's some
13 wolf control schools, and they're educating trappers on
14 the methods of taking wolves, you know. I think we
15 need a little bit more incentive given to the trappers,
16 though, to harvest wolves, a \$200 pelt for the wolf,
17 you know, actually for all the time and effort that you
18 put into that ain't very much money for all the time,
19 especially time when there's a lot of other animals you
20 can go after. I think we need to increase a little bit
21 more on predator control and education.

22
23 And I'm agreeing with everybody back
24 here. That's what they've set out and what they've
25 shared is their concerns, I go right along with it.

26
27 I think education is important, that we
28 educate -- educate and enforce the harvest laws for
29 hunters that come into our areas from the city and
30 urban areas.

31
32 Rural preference, I'm all for it. I'm
33 all for it.

34
35 I just heard some horror stories on the
36 Pipeline Corridor, some GI's took a truck out there and
37 it's still out there, you know, months later, you know,
38 those are the guys that got caught, we're not talking
39 about the ones that didn't get caught. They used to
40 publish a list of citations given in the Fairbanks
41 newspaper, I haven't seen that list for two or three
42 years. But one fall I counted 26 violations along the
43 Pipeline Corridor of people that they caught, that they
44 caught. I'm not talking about the ones that -- who
45 knows who didn't get caught, you know, illegal hunting
46 and with access by road. I think we need a little bit
47 more law enforcement in those areas. Access from
48 highways, like the Dalton Bridge, Circle City, maybe.
49 It got a little bit ridiculous down in Fort Yukon one
50 year, there was a State Fish and Game law enforcement

1 guy on the bank watching the trucks, there was a
2 Federal Fish and Wildlife Service law enforcement
3 checking everybody's boat, two guys, we didn't know
4 which rules to go by, it was kind of funny.

5
6 (Laughter)

7
8 MR. CARROLL: Yeah, that was funny.
9 But that was -- that happened probably 10, 11 years
10 ago.

11
12 I'm glad to be here. My concerns are
13 those that have been expressed to me by the Fort Yukon
14 tribal government there and residents in the Yukon
15 Flats area, but I'm all for rural preference and
16 sustaining our lifestyle.

17
18 Thank you.

19
20 CHAIRWOMAN ENTSMINGER: Yeah, I want to
21 thank you all. And, again, I want to welcome you
22 Richard. You sound like a wealth of information.

23
24 And, Vince, I would like to keep the
25 meeting to where if you have any questions that you
26 don't know, you know, what we're talking about, you
27 stop us and then Vince doesn't need to explain it,
28 unless you don't understand, and that goes for
29 everyone, okay, and that goes for everyone here.

30
31 MR. CARROLL: Right.

32
33 CHAIRWOMAN ENTSMINGER: Okay. The next
34 thing is review and adoption of the agenda. I would
35 ask if you've reviewed it, do you have anything to add.

36
37 (No comments)

38
39 CHAIRWOMAN ENTSMINGER: Does anyone on
40 the Council have anything to add to this agenda.

41
42 (No comments)

43
44 CHAIRWOMAN ENTSMINGER: Do you want
45 time to look at it closely or do you just want to go by
46 it.

47
48 MR. UMPHENOUR: It looks fine to me.

49
50 MR. CARROLL: Is there opportunity for

1 changes to the agenda from the floor.
2
3 REPORTER: Richard, your mic.
4
5 MR. CARROLL: Are there opportunities
6 for changes or additions from the floor.
7
8 CHAIRWOMAN ENTSMINGER: I would accept
9 that. Yes.
10
11 Okay, we'll continue then. I need a
12 motion to adopt the agenda.
13
14 MR. WOODRUFF: I make a motion.
15
16 MR. GLANZ: Second.
17
18 MR. UMPHENOUR: Second.
19
20 CHAIRWOMAN ENTSMINGER: All in favor
21 say aye.
22
23 IN UNISON: Aye.
24
25 CHAIRWOMAN ENTSMINGER: Okay. Then
26 we'll -- something's wrong, Vince.
27
28 MR. MATHEWS: No, just that Richard
29 brought up an agenda item that could be added, which
30 would be the Doyon Land Exchange with Fish and Wildlife
31 Service. I need to consult with the Refuge Staff here
32 to see what time they're here, if you guys need any
33 additional background, if you want to take action on
34 it. That would be the only thing that I heard and
35 that's pretty much it. And then we need a decision on
36 if a representative wants.....
37
38 CHAIRWOMAN ENTSMINGER: Vince. Vince,
39 if you just find a place on the agenda and inform us,
40 that would be great. We don't need to spend a lot of
41 time on the record on that.
42
43 MR. CARROLL: Yes.
44
45 CHAIRWOMAN ENTSMINGER: Okay.
46
47 MR. MATHEWS: Okay.
48
49 CHAIRWOMAN ENTSMINGER: Yeah. All
50 right, approval of the minutes, has everyone read the

1 minutes. Go ahead, Virgil.
2
3 MR. UMPHENOUR: There's a couple of
4 things in the minutes that are not exactly perfect. I
5 only noticed one thing that maybe should be changed and
6 they're calling this guy Haynes and it's really Hayes.
7 He's the Yukon River summer season manager.
8
9 MR. MATHEWS: Right.
10
11 MR. UMPHENOUR: But that's the only
12 thing I can see.
13
14 CHAIRWOMAN ENTSMINGER: H-A-Y.
15
16 MR. UMPHENOUR: It's H-A-Y-E-S instead
17 of Haynes.
18
19 CHAIRWOMAN ENTSMINGER: Without an N,
20 okay.
21
22 MR. UMPHENOUR: Right. Madame Chair.
23
24 CHAIRWOMAN ENTSMINGER: We'll note that
25 small change. Did you have anything else.
26
27 (No comments)
28
29 CHAIRWOMAN ENTSMINGER: Anything else.
30
31 (No comments)
32
33 MR. UMPHENOUR: I move to adopt the
34 minutes from the last meeting.
35
36 MR. WOODRUFF: I'll second.
37
38 CHAIRWOMAN ENTSMINGER: All in favor
39 say aye.
40
41 IN UNISON: Aye.
42
43 CHAIRWOMAN ENTSMINGER: Minutes are
44 adopted. Okay, now, we're into the wildlife issues,
45 and we're going to take up the proposals, correct,
46 Vince.
47
48 MR. MATHEWS: Yes, Madame Chair.
49
50 CHAIRWOMAN ENTSMINGER: Yeah, okay.

1 And then.....

2

3 MR. MATHEWS: And that's where you
4 would follow this procedure.

5

6 CHAIRWOMAN ENTSMINGER: Right. You
7 guys all know that the procedures are here and in your
8 book. Vince wants us to know them because they're
9 three places.

10

11 So we're going to start with Proposal
12 1.

13

14 MR. UMPHENOUR: Move to adopt Proposal
15 WP07-01.

16

17 CHAIRWOMAN ENTSMINGER: Second.

18

19 MR. WOODRUFF: Second.

20

21 CHAIRWOMAN ENTSMINGER: Okay. The
22 first thing will be the introduction of the proposal
23 and presentation of analysis.

24

25 MR. RIVARD: Thank you, Madame Chair.
26 My name is Don Rivard. I'm with the U.S. Fish and
27 Wildlife Service, Office of Subsistence Management in
28 Anchorage. The analysis for Proposal WP07-01 starts on
29 Page 26 in your book.

30

31 All these proposals that you'll be
32 deliberating today and maybe tomorrow were done by
33 various people in our office, the analysis, including
34 myself. Not everybody was able to make it, we were
35 going to try to hook up Pete DeMatteo by teleconference
36 but that proved not possible so you'll be hearing my
37 voice for all of these.

38

39 Proposal WP07-01 submitted by the
40 Alaska Department of Fish and Game requests that claws
41 be removed from the Federal definition of fur and that
42 sales of handicraft articles made from claws, bones,
43 teeth, sinew or skulls of black and brown bears be
44 allowed for sale only between Federally-qualified
45 subsistence users statewide.

46

47 The proponent submitted this proposal
48 because in the proponent's view, if the definition of
49 fur is not changed it will allow for "unconstrained
50 commercial sale of handicrafts made from bear parts"

1 and create "market incentives for poaching."
2

3 Between 2002 and 2006 the Federal
4 Subsistence Board considered six proposals regarding
5 the sale of handicrafts made from some of the non-
6 edible parts of bears. The Federal Subsistence Board
7 has consistently supported the sale of handicrafts made
8 from skin, hide, pelt or fur of black bears statewide
9 and brown bear in three region, including claws by
10 Federally-qualified subsistence users.
11

12 The proponents language for the Federal
13 definition of fur would require the removal of claws
14 from all hides such as fox and mink, not just bear.
15

16 Under current Federal regulations brown
17 bear hides with claws can only be used in handicrafts
18 for sale if the bear were harvested from Eastern
19 Interior, Bristol Bay and Southeast Alaska regions.
20 Other parts, such as bones, teeth, sinew or skulls can
21 only be used from brown or black bear taken in
22 Southeast Alaska.
23

24 The effects of the proposal if adopted.
25 This proposal would remove the unit specific
26 restrictions listed above and would negate the intent
27 of the Board and the -- excuse me, of the Board and the
28 Regional Councils in recognizing the diverse customary
29 and traditional uses of bears and bear parts throughout
30 the state. The proponent's description for persons
31 eligible to sell handicrafts from the bear parts
32 mentioned above would narrow sales only to Federally-
33 qualified rural residents.
34

35 This proposal would unnecessarily
36 restrict the subsistence uses of Federally-qualified
37 subsistence users as specified in ANILCA, Section .803.
38

39 With that, Madame Chair, the
40 preliminary conclusion is to oppose the proposal
41 because there has been no evidence provided to indicate
42 that current Federal regulations adversely affect bear
43 populations; and there has been no evidence provided to
44 indicate that current Federal regulations have led to
45 an increased legal or illegal harvest of bears; current
46 Federal regulations apply only to bears harvested under
47 Federal subsistence regulations on Federal public
48 lands; all meat from bears harvested under Federal
49 subsistence regulations must be salvaged.
50

1 Thank you, Madame Chair.

2

3 CHAIRWOMAN ENTSMINGER: Thank you. Is
4 there anyone from the Fish and Game here to give their
5 position.

6

7 (No comments)

8

9 CHAIRWOMAN ENTSMINGER: No.

10

11 MR. CARROLL: They don't have anything.

12

13 CHAIRWOMAN ENTSMINGER: They have
14 written comments here. And just help me out here,
15 agency comments, we're going by this -- I got my green
16 sheet ahead of me here. So agency comments, the Fish
17 and Game is first, I think we need to read this because
18 I want all of you to hear what they're saying if no one
19 here can speak to it.

20

21 Who's the best reader here, Vincie.

22

23 MR. MATHEWS: Well, I can summarize for
24 the record for you. You've already covered it, so for
25 the public basically on Page 39 of the book is the
26 summary of the Fish and Game comments on their
27 proposal. I'm just going to focus on their conclusion.
28 They have justification above that. Maybe the
29 justification will come out in discussions.

30

31 But, anyways, their conclusion is
32 adoption of this proposal is necessary in order to:

33

34 1. Reduce incentives for illegal
35 harvest of bears in Alaska and
36 in other states;

37

38 2. Prevent sales of high value
39 parts of bears taken for
40 subsistence purposes from
41 becoming a significant
42 commercial enterprise because
43 the current Federal regulation
44 is unenforceable; and

45

46 3. Improve the enforceability of
47 the Federal regulations by
48 eliminating differences in
49 permissible harvests --
50 permissible uses based on area

1 of harvest, which is
2 particularly important in the
3 absence of a harvest tracking
4 mechanism.

5
6 And again their conservation concerns
7 and, et cetera, are contained on Page 39, which the
8 Council members have in front of them.

9
10 CHAIRWOMAN ENTSMINGER: Okay. I know
11 this brings questions to our minds as we hear all this,
12 but we need to go through this process.

13
14 Federal agencies.

15
16 MR. MATHEWS: That's just an open mic
17 if there's Federal agencies that want to comment so
18 they can come up to the mic if they have additional
19 comments.

20
21 CHAIRWOMAN ENTSMINGER: The next is
22 Native, tribal, village or other. Do we have anyone
23 that would like to testify to this proposal.

24
25 MR. JAMES: This is on what proposal.

26
27 CHAIRWOMAN ENTSMINGER: It's number 1,
28 the sale of bear claws.

29
30 MR. UMPHENOUR: It's also teeth.

31
32 CHAIRWOMAN ENTSMINGER: Claws is the
33 one they don't like.

34
35 Is there anyone in the audience there,
36 the people, would you like to speak to this.

37
38 (No comments)

39
40 CHAIRWOMAN ENTSMINGER: Is there any
41 other InterAgency Staff Committee comments.

42
43 MR. EASTLAND: No, Madame Chair.

44
45 CHAIRWOMAN ENTSMINGER: Thank you.
46 Now, we have Advisory Committee groups.

47
48 (No comments)

49
50 CHAIRWOMAN ENTSMINGER: Neighboring

1 Regional Councils. Go ahead, Vince.

2

3 MR. MATHEWS: Yeah, this will take a
4 little bit of time because this is a statewide proposal
5 so I will try to capture all that I have with me. And,
6 Sue, you were involved with one of the meetings that
7 will be coming up here.

8

9 Anyways, the AHTNA Tene Nene' Committee
10 submitted written comments on Proposal 1. They do not
11 support Proposal 1. The definition within there
12 includes all animals, which is too broad of a
13 definition. If a trapper caught a coyote, wolf, lynx,
14 et cetera, they would have to remove the claws before
15 they could sell the fur. They oppose another section
16 within there which would reopen the statewide selling
17 of handicrafts made from black bear to another one.

18

19 MR. RIVARD: We're here.

20

21 MR. MATHEWS: Yeah, but I'm -- yeah. I
22 can go through the Regional Council ones, I was just
23 going to go through the Advisory Committees first, or
24 local groups.

25

26 CHAIRWOMAN ENTSMINGER: Yeah, that's
27 fine.

28

29 MR. MATHEWS: Okay. Basically they
30 oppose different sections of it. So they're opposed to
31 it and that's submitted by Gloria Stickwan of the AHTNA
32 Tene Nene' Committee.

33

34 And then hopefully I'll catch all the
35 Subsistence Resource Commission ones.

36

37 CHAIRWOMAN ENTSMINGER: Vince, are any
38 of these in our book that you're.....

39

40 MR. MATHEWS: No, these are not in.....

41

42 CHAIRWOMAN ENTSMINGER: These are all
43 new.

44

45 MR. MATHEWS: These are not in your
46 book.

47

48 CHAIRWOMAN ENTSMINGER: Okay.

49

50 MR. MATHEWS: Because they arrived

1 after the book was published.

2

3 CHAIRWOMAN ENTSMINGER: Okay.

4

5 MR. MATHEWS: Well, the Tene Nene' one
6 was, I didn't know it was. But, anyways, there's the
7 Wrangell-St. Elias met, they unanimously oppose the
8 proposal for the reasons stated in the justification in
9 the Staff recommendation.

10

11 The Lake Clark National Park
12 Subsistence Resource Commission opposed the proposal
13 because it restricts the opportunity for subsistence
14 users to maximize the value they can derive from
15 selling handicrafts from the parts of legally taken
16 bears.

17

18 That's the same recommendation of the
19 Aniakchak Subsistence Resource Commission. Exact same
20 reasons and justifications.

21

22 Now, I can get into the Regional
23 Council recommendations, and they're not in the book.

24

25 Western Interior took this up, they
26 opposed the proposal unanimously. They oppose against
27 the sales of bears within their region because of
28 cultural beliefs but they are not opposed to the sale
29 of bear parts in other regions that desire selling of
30 bear parts.

31

32 Okay, that's Western Interior.

33

34 Yukon-Kuskokwim, which just met last
35 week, they opposed Proposal 1. If you need additional
36 information on that, Don attended that meeting, as to
37 why they opposed it. But they opposed Proposal 1.

38

39 Seward Peninsula also opposed the
40 proposal. Their justification, if adopted the proposal
41 would broaden the use of some of the non-edible parts
42 of brown bears in the region, which is not allowed
43 under current Federal regulations. The residents of
44 these regions have stated through their Councils that
45 they oppose this proposed regulation. So Seward Penn
46 opposes it.

47

48 Southeast Regional Council met in Kake,
49 they unanimously opposed the proposal. This proposal
50 addresses a hypothetical rather than a real management

1 issue or problem. The existing regulation has been in
2 place for some time now without any known enforcement
3 concerns.

4

5 The Bristol Bay Regional Advisory
6 Council also opposed this proposal. They didn't hear
7 any biological information to support that there is a
8 conservation concern caused by too many bears being
9 harvested or that illegal harvest of bears increasing,
10 so they opposed the proposal.

11

12 Kodiak Aleutians, and this is the first
13 time I've seen it so I've got to make sure I get it
14 right. They -- all Council members oppose supporting
15 the proposal so the motion to adopt the proposal
16 failed. The Council said it's hard to make a
17 recommendation that would affect people outside Kodiak
18 Aleutians region who live differently. Anyways, they
19 -- their action was to oppose it.

20

21 To my knowledge that's all the Regional
22 Council recommendations that I have in front of me as
23 well as Subsistence Resource Commission.

24

25 CHAIRWOMAN ENTSMINGER: So, Vince, did
26 that include the written comments also because number 4
27 is summary of written comments.

28

29 MR. MATHEWS: Written comments.
30 There's two found on -- well, one that I have not
31 covered, that's found on Page 38 in your book, which is
32 by David McHoes of Skwentna. He basically read nowhere
33 that there was any biological reason for recommending
34 the change. The bear in the state are harvested well
35 below sustainable levels. Any increase in harvest --
36 he didn't see any cause for concern about if there was
37 any increase in harvest.

38

39 He states in many states and Canadian
40 provinces allow the sale of parts, and you can see the
41 rest of his comments on Page 38 but he opposes it.

42

43 And then also the AHTNA, I've already
44 covered, I believe that's 'Tene Nene', I hope I got that
45 right, 'Tene Nene' Subsistence Committee.

46

47 And that's all the ones I'm aware of
48 Madame Chair.

49

50 CHAIRWOMAN ENTSMINGER: Thank you.

1 Vince, I would request, do you have anymore of these?

2

3 MR. MATHEWS: Yes, I do.

4

5 CHAIRWOMAN ENTSMINGER: Could you just
6 pass a couple around the room so that people here know
7 the process that we're going through.

8

9 MR. MATHEWS: Yes, I have -- yeah, I
10 can do that, sure.

11

12 CHAIRWOMAN ENTSMINGER: Yeah. And I
13 just want the people -- this is how you participate in
14 this and you can raise your hand at any time. This is
15 the part where there's public testimony to the
16 proposal. And we're going to be taking up several
17 proposals, and you see them in the book, so if you see
18 one that you really want to talk to us about, please,
19 get -- this is your chance to do so.

20

21 Now, is there anyone else who would
22 like -- is there anyone here that wants to give us
23 public testimony to this Proposal No. 1.

24

25 (No comments)

26

27 CHAIRWOMAN ENTSMINGER: Okay, I'm going
28 to ask for a positive motion for.....

29

30 MR. UMPHENOUR: We already did that.

31

32 CHAIRWOMAN ENTSMINGER: Well, why is
33 there?

34

35 MR. UMPHENOUR: I don't know.

36

37 MR. MATHEWS: Well, we put it there
38 because what happens if you -- on this proposal it
39 won't happen, but if you move to adopt the proposal
40 then you would have to move to amend if there's a Staff
41 modification but on this one it's.....

42

43 CHAIRWOMAN ENTSMINGER: So we're going
44 to have it in the beginning each time.

45

46 MR. MATHEWS: If that's your desire
47 then you're going.....

48

49 CHAIRWOMAN ENTSMINGER: It makes a lot
50 of sense actually.

1 MR. UMPHENOUR: Public testimony.

2

3 CHAIRWOMAN ENTSMINGER: Sure.

4

5 MR. MATHEWS: Madame Chair, while he's
6 coming up, I overlooked Denali SRC, so when he's done
7 Amy can cover the Denali SRC, I apologize for that,
8 it's just not in my packet.

9

10 CHAIRWOMAN ENTSMINGER: Yes, go ahead.

11

12 MR. SAM: My name is Edward Sam. I'd
13 like to make a few comments on this proposal, 01.

14

15 I made a testimony last year on May 6th
16 on teleconference and I didn't address this issue
17 because it didn't pertain -- closure or opening of the
18 two drainage of our Red Sheep Creek and Cane Creek.
19 What I experience if you recollect, I mentioned that I
20 walk the walk -- I actually walk the area, I don't fly
21 just to the area where I'm going to be hunting. From
22 there I walk about five or six miles, depending on my
23 injury to my right foot. I have to limit myself to
24 certain extent of travel and one of those trips, Red
25 Sheep Creek, the headwaters of Red Sheep Creek I
26 witnessed that there's a poaching of brown bear, they
27 didn't take the skull but they took that -- the gall
28 bladder and there was just a big opening from the
29 stomach area where they could retrieve -- from the
30 liver -- there's a little pouch that they could sell on
31 the Black Market, same as the gall bladder. I
32 witnessed that at the headwaters of Red Sheep Creek
33 that I seen a brown bear, it was shot in the head and
34 just that certain area of parts that they have taken.

35

36 That I want to address this morning
37 because of if the Board open up these claws, teeth,
38 that would be sell individual-- that you're giving an
39 access to the poachers that is going to do more -- in
40 my backyard that's what I'm saying. I'm always looking
41 out for things like that. It's a small thing, but it's
42 a matter of big thing to the cycle of life of all
43 wildlife that's in that area.

44

45 That I want to address, and, thank you.

46

47 CHAIRWOMAN ENTSMINGER: Does anyone
48 have any questions of him.

49

50 MR. SAM: I'll take questions.

1 CHAIRWOMAN ENTSMINGER: Council members
2 do you have any questions.
3
4 MR. UMPHENOUR: So the only thing they
5 did was they cut the bear open, they didn't skin it and
6 they didn't take the head.
7
8 MR. SAM: The head was shot and it's
9 not good for sale, maybe the teeth.
10
11 MR. UMPHENOUR: So they didn't skin the
12 bear either then.
13
14 MR. SAM: It was just open. They cut
15 the stomach open and too -- and retrieved, like I
16 mentioned, to sell it on Black Market. That's the only
17 way I have conclusion.
18
19 MR. UMPHENOUR: And so this happened
20 during the sheep season I take it.
21
22 MR. SAM: It was eight years ago to
23 date that I seen the carcass. Later on on Proposal 56,
24 on that proposal I'll make a statement on opposing
25 opening of Cane Creek and Red Sheep Creek.
26
27 MR. UMPHENOUR: Thank you, Madame
28 Chair.
29
30 MR. SAM: Thank you.
31
32 CHAIRWOMAN ENTSMINGER: Any other
33 questions.
34
35 (No comments)
36
37 CHAIRWOMAN ENTSMINGER: We'll continue.
38 This is time for us to discuss this proposal. Yes,
39 Vince.
40
41 MR. MATHEWS: Yes, that just Amy was
42 going to give you the Denali SRC because I failed.....
43
44 CHAIRWOMAN ENTSMINGER: I'm sorry, I
45 forgot Amy, go ahead.
46
47 MS. CRAVER: For the record, I'm Amy
48 Craver. I'm the new subsistence manager at Denali.
49
50 On February 25th the Denali National

1 Park Subsistence Resource Commission met and
2 unanimously opposed Proposal 07-01 for reasons stated
3 in the Staff recommendation, basically that meant that
4 the proposal would unnecessarily restrict subsistence
5 users as specified by ANILCA, Section .803. There has
6 been no evidence provided to indicate current Federal
7 regulations adversely affect bear populations.

8

9 Thanks.

10

11 CHAIRWOMAN ENTSMINGER: Any questions.

12

13 MR. CARROLL: Yes.

14

15 CHAIRWOMAN ENTSMINGER: Okay.

16

17 MR. CARROLL: That last part of your
18 statement, could you repeat that, the last sentence
19 maybe.

20

21 MS. CRAVER: Sure. According to the
22 Council they felt that there was no evidence available
23 to them to provide -- that would indicate that Federal
24 regulations would adversely affect bear populations.

25

26 CHAIRWOMAN ENTSMINGER: Yeah, I'd like
27 to remind Council members, bears harvested under the
28 subsistence regulations must be salvaged and must be
29 utilized for human consumption so that would change a
30 lot of what's allowable to be taken for the sale.

31

32 Discussion.

33

34 Go ahead, Virgil.

35

36 MR. UMPHENOUR: Okay. Going by our
37 list that we're supposed to go by. There's no
38 conservation concern currently for bears in the Eastern
39 Interior region especially but in the majority of the
40 state there is not. There's no information that bears
41 are being overharvested, in fact, the State has
42 throughout the Interior, within the last -- well,
43 slowly they did it, they increased the bag limit of
44 bears from one every four years in the case of
45 brown/grizzly bears, they started doing that about 10,
46 12 years ago. And then I don't know whether it was a
47 year ago or three years ago they wanted consistency
48 because there was no conservation problem with grizzly
49 bears, primarily in the majority of the Interior and so
50 they made all of Unit 20, 21, 22, 25, 23 and 24 one

1 grizzly bear per year and so there's definitely no
2 conservation problem with the bears. And as Sue
3 pointed out that in subsistence bears you're supposed
4 to be harvesting it primarily for the meat.

5
6 And so if people do go out and do what
7 the public comment said, just to slit the bear open and
8 take the gall bladder they're already violating the law
9 and so we can't really, because there might be a half
10 a percent of the population that's going out and
11 violate the laws, we can't punish the other 99.5
12 percent of the public because of a perceived -- that
13 it's perceived that someone may violate the law and
14 basically that's all this proposal is asking to do is
15 it's a potentially perceived problem of a very small
16 percentage of the public.

17
18 Plus speaking on our concerns this
19 morning, Richard made the concern that wolves -- you
20 can only get about 200 bucks for wolves, the only way
21 you can get a lot of money for a wolf pelt is if it's a
22 nice fur and it's a nice specimen of a wolf and you
23 skin it for taxidermy purposes, then you can get two to
24 three times more money for it but if you're required to
25 cut the claws off of it, no one's going to want it for
26 taxidermy purposes, so it would be punishing all the
27 trappers in the state to pass this.

28
29 So I am opposed to this proposal.

30
31 Thank you, Madame Chair.

32
33 CHAIRWOMAN ENTSMINGER: I just want to
34 verify the last statement, is he correct in saying that
35 if this was passed you couldn't sell a wolf pelt
36 without cutting the claws off.

37
38 MR. RIVARD: Well, I made a statement
39 in -- it's the proponent's language for the Federal
40 definition of fur would require the removal of claws
41 from all hides, such as fox and mink, not just bear, so
42 it would include other animals as well.

43
44 CHAIRWOMAN ENTSMINGER: That's
45 incredible.

46
47 MR. UMPHENOUR: Yeah.

48
49 CHAIRWOMAN ENTSMINGER: Okay, rest of
50 the Council members.

1 MR. CARROLL: Can I, I just want to --
2 this is -- I'm not in for wasting time, but why was
3 this written this way, this is terrible. I mean this
4 written in with the claws like that, if that's our
5 understanding that you have to remove the claws off
6 furbearing animals, you know, for cash sales, that's
7 ridiculous. I mean I don't understand why it was
8 written this way.

9
10 We've got a lot of Native people from
11 village areas, non-Natives that do make handicrafts,
12 our Chair is wearing look like a brown bear claw right
13 now and if she bought that she'd be breaking the law --
14 well, she probably made it herself or it was present to
15 her.

16
17 (Laughter)

18
19 MR. CARROLL: But, you know, it's goes
20 on, there's illegal sales going on right now. And I
21 know somebody in Fairbanks that actually got arrested,
22 probably got a citation at one of the bazaar's or
23 something like that for selling animal parts, I think
24 she had black bear claws or something and got cited. I
25 think she got fined a thousand dollars, I think for
26 doing that.

27
28 There's a lot of rural people that do
29 utilize claws and stuff, I've got some. I've never
30 really had a chance to work on them yet but some day I
31 will and I don't want to be arrested for giving them
32 away or -- well, I guess you can give them away, but
33 for using them and maybe exchanging a gift or two. But
34 because we're a cash poor economy and we do need cash,
35 with gas at \$7 a gallon here, I mean cash is always
36 welcome.

37
38 I can respect the opposition by local
39 harvesters here and the opposition by other Native
40 groups because of their respect for the bear animal,
41 you know, I can respect that they oppose it here.
42 There's a Native group in here that opposes it, it's
43 really.....

44
45 CHAIRWOMAN ENTSMINGER: AHTNA.

46
47 MR. CARROLL: AHTNA, and I can go along
48 with that opposition. But I feel that in the future we
49 should make some sort of change -- change this, it be
50 brought back again and the definition and be rewritten.

1 The way it's written right now I can't go with it, also
2 I'll have to vote in opposition of it right now just
3 the way it's written. Because it would limit -- it
4 would limit our use of furbearing animals.

5
6 Thank you.

7
8 CHAIRWOMAN ENTSMINGER: Any other
9 Council members who would like to comment.

10
11 MR. WOODRUFF: Thank you, Madame Chair.
12 As a skin sewer and trapper, I greatly oppose the fact
13 that you have to remove claws from the fur. I've made
14 several parkas and used the claws as a decorative
15 aspect of the ruff and it greatly enhances the value of
16 the garment. So that's my perspective. And the
17 furbearers prefer the claws on almost all CITIES furs
18 for sale. So that would definitely decrease the value
19 of your fur. They call it damaged if you rip the claws
20 off, you maybe get half the price of the fur.

21
22 Thank you.

23
24 CHAIRWOMAN ENTSMINGER: Would anyone
25 else like to comment on the proposal on the Council.

26
27 (No comments)

28
29 MR. UMPHENOUR: Question.

30
31 CHAIRWOMAN ENTSMINGER: Question is
32 called. And this is in the positive, just so you
33 understand how you're voting. The motion is to favor
34 this proposal, so if you favor it you're voting for it,
35 if you do not favor it you're voting against the sale
36 -- the way this proposal is written.

37
38 So all in favor of the proposal.

39
40 (No aye votes)

41
42 CHAIRWOMAN ENTSMINGER: All opposed to
43 the proposal.

44
45 IN UNISON: Aye.

46
47 CHAIRWOMAN ENTSMINGER: That's
48 unanimous, thank you.

49
50 Vince, I don't know if this is

1 appropriate, but Richard brings up an interesting
2 thing. Since there's no one here from the State, the
3 way this proposal was written, if we could have a
4 little stronger clarification to meet what he has
5 brought up, why would you write.....

6

7 MR. MATHEWS: Well.....

8

9 CHAIRWOMAN ENTSMINGER:the
10 proposal like this, this is crazy? If we could just
11 contact them and say this Council wants to know why
12 would you write the proposal like this and we want some
13 understanding back and just write a letter and we hope
14 they will respond.

15

16 Thank you.

17

18 Going on to the next proposal.

19

20 MR. UMPHENOUR: Move to adopt Proposal

21 WP07-02.

22

23 MR. WOODRUFF: Second.

24

25 CHAIRWOMAN ENTSMINGER: Thank you.

26 We'll go through the process now, introduction and

27 analysis, thank you.

28

29 MR. RIVARD: Thank you, Madame Chair.

30 This is Don Rivard again with the Office of Subsistence

31 Management. The analysis for this proposal, WP07-02

32 begins in your book on Page 42.

33

34 Proposal WP07-02 submitted by the
35 Bureau of Land Management would change the regulatory
36 wording in 50 CFR 100.25(h) from calendar year to
37 regulatory year.

38

39 The proponent believes that this change

40 would increase compliance with the regulatory

41 requirement, facilitate improved harvest data

42 collection, and lead to better management that will

43 result in a positive impact on the resource.

44

45 You can see the existing Federal

46 regulations there on Page 42 as well. This proposal

47 would affect all Federal public lands and waters in

48 Alaska where Federal permits are used for subsistence

49 hunts or fisheries.

50

1 The consequence for failing to report
2 was originally derived from the State regulations and
3 has been in Federal regulations since the inception of
4 the Federal Subsistence Management Program in 1990.

5
6 This is the first proposal concerning
7 this Federal regulatory penalty clause in the history
8 of the Federal Subsistence Management Program. The
9 current situation allows individuals that did not
10 comply with the permit reporting requirements in a
11 regulatory year, which is July 1 through June 30th for
12 wildlife and April 1 through March 31st for fish, to
13 legally participate in subsistence harvests later in
14 that calendar year, during the open seasons, through
15 December 31st.

16
17 The State of Alaska has a different
18 penalty clause regulations for hunting and subsistence
19 fishing permits. Current State of Alaska hunting
20 regulations use regulatory year wording in the parallel
21 hunting regulatory provision.

22
23 Since the inception of the Federal
24 Subsistence Management Program in 1990 there has been
25 very limited enforcement of this Federal regulation.
26 The Bureau of Land Management-Glennallen Field Office
27 has begun enforcement of this regulation for hunting
28 permits recently.

29
30 Over the years, different Federal field
31 offices have sent out different numbers of reminder
32 letters and some have even collected harvest permit
33 reports by going to the permit holder s homes and
34 meeting with them one-on-one.

35
36 The Federal Subsistence Management
37 Program regulations provided for 77 different hunt and
38 fishery permits across Alaska in regulatory year 2005
39 to 2006. These hunts and fisheries involved brown
40 bear, caribou, elk, goat, moose, sheep, muskox, salmon,
41 trout, char, eulachon, and freshwater fish. In that
42 regulatory year, a total of 5,117 permits were issued
43 and 92.7 percent of the permit reports were returned,
44 so we get pretty good compliance there.

45
46 Good harvest data are critical to sound
47 management of fish and wildlife resources. Bureau of
48 Land Management, Fish and Wildlife Service, National
49 Park Service, and USDA-Forest Service field staff
50 across the state are working closely with subsistence

1 users to facilitate subsistence harvest reporting.

2

3 The proposed change would have the most
4 affect on situations where Federal subsistence permits
5 overlap the calendar year. Again there are Federal
6 permits for the different animals that I listed, again,
7 I'll say them again, brown bear, caribou, goat, moose,
8 sheep, muskox, salmon, and trout that overlap the
9 calendar year. If adopted, this proposal would not
10 change the regulatory consequences for failure to
11 comply with permit conditions.

12

13 There is not a clear understanding
14 among all subsistence users about the fish and wildlife
15 regulations, permit reporting requirements, or what the
16 harvest reports are used for.

17

18 Rural Alaskans continue to subsistence
19 hunt and fish to feed their families as their
20 forefathers did for generations prior to government
21 regulations. There are concerns about the affect that
22 strict application of the ineligibility provision would
23 have on the subsistence way of life. Application of
24 the penalty clause in some areas of rural Alaska will
25 defeat the primary objective of this regulation; it
26 will result in a loss of harvest data reporting.

27

28 The ineligibility provision allows
29 considerable flexibility for Federal field staff and
30 enforcement officers to consider the importance and
31 time sensitivity of the harvest information, and the
32 wide range of rural Alaska issues, traditions, and
33 cultures. There is some flexibility to adjust wording
34 on the permits to this situation. The current
35 regulation also allows field staff and enforcement
36 officers to be responsive to "other unavoidable
37 circumstances."

38

39 It is important to balance the need for
40 harvest information while working with the Regional
41 Councils and the public to do so in a way that is
42 sensitive to rural Alaska issues, traditional values,
43 and cultures.

44

45 The preliminary conclusion is to
46 support this Proposal WP07-02.

47

48 Thank you, Madame Chair.

49

50 CHAIRWOMAN ENTSMINGER: Yes, thank you.

1 Next is the Fish and Game again.

2

3 MR. MATHEWS: Yes, Madame Chair,
4 they're on Page 42. Their comments are in the same
5 structure as before. I'll just focus on.....

6

7 MR. RIVARD: 52.

8

9 MR. MATHEWS: What.

10

11 MR. RIVARD: 52.

12

13 MR. MATHEWS: Oh, 52, I'm sorry. I
14 need my glasses. But, anyways, Page 52, focus on the
15 conservation issues and other comments.

16

17 But basically Fish and Game is saying,
18 which this Council has been supportive of, accurate and
19 timely harvest reporting is an important component of
20 wildlife management. Fish and Game supports programs
21 that obtain accurate hunting and harvest for agency use
22 that may be necessary for management decisions.

23

24 They had additional comments, which are
25 successful implementation of a Federal failure report
26 program will require careful planning and coordination
27 between the Federal agencies, OSM in order to insure
28 that the program is administered consistently
29 statewide. Currently there are inconsistencies in the
30 administration and enforcement of Federal subsistence
31 hunts that require Federal registration permits.

32

33 In the best interest of collecting
34 harvest data the Staff analysis recommends modifying
35 this proposal to allow for flexibility regarding
36 application of the penalty clause for this regulation.
37 Fish and Game recommends further discussion on when,
38 where and how such discretion would be applied.

39

40 So, Madame Chair, that's Fish and
41 Game's comments.

42

43 CHAIRWOMAN ENTSMINGER: Okay. Council
44 members if you have any questions as we go through this
45 please say so.

46

47 Do I hear any questions of Don or the
48 State's position.

49

50 (No comments)

1 CHAIRWOMAN ENTSMINGER: So we will
2 continue. Federal agencies, is there any comments.

3
4 (No comments)

5
6 CHAIRWOMAN ENTSMINGER: Native, tribal,
7 village, any comments. Go ahead. Come on up.

8
9 MR. JAMES: My name is Gideon James and
10 I'm from Arctic Village.

11
12 I was reading part of the proposal
13 there about, you know, harvest report, and throughout
14 the years under ANILCA that we have provision in there
15 for co-management, I just think that for the local
16 hunters are able to obtain permits, local people, local
17 tribal governments should be the one that probably
18 record the report if he does get anything. I think
19 that would be a much easier way to do.

20
21 Under ANILCA, the tribe has some sort
22 of co-management position and this, I think -- I know a
23 lot of people would rather go to their own tribal
24 government to work with these people and I think that
25 should be the way to go.

26
27 CHAIRWOMAN ENTSMINGER: Any questions
28 of Gideon.

29
30 (No comments)

31
32 MR. JAMES: In the case of Yukon Flats,
33 we have CATG Resource Department there in Fort Yukon,
34 you know, some people there that work with fisheries
35 and biologists and everybody as much as they could. So
36 I think if we can change or we can make this more
37 easier to handle, I think if we give to the local
38 people or local government to handle it would be much
39 better.

40
41 CHAIRWOMAN ENTSMINGER: I have a
42 question, Gideon.

43
44 MR. JAMES: What.

45
46 CHAIRWOMAN ENTSMINGER: I have a
47 question. The process, is it in place now?

48
49 MR. JAMES: I know there is some other
50 species like for fish is in place.

1 CHAIRWOMAN ENTSMINGER: Arctic Village
2 would report to who?

3
4 MR. JAMES: Arctic Village sometimes
5 they have CATG people come up and take a survey of what
6 we catch, you know, like different species of fish.
7 But, again, for the big game they don't do that. But
8 what I'm saying is that you should give that --
9 recognize the tribe as being responsible to take that
10 position then you would give them some sort of co-
11 management position for that is what I wanted to say.

12
13 CHAIRWOMAN ENTSMINGER: Yeah, I
14 understand.

15
16 MR. JAMES: I think we're.....

17
18 CHAIRWOMAN ENTSMINGER: But there's no
19 process in place.....

20
21 MR. JAMES: I think you guys are just
22 making -- you know a lot of times, you know, the
23 hunters have poor luck and we have frustration in
24 hunting around here, and not only here all over, but,
25 you know, we live off the land and sometimes hunting
26 season comes and over half the people that hunt on your
27 land are not living there, so there is frustration that
28 exists.

29
30 So I think if you work with the local
31 people, the local government, you know, to identify,
32 you know, if there was a harvest to report, you know,
33 you should go there instead of trying to attack
34 individual and restrict them from doing any more
35 hunting. I don't think that's the right approach.

36
37 MR. CARROLL: Can I ask for a
38 clarification here. I'm understanding that this change
39 right here would affect hunts only by permit. Now,
40 I've never got a permit for anything in my life, I buy
41 a license and then I get a reporting harvest tag it's
42 called.

43
44 CHAIRWOMAN ENTSMINGER: Right.

45
46 MR. CARROLL: And then I get a little
47 questionnaire, I know I'm supposed to return it, and if
48 I don't then I get a questionnaire, and usually this is
49 just from the State, I've never seen anything from the
50 Federal government. These permit hunts usually exist

1 -- like I know Birch Creek area got permit hunts, they
2 only allow down Beaver -- they allow only so many
3 harvest permits like for moose and usually they're
4 pretty much restricted to the village in those areas is
5 my understanding. I've never got a permit before and I
6 think if I understand what Gideon is saying, I'm guilty
7 of not returning those reports, I mean I'm guilty, I
8 hardly ever return the report. Like I said never got a
9 moose in two years, so I pitch the whole thing to the
10 side and move on to something else.

11

12 That's a bad attitude, I know. Okay,
13 I'm asking, is this -- just for some clarification.

14

15 CHAIRWOMAN ENTSMINGER: I'm going to
16 try to do it from my understanding.

17

18 MR. CARROLL: Yeah.

19

20 CHAIRWOMAN ENTSMINGER: We have two
21 regulations. If you're on Federal land and it only
22 requires a State harvest ticket, then it's not a
23 special permit, but if you have a season that requires
24 a Federal permit and not your harvest ticket from the
25 State and you don't return that, that is what they're
26 talking about.

27

28 MR. CARROLL: Okay.

29

30 CHAIRWOMAN ENTSMINGER: Okay, do you
31 know of any Federal only seasons in your area?

32

33 MR. CARROLL: Not really, no.

34

35 CHAIRWOMAN ENTSMINGER: Because some of
36 these Federal seasons, even though there's a Federal
37 season only they still only require you to get your
38 State harvest ticket. But there's some in our area,
39 like the Fortymile country, you have to go in and get
40 what's called a joint now, State/Federal harvest
41 ticket, it's a registration to go hunting. So in those
42 particular instances is what we're talking about.

43

44 Now -- yeah, does that make sense.

45

46 MR. CARROLL: It makes sense.

47

48 CHAIRWOMAN ENTSMINGER: So do we have
49 any other comments or questions.

50

1 MS. BROWN: Would it help if I talked
2 about the hunts in this area that -- permits.
3
4 CHAIRWOMAN ENTSMINGER: Let me ask the
5 Council, would it help if she gave a little report of
6 which ones in this area you might need.
7
8 MR. CARROLL: Yes, I think that would
9 be good, I need a little more clarification on what's
10 going on. It just seems like to me that we started out
11 on one word from regulatory to seasonal.....
12
13 CHAIRWOMAN ENTSMINGER: Calendar.
14
15 MR. CARROLL:and now we're off on
16 a whole different subject here. I don't know where we
17 strayed, we're talking about bureaucracy.....
18
19 CHAIRWOMAN ENTSMINGER: Yeah.
20
21 MR. CARROLL:I don't understand
22 it, you know, so.....
23
24 (Laughter)
25
26 CHAIRWOMAN ENTSMINGER: This is what
27 this is about, Richard, we need to understand what's
28 going on.
29
30 MR. CARROLL:I need some
31 clarification.
32
33 CHAIRWOMAN ENTSMINGER: Go ahead.
34
35 MS. BROWN: Thank you, Madame Chair.
36 For the record, Wennona Brown with Fish and Wildlife
37 Service, Yukon Flats and Arctic National Wildlife
38 Refuges.
39
40 Just a little bit on the clarification,
41 where Richard, like lives in Fort Yukon and James lives
42 in Chalkytsik there are no Federal permit requirements.
43 But like he mentioned for moose down in 25D West which
44 is around Birch Creek, Beaver and Steven's Village,
45 those require a Federal permit on the Federal side or a
46 State Tier II permit on the State side because of the
47 moose population. But the Federal lands are closed so
48 that only residents of 25D West can actually hunt moose
49 in those areas.
50

1 Then up here in Arctic Village they're
2 required to have a Federal sheep permit to in the
3 Arctic Village Sheep Management area. And then there's
4 also a Federal permit requirement for sheep for the 25A
5 remainder which is the area outside of the Arctic
6 Village Sheep Management Area.

7

8 And those are the Federal permits that
9 would be under the purview of this Council.

10

11 MR. CARROLL: I got a question. So
12 you're saying that permits are issued like in the --
13 where the locals harvests, locals get permits to
14 harvest sheep.

15

16 MS. BROWN: Correct.

17

18 MR. CARROLL: Okay. Other hunters come
19 into the area from Colorado to hunt sheep up here, they
20 also need a permit, they get a permit to hunt -- if
21 they're not hunting in -- like the whole 25A, the whole
22 Colleen River drainage, if they want to go up there and
23 hunt they got to have a permit.

24

25 MS. BROWN: They'd have to have a
26 permit from the State.

27

28 MR. CARROLL: Okay.

29

30 CHAIRWOMAN ENTSMINGER: It's a harvest
31 ticket.

32

33 MS. BROWN: Yeah, they would have to
34 have a harvest ticket.

35

36 MR. CARROLL: They're two different,
37 the harvest.....

38

39 MS. BROWN: Two different things, yeah.

40

41 MR. CARROLL: Yeah. Yeah.

42

43 MS. BROWN: Yeah.

44

45 MR. CARROLL: Okay.

46

47 MS. BROWN: The Federal permits are
48 only available to Federally-qualified subsistence
49 users.

50

1 MR. CARROLL: Okay. All right, I get
2 it. And -- and the proposal offers a -- if they don't
3 comply with this returned report they're going to get
4 penalized -- they ain't going to get another ticket the
5 next day, another permit of it, I should say, that's
6 the gist of it.

7
8 MS. BROWN: That's the gist of it,
9 which is bringing it in line with that the State has
10 done.

11
12 But the proposal -- right now the
13 Federal regulation reads, on a calendar year, but a lot
14 of the permits are in seasons -- well, like, Arctic
15 Village for example, the permits are good from August
16 10th to April 30th, which actually spans the calendar
17 year and it goes beyond the calendar year, so that's
18 why we're talking about changing it to regulatory year,
19 which then would mean that regulatory year, you'd have
20 to the end of the harvest, April 30th, to turn your
21 permit in, you know, if you didn't get a sheep.

22
23 CHAIRWOMAN ENTSMINGER: So in this
24 proposal, Richard, we're only talking about should it
25 be changed from calendar to regulatory.

26
27 MR. CARROLL: Thank you. Yeah, I
28 understand.

29
30 CHAIRWOMAN ENTSMINGER: Okay, where are
31 we, we're soon going to need a break. Do you guys want
32 to take a break now or continue and try to finish this
33 proposal.

34
35 MR. CARROLL: Let's finish.

36
37 MR. WOODRUFF: Let's finish it.

38
39 MR. UMPHENOUR: Finish.

40
41 CHAIRWOMAN ENTSMINGER: We are at.....

42
43 MR. CARROLL: Advisory Groups.

44
45 CHAIRWOMAN ENTSMINGER: Did we finish
46 the InterAgency Staff comment.

47
48 MR. EASTLAND: None, Madame Chair.

49
50 CHAIRWOMAN ENTSMINGER: Now, Vince is

1 going to give us a summary on Advisory, RAC and
2 SRC.....

3

4 MR. MATHEWS: Yes, Madame Chair.

5

6 CHAIRWOMAN ENTSMINGER:okay, and
7 public testimony, I think. Okay go ahead.

8

9 MR. MATHEWS: Right. Okay, Madame
10 Chair, again, all the Councils -- Western Interior took
11 up Proposal 2. They supported it as written. They
12 supported it as written because of the need to have
13 regulations as clear as possible to avoid confusion and
14 the loss of harvest data associated with permit hunts.

15 The did discuss the direction from ANILCA that
16 management actions have the least adverse impact on
17 subsistence users and permits do place a burden on
18 subsistence users. The Council endorsed the need for
19 permits when management actions are needed to protect
20 the resource. The Council did express concerns about
21 the regulation needs to be flexible and not rigid on
22 ineligibility and discretion needs to be allowed on the
23 penalty part. There needs to be spelled out more
24 clearly what are unavoidable circumstances. So Western
25 Interior supports it as written with those cautionary
26 statements there.

27

28 Yukon-Kuskokwim supported the proposal.

29

30 Seward Peninsula supported the proposal
31 unanimously. The purpose of this ineligibility
32 proposal is to aide in timely and efficient collection
33 of fish and wildlife data. So Seward Penn supports it.

34

35 Southeast Regional Council supported
36 the proposal as written unanimously.

37

38 Bristol Bay voted to support the
39 proposal. The Council was supportive that subsistence
40 hunters should report their harvest when required to or
41 be penalized the following regulatory year. The
42 penalty for failing to report a harvest would be the
43 subsistence should not be eligible to receive a permit
44 the following year. The language is meant to make the
45 current Federal subsistence regulations as well as
46 penalties for not reporting harvest more
47 understandable. So Bristol Bay supports.

48

49 Kodiak Aleutian supports the proposal
50 as written.

1 And that's all the ones I have for the
2 Councils.

3
4 For the SRC's, and for Richard when I
5 use the word, SRC, that's Subsistence Resource
6 Commission, they are your sisters or brothers, whatever
7 you want to call them, Advisory Groups established by
8 ANILCA for the Parks. You can talk to Sue more about
9 that but they play an important role in the management
10 of Parks.

11
12 The Wrangell Subsistence Resource
13 Council unanimously supports the proposal. This
14 proposal would simplify regulations associated with
15 harvest reporting, specifically the penalties for
16 failure to report. This would help facilitate
17 collection of harvest data.

18
19 Let me make sure, Lake Clark and
20 Aniakchak were pretty much the same, they support the
21 proposal because compliance from -- changing compliance
22 from calendar year to regulatory year would encourage
23 more timely returns of harvest reports. That was the
24 same for Aniakchak.

25
26 And this time I won't forget Denali.
27 Denali Subsistence Resource Commission unanimously
28 supports the proposal with the Staff modification to
29 change the wording from, you are, to you may be
30 ineligible to hunt. We can explain that in detail why
31 they had that modification. This proposal will
32 simplify the potential confusion that ensues between a
33 calendar year versus a regulatory year. The caribou
34 season is most affected by this confusion because
35 caribou season straddles the new year.

36
37 CHAIRWOMAN ENTSMINGER: Vince,
38 which.....

39
40 MR. MATHEWS: Another recommendation
41 was made not to use the calendar.....

42
43 CHAIRWOMAN ENTSMINGER: Which group is
44 that?

45
46 MR. MATHEWS: This is the Denali and
47 Amy's here to explain more reasoning why.....

48
49 CHAIRWOMAN ENTSMINGER: Okay.
50

1 MR. MATHEWS:they got into this
2 modification.
3
4 CHAIRWOMAN ENTSMINGER: Okay.
5
6 MR. MATHEWS: Anyways, the caribou
7 season straddles the new year.
8
9 Another recommendation was made not to
10 use the calendar year but to use the regulatory year
11 which is a fixed period from July 1 to June 30th.
12
13 CHAIRWOMAN ENTSMINGER: If there's
14 someone here like Amy, I would like them to come
15 forward and give that report.
16
17 MR. MATHEWS: Okay, that's fine.
18
19 CHAIRWOMAN ENTSMINGER: But finish up
20 with that and then.....
21
22 MR. MATHEWS: That's all the SRC's that
23 I'm aware of that met.
24
25 CHAIRWOMAN ENTSMINGER: Any public
26 comments you want to go over.
27
28 MR. MATHEWS: Yes. And I believe those
29 are summarized in your book on Page 52 and, again, it's
30 the AHTNA 'Tene Nene', they support the proposal to
31 change the wording from calendar to regulatory.
32
33 And, again, if you want to see the full
34 written comments, I have copies of those, these are
35 summaries in the book.
36
37 That's all I have, Madame Chair.
38
39 CHAIRWOMAN ENTSMINGER: Amy, would you
40 like to speak to this one for SRC.
41
42 MS. CRAVER: I mean I think Vince
43 pretty much summed it up.
44
45 MR. WOODRUFF: Sue, I got a question.
46
47 CHAIRWOMAN ENTSMINGER: Go ahead.
48
49 MR. WOODRUFF: Denali wanted to change
50 the wording or suggest that we change the wording to

1 you may be and I would highly recommend we do that.
2 Because in my instance, my situation, if I'm hunting a
3 moose from the 1st of December to the 15th of December
4 in 25B, I can't mush 100 miles at 60 below to turn in
5 my harvest report in a timely manner. I'm going to
6 bring it in when I bring my fur in at the end of the
7 season. So if they're going to deny me to hunt the
8 next year then I'm going to have to poach a moose and I
9 don't prefer to do that because then I have to shoot
10 that moose in the bushes where nobody can see it and it
11 makes me highly illegal and paranoid and nervous.

12
13 And so I think we should change the
14 regulations if we have the capacity to do that, I mean
15 the wording, to you may be.

16
17 CHAIRWOMAN ENTSMINGER: Yes, we need to
18 do an amendment.

19
20 MR. UMPHENOUR: Make a motion to amend.

21
22 CHAIRWOMAN ENTSMINGER: Yes, uh-huh.

23
24 MR. WOODRUFF: I make a motion that we
25 amend. Thank you.

26
27 MR. UMPHENOUR: Second.

28
29 CHAIRWOMAN ENTSMINGER: Okay, there's a
30 motion on the floor to change the wording as an
31 amendment to this proposal, to change the wording that,
32 you may, does everyone understand the motion.

33
34 (Council nods affirmatively)

35
36 CHAIRWOMAN ENTSMINGER: Okay, all in
37 favor of the motion.

38
39 IN UNISON: Aye.

40
41 CHAIRWOMAN ENTSMINGER: All opposed.

42
43 (No opposing votes)

44
45 CHAIRWOMAN ENTSMINGER: Okay. We have
46 that in place. And could you just -- we have enough
47 information why we did that. The only thing I would
48 like to add why we're doing that is I would like to say
49 -- I would like our Staff and all the Refuge people,
50 all the Federal people to come up with a system to meet

1 -- where you're -- that reporting -- if there's a
2 failure to report and you think there's more hunting
3 being done out there that we're not getting a report
4 on, like you point out, like, yeah, sometimes you don't
5 get that harvest report in, I think we should make --
6 we have enough Staff that can contact people and say,
7 hey, what's really going on in your village and make
8 sure that we know what's going on and the Staff knows
9 what's going on. I want us to really try to work with
10 the people here on this type of thing. Because I have
11 a stack of Federal stuff and a stack of State harvest
12 tickets sitting on my desk and sometimes I don't get
13 back to sending one of them in and it gets a little
14 frustrating.

15

16 MR. RIVARD: Madame Chair. Don Rivard.
17 That's part of what I read into the record is that,
18 Federal Staff does do a really concerted effort with
19 Federally-qualified subsistence users to get them to
20 comply with this reporting requirement, and we have, as
21 I stated, almost a 93 percent compliance, so it is
22 being done right now. We don't want to see people
23 become ineligible for a year, so there's a lot of
24 effort that goes on to make sure those harvesting
25 reports are turned back in.

26

27 CHAIRWOMAN ENTSMINGER: Thanks for
28 adding that Don, sometimes our brain gets fried here.

29

30 MR. CARROLL: We're down to the.....

31

32 CHAIRWOMAN ENTSMINGER: Okay, we're
33 down to the regular proposal, is there any other
34 discussion on the proposal.

35

36 MR. CARROLL: We're down to No. 6 here.

37

38 CHAIRWOMAN ENTSMINGER: Yes, we are.

39

40 MR. CARROLL: Okay.

41

42 CHAIRWOMAN ENTSMINGER: Yes, is there
43 any other any public testimony other than what we've
44 already had.

45

46 (No comments)

47

48 CHAIRWOMAN ENTSMINGER: Nope. Did you
49 have something else.

50

1 MR. CARROLL: Yes.
2
3 CHAIRWOMAN ENTSMINGER: Go ahead.
4
5 MR. CARROLL: It just seems to me,
6 maybe I'm nitpicking but the proposal here is based on
7 one word, be submitted by BLM. The existing law was
8 already in place, we're not -- all of a sudden now
9 we're going to submit a proposal to change the law for
10 non-compliance based.....
11
12 CHAIRWOMAN ENTSMINGER: No.
13
14 MR. EASTLAND: Yes.
15
16 MR. CARROLL: Yeah.
17
18 MR. EASTLAND: Yes.
19
20 CHAIRWOMAN ENTSMINGER: Okay.
21
22 MR. CARROLL: Yeah. This proposal was
23 submitted based on a real good thing. That just the
24 regulatory year.....
25
26 CHAIRWOMAN ENTSMINGER: Right.
27
28 MR. CARROLL:which is beneficial
29 to seasonal hunting, of course, and we're all aware of
30 that. All of a sudden now we've got an amendment to
31 this. I say, I don't know maybe this -- maybe we just
32 -- I say we just tell BLM to take that back and
33 resubmit it, can we do that, can we do that, that's my
34 question, can we make a -- do you understand what I'm
35 saying. I'm just trying to get an understanding of
36 what authority we have to do this.
37
38 CHAIRWOMAN ENTSMINGER: I'm going to go
39 to Virgil and then Vince.
40
41 MR. UMPHENOUR: What we're doing is
42 making a recommendation to the Federal Subsistence
43 Board so they will look at our recommendation and all
44 the other RAC's recommendations and then everyone else
45 that makes a recommendation and then they will decide
46 what is the best thing to do and the amendment we just
47 made changed the word, shall, to may, and the reason we
48 did that is because if the word, shall, is in there,
49 that means regardless of the reason why you didn't send
50 your report in, say it got lost in the mail, for

1 instance, or something else -- the reason why they
2 didn't get it, regardless, then you wouldn't get a
3 permit next year. And I can give some real good
4 examples of the State, in their system, year before
5 last sending -- saying that people didn't turn their
6 reports in and the people had turned their reports in
7 and they -- and I know some of them -- one of them was
8 one of the highest ranking Staff in the Office of
9 Subsistence Management, they claimed he didn't send his
10 report in and I know he sent it in and I know that I
11 sent some reports in that they claimed that they didn't
12 receive, too, so you take that word, shall out and put,
13 may, and that means whenever there's a mess up that
14 you're not going to get penalized because of something
15 beyond your control.

16

17 That's the reason to change that.

18

19 CHAIRWOMAN ENTSMINGER: Let's make sure
20 we understand this properly.

21

22 So would we.....

23

24 MR. MATHEWS: Yes, well.....

25

26 CHAIRWOMAN ENTSMINGER:like.....

27

28 MR. MATHEWS:I can answer his
29 question directly. Your question is, can you do this,
30 yes, you can. You can recommend modifications to a
31 proposal.

32

33 CHAIRWOMAN ENTSMINGER: Right.

34

35 MR. MATHEWS: The only time you cannot
36 do that is if you do a complete reversal of that
37 proposal and I'd advise you you can't do that.

38

39 CHAIRWOMAN ENTSMINGER: Is to vote
40 against it?

41

42 MR. MATHEWS: This is just a straight
43 modification.

44

45 CHAIRWOMAN ENTSMINGER: Okay, Don.

46

47 MR. RIVARD: Madame Chair. Just so
48 that we're real clear, there is no word, shall, but if
49 you look on Page 42 of the proposed Federal regulation.
50 What your amendment was, if you look kind of right in

1 the middle there, it says you are ineligible, instead
2 of the word, are, your amendment is you may be
3 ineligible, that is what you're changing.

4

5 MR. UMPHENOUR: Yeah.

6

7 CHAIRWOMAN ENTSMINGER: Okay. Also
8 BLM, what is -- oh, it's BIA, I'm sorry, can you help
9 us any further on this.

10

11 MR. CARROLL: I got a -- may I.

12

13 CHAIRWOMAN ENTSMINGER: Yes.

14

15 MR. CARROLL: May I, just one more. In
16 parliamentary procedure, and if -- I would say -- this
17 is what I would say, this is submitted by BLM, this is
18 their proposal, I mean it's like -- this is theirs, is
19 this the proposal they want, can anybody -- we can do
20 anything we want with their proposal.

21

22 CHAIRWOMAN ENTSMINGER: We can amend,
23 yes.

24

25 MR. CARROLL: Okay. But it just seems
26 like we can -- they got nothing else to say about it,
27 they -- it's their proposal, they presented it, they're
28 a big agency and.....

29

30 CHAIRWOMAN ENTSMINGER: Well, they're
31 here to hear our comments, yes.

32

33 MR. CARROLL: Okay.

34

35 CHAIRWOMAN ENTSMINGER: If we don't
36 like something we can amend.

37

38 MR. CARROLL: Okay.

39

40 CHAIRWOMAN ENTSMINGER: Yes.

41

42 MR. CARROLL: Okay, I just -- I just
43 wanted to clarify our position on what we can do, okay,
44 thanks.

45

46 CHAIRWOMAN ENTSMINGER: Do you have any
47 other questions, Richard, that would.....

48

49 MR. CARROLL: No. No. Actually I
50 understand now, okay.

1 CHAIRWOMAN ENTSMINGER: Okay.
2
3 MR. CARROLL: I'm feeling the power.
4
5 (Laughter)
6
7 CHAIRWOMAN ENTSMINGER: Good. All
8 right, so any other Council members have any other
9 questions.
10
11 (No comments)
12
13 CHAIRWOMAN ENTSMINGER: I mean would
14 you like to speak to anything for us that would help us
15 here, I think he understands.
16
17 MR. EASTLAND: Madame Chair. This is
18 Warren Eastland with the Bureau of Indian Affairs. I'm
19 a member of the InterAgency Staff Committee. And I
20 just wanted to echo that you do have a little problem
21 on your amendment because you're amending, you shall,
22 to you may, and the actual wording as written in the
23 regulations is, you are ineligible, so you do have that
24 problem.
25
26 And other unavoidable circumstances
27 covers a lot of ground. The BLM makes considerable
28 effort -- well, all Federal agencies make considerable
29 effort to get the reporting and if it's just too cold
30 to mush in that's an unavoidable circumstance and that
31 can be dealt with.
32
33 But I guess my main point is, is that I
34 would like to echo Council member Carroll's statement
35 that this proposal is requesting just one change, from
36 calendar year to regulatory year, to bring the timing
37 into alignment with the actual seasons and the duration
38 of permits and stuff. It's more of a housekeeping
39 effort.
40
41 Other Councils were concerned with the
42 penalty clause but the penalty clause is already in
43 existence in current regulation and at least one other
44 Council felt that a future proposal to the Board to
45 perhaps change the wording of the penalty clause would
46 be more suitable rather than muddying this one up with
47 an amendment.
48
49 Thank you, very much Madame Chair.
50

1 CHAIRWOMAN ENTSMINGER: What's the
2 wishes of the Council.
3
4 MR. MATHEWS: Madame Chair.
5
6 CHAIRWOMAN ENTSMINGER: Well, I'd like
7 to see the Council talk about this here.
8
9 MR. MATHEWS: Well.....
10
11 CHAIRWOMAN ENTSMINGER: I hear clearly
12 what he just said so I want to hear from you guys.
13
14 MR. WOODRUFF: Madame Chair. I make a
15 proposal that we change it from you are ineligible to
16 you may be. And I'd also like to express to Richard
17 that if he feels uncomfortable with that he can suggest
18 that we just kick it back to them and they fix the
19 language themselves; isn't that correct.
20
21 CHAIRWOMAN ENTSMINGER: Yeah. But did
22 you hear what the gentlemen just said.....
23
24 MR. WOODRUFF: Yep. Yep. Yep.
25
26 CHAIRWOMAN ENTSMINGER:that the
27 unavoidable circumstances is actually covered here.
28
29 Do you feel uncomfortable with it
30 still?
31
32 MR. WOODRUFF: Absolutely.
33
34 CHAIRWOMAN ENTSMINGER: How about the
35 rest of the group.
36
37 MR. GLANZ: Madame Chair, it's already
38 State law, that's in rules and regulations, this here,
39 what they're saying they're just trying to put them in
40 alignment with the reporting procedures.
41
42 CHAIRWOMAN ENTSMINGER: Right.
43
44 MR. GLANZ: I, myself, feel it's a good
45 move to do it the way they're trying to do it. But
46 that's just my own opinion.
47
48 CHAIRWOMAN ENTSMINGER: So what I want
49 to hear from you know is do you favor it as is or with
50 our amendment.

1 MR. GLANZ: I would say we favor it as
2 is, but that's just mine again. The amendment, what
3 I'm reading here what they're saying is it's impossible
4 to do that way.

5
6 CHAIRWOMAN ENTSMINGER: Right. So I
7 want to get a consensus from the rest of the group of
8 how do you feel.

9
10 MR. CARROLL: Richard Carroll here.
11 Both changes are good.

12
13 CHAIRWOMAN ENTSMINGER: Okay.

14
15 MR. CARROLL: I'm going to be in favor
16 of the regulatory year and I'm in favor of -- it should
17 have been may, instead of you are, you may. I'm in
18 favor of the amendment.

19
20 But I just the question the procedure
21 of this proposal, we overstep -- I just feel that as
22 far as following parliamentary rules, it just seems
23 like.....

24
25 CHAIRWOMAN ENTSMINGER: Us or.....

26
27 MR. CARROLL: We do, we overstep, and
28 that was my question, can we do that.

29
30 MR. UMPHENOUR: Yes.

31
32 MR. CARROLL: We're over -- this is a
33 proposal by BLM, I say that we're talking a whole
34 different proposal now, but I'm new here so if you say
35 so I'll go along with both changes, I mean I am, I just
36 want to know if we're doing it properly.

37
38 CHAIRWOMAN ENTSMINGER: Okay.

39
40 MR. CARROLL: You know if this is the
41 proper -- because I'm kind of a stickler on
42 parliamentary procedure.

43
44 (Laughter)

45
46 CHAIRWOMAN ENTSMINGER: Good. Good.
47 Good.

48
49 (Laughter)

50

1 CHAIRWOMAN ENTSMINGER: It's my
2 understanding that we can make amendments to any
3 proposal.

4
5 MR. CARROLL: Okay.

6
7 CHAIRWOMAN ENTSMINGER: And if I do it
8 wrong, please stop me, I'm new at this also, trying to
9 Chair, but I'd like to hear from each Council member,
10 also, and if you have anything inside of you that you
11 feel burning one way or the other, we should do what we
12 think is right here.

13
14 So I'm hearing that two of us want to
15 go one way and one this way, so Virgil.

16
17 MR. UMPHENOUR: Okay. Now, that we
18 clarified our amendment.

19
20 CHAIRWOMAN ENTSMINGER: And we need to
21 vote on that procedurally.

22
23 MR. UMPHENOUR: Right. We've clarified
24 it, it was restated.

25
26 CHAIRWOMAN ENTSMINGER: Stop, just a
27 second, we need to do what first.

28
29 MR. MATHEWS: Well, it's already been
30 moved and passed, my understanding is the mover of the
31 motion and the second agreed to the language that was
32 provided by the Denali SRC.

33
34 CHAIRWOMAN ENTSMINGER: Okay.

35
36 MR. WOODRUFF: Yep.

37
38 CHAIRWOMAN ENTSMINGER: Now, you're
39 revisiting your vote, I don't want to be a pain in the
40 butt about it but that's a vote of reconsideration so
41 you'd have to do that if you'd want to reconsider your
42 amendment. You're already doing it but someone.....

43
44 CHAIRWOMAN ENTSMINGER: Yeah, we're
45 doing it in discussion.

46
47 MR. MATHEWS: Yeah.

48
49 CHAIRWOMAN ENTSMINGER: Yeah.

50

1 MR. UMPHENOUR: Do you want me to make
2 it clean, Sue.
3
4 CHAIRWOMAN ENTSMINGER: Yeah, let's
5 make it clean. Go for it.
6
7 MR. UMPHENOUR: Okay. I was the
8 second, and I can't remember exactly how the motion was
9 stated but I know that when I spoke to the motion
10 awhile ago I used the word, shall, which I shouldn't
11 have because it's the word, are, the word is are is
12 changed to may so I want to put that on the record, and
13 as Vince said we've already voted on it and everything
14 else, I don't feel we need a reconsideration. We're
15 perfectly in compliance with procedure and Robert's
16 Rules of Order, and I fully support the motion.
17
18 Thank you, Madame Chair.
19
20 CHAIRWOMAN ENTSMINGER: Thank you. Do
21 you have any feelings, James.
22
23 MR. NATHANIEL: I don't have any.....
24
25 REPORTER: James. James, here.....
26
27 MR. NATHANIEL: I don't have any
28 comment on this proposal but I think according to the
29 discussion I think I would support this proposal.
30
31 CHAIRWOMAN ENTSMINGER: Okay. Do I
32 hear a call for the question.
33
34 MR. UMPHENOUR: Question.
35
36 CHAIRWOMAN ENTSMINGER: Right now we're
37 going to vote on the amendment as changed, and that
38 will be suggested, are to may.....
39
40 MR. RIVARD: May be.
41
42 CHAIRWOMAN ENTSMINGER: May be.
43
44 MR. UMPHENOUR: Yes.
45
46 CHAIRWOMAN ENTSMINGER: Okay. Is that
47 clear.
48
49 (Council nods affirmatively)
50

1 CHAIRWOMAN ENTSMINGER: All in favor of
2 the motion to change are to may be, say aye.
3
4 IN UNISON: Aye.
5
6 CHAIRWOMAN ENTSMINGER: All opposed.
7
8 (No opposing votes)
9
10 CHAIRWOMAN ENTSMINGER: So you're in
11 favor of it.
12
13 MR. GLANZ: I'll just.....
14
15 CHAIRWOMAN ENTSMINGER: Okay. I
16 understand what you're saying, though, I hope we're not
17 muddying it up and I believe that the people will
18 understand that where we're coming from, that --
19 because we're advisory to the Board.
20
21 And so we're going to vote on the
22 amended motion.
23
24 Does everybody clearly know what you're
25 voting on.
26
27 (Council nods affirmatively)
28
29 MR. UMPHENOUR: Question.
30
31 CHAIRWOMAN ENTSMINGER: Question's been
32 called for. All in favor of the motion as amended.
33
34 IN UNISON: Aye.
35
36 CHAIRWOMAN ENTSMINGER: All opposed.
37
38 (No opposing votes)
39
40 CHAIRWOMAN ENTSMINGER: Okay. We're
41 going to take a short break.
42
43 (Off record)
44
45 (On record)
46
47 CHAIRWOMAN ENTSMINGER: Okay, we're
48 back taking up the next proposal. Do you want to put
49 it on the floor.
50

1 MR. UMPHENOUR: Yep. Move to adopt
2 Proposal WP07-03.

3
4 MR. WOODRUFF: Second.

5
6 MR. NATHANIEL: Second.

7
8 CHAIRWOMAN ENTSMINGER: Okay.

9
10 MR. RIVARD: Madame Chair. Don Rivard,
11 again, with the Office of Subsistence Management. The
12 analysis for Proposal WP07-03 begins in your book on
13 Page 54. Proposal WP07-03 is the combination of three
14 separate proposals submitted by the Eastern Interior
15 Alaska Subsistence Regional Advisory Council, the Upper
16 Tanana Fortymile Mile Fish and Game Advisory Committee
17 and the Wrangell-St. Elias National Park Subsistence
18 Resource Commission.

19
20 The proponents request Federal
21 regulations that allow the sale of raw/untanned hides
22 and capes of goat, sheep, caribou or moose that have
23 been legally harvested on Federal public lands by
24 Federally-qualified subsistence users.

25
26 The proponents state that adoption of
27 this proposal would align Federal subsistence harvest
28 regulations with State of Alaska hunting regulations,
29 which allow for the sale of raw/untanned hides and
30 capes from legally harvested goat, sheep, caribou and
31 moose. Current Federal subsistence regulations do not
32 allow the sale of unmodified non-edible byproducts of
33 fish and wildlife; they must have been made into
34 handicrafts. Raw/untanned hides and capes do not meet
35 the Federal definition of handicraft.

36
37 The proposed sale of raw/untanned hides
38 and capes from animals harvested under Federal
39 subsistence regulations may be consistent with the
40 Federal definition of customary trade. And the Federal
41 definition of customary trade is the exchange of cash
42 for fish and wildlife resources regulated in this part,
43 not otherwise prohibited by Federal law or regulation,
44 to support personal and family needs, and does not
45 include trade which constitutes a significant
46 commercial enterprise.

47
48 There is a long history of trade in
49 untanned hides and capes that began prior to the
50 arrival of Europeans in Alaska and continues today.

1 It is legal for State of Alaska
2 residents to harvest ungulates under State of Alaska
3 hunting regulations on Bureau of Land Management,
4 National Wildlife Refuge, National Preserve and
5 National Forest Service lands and sell the raw/untanned
6 hides and capes from these animals. However, this
7 State of Alaska hunting regulation does not apply to
8 National Park or National Monument lands.

9
10 Effects of the proposal if adopted.
11 The proponent states that adoption of this proposal
12 would not increase harvest but would allow Federally-
13 qualified subsistence users to fully utilize the
14 animals they harvest for food and to obtain cash needed
15 to access traditional hunting areas.

16
17 The adoption of this regulation would
18 allow Federally-qualified subsistence users to sell
19 raw/untanned hides and capes of goat, sheep, caribou or
20 moose that have been legally harvested under Federal
21 subsistence regulations on Federal public lands.
22 Again, except for National Park and National Monument
23 lands. Regional variation in uses of raw/untanned
24 hides and capes can be addressed by region-specific
25 regulations, such as those for brown bear handicrafts
26 and customary trade of fish.

27
28 Current harvest limits are not affected
29 by this proposal and there do not appear to be
30 conservation concerns associated with this proposal if
31 adopted. This proposal should not affect other user
32 groups.

33
34 Therefore, Madame Chair, the
35 preliminary conclusion then is to support the proposal.
36 And the author -- lead -- the lead author of this Liz
37 Williams, who's an anthropologist in our office, would
38 like other examples in your region, if you have any --
39 most of the examples of customary trade of raw and
40 untanned hides and capes in the literature are
41 examples of barter. There are few examples of raw and
42 untanned hides and capes being exchanged for cash. So
43 we're asking your Council and other meeting
44 participants for any examples of sale of untanned hides
45 or capes for cash.

46
47 Thank you, Madame Chair.

48
49 CHAIRWOMAN ENTSMINGER: Thank you.
50 Next is the ADF&G agency comments. Thank you.

1 MR. MATHEWS: Yes, Madame Chair,
2 they're found on Page 63 in your book. Again, I'll
3 focus on their conclusions.

4
5 Alaska Department of Fish and Game
6 recommends against adoption of this proposal because;

- 7
8 1. The opportunity to sell
9 raw/untanned hides is already
10 provided for under State
11 regulations;
12
13 2. State regulations are already
14 adopted into State regulations
15 by reference; and
16
17 3. Adopting this proposal would
18 increase regulatory complexity
19 and create duplicative
20 regulations.

21
22 However, if the Federal Board moves
23 forward with this proposal, the Department of Fish and
24 Game recommends the Federal Board make customary and
25 traditional use determinations and limit the Federal
26 regulation to those areas of the state where evidence
27 of long-term historical patterns of community use
28 exists. Again, there's further justification found on
29 Page 63 for their conclusions.

30
31 Thank you.

32
33 CHAIRWOMAN ENTSMINGER: Yeah, Vince,
34 procedurally we can ask questions at this point.

35
36 MR. MATHEWS: Yes.

37
38 CHAIRWOMAN ENTSMINGER: Yes, uh-huh.
39 If the State were here I would ask them this particular
40 conclusion, particularly in number 1, State regulations
41 already adopted into State regulations by reference and
42 then I would go back and ask our Federal Staff, who is
43 correct.

44
45 MR. RIVARD: Madame Chair. Don Rivard.
46 There's a couple things, couple of statements that were
47 made there in the State's comments and conclusions and
48 I'm prepared to answer them. One of the things that
49 they say is the sale of untanned hides or antlers is
50 already provided for under State regulations and this

1 is not true for subsistence harvested products taken
2 under Federal regulations.

3
4 Section .7(b) prohibits the sale of
5 fish, wildlife or their parts taken under the Federal
6 subsistence management regulations unless specifically
7 provided for in Federal subsistence management
8 regulations and right now the sale of untanned hides is
9 not specifically provided for.

10
11 And then the State also makes a
12 statement about wanting to see a customary and
13 traditional use determination for individual uses of a
14 harvested resource such as the sale of untanned hides.
15 And the Federal Board makes customary and traditional
16 use determinations only for the subsistence harvest of
17 a fish or wildlife population by a community or area.
18 The eight factors used by the Board to make C&T use
19 determinations do not constitute a checklist but rather
20 characteristics which taken together exemplify historic
21 uses of the resources. The Board makes customary and
22 traditional use determinations for the use of fish and
23 wildlife, not the specifics of each type of use after
24 the wildlife has been harvested. Sections .16(b) does
25 not require an individual and specific use
26 determinations for each use, such as eating, trading,
27 bartering, sharing, selling, crafting after harvest of
28 a resource.

29
30 Thank you, Madame Chair.

31
32 CHAIRWOMAN ENTSMINGER: Yes, thank you.
33 I'd just like the Council members to understand that in
34 our areas there are specific Federal seasons that do
35 not come under State regulations. And the heartburn
36 that I ended up having when I heard the State say this
37 one statement is why would you do C&Ts on something
38 that you allow under State law, that just confuses the
39 heck out of me that they would even go down that road.
40 And I'm sorry they're not here to speak to it. But I
41 want it on the record that it makes no sense that you
42 would make a statement like that when it's just
43 perfectly legal under State law.

44
45 Does any other Council members have any
46 other questions.

47
48 (No comments)

49
50 CHAIRWOMAN ENTSMINGER: Okay, we'll

1 continue. InterAgency Staff Committee comments.

2

3 MR. EASTLAND: No comments.

4

5 CHAIRWOMAN ENTSMINGER: I'm sorry, I
6 got ahead of myself, Federal agencies, any comments.

7

8 (No comments)

9

10 CHAIRWOMAN ENTSMINGER: Native, tribal
11 village, any comments.

12

13 (No comments)

14

15 CHAIRWOMAN ENTSMINGER: Now, we're down
16 to the InterAgency Staff Committee comments.

17

18 MR. EASTLAND: No comments.

19

20 CHAIRWOMAN ENTSMINGER: Okay, Vince,
21 it's your turn with the Advisory Groups and the Fish
22 and Game AC's and so on.

23

24 Thank you.

25

26 MR. MATHEWS: Okay. The Western
27 Interior took up Proposal 3 and they support it as
28 written. The Council agree that the sale of raw and
29 untanned hides and capes is consistent with known
30 customary trade. Passage of this proposal will align
31 Federal regulations with existing State regulations and
32 Council members shared their knowledge of sale of
33 various hides during their time and past trade of skins
34 for marine resources.

35

36 The Yukon-Kuskokwim Delta Regional
37 Council supported Proposal 03.

38

39 Seward Penn supported the proposal
40 unanimously. The sale of hides and capes would allow
41 Federally-qualified users the opportunity to full
42 utilize the animal that they harvest. The sale of
43 untanned hides and capes from animals harvested under
44 Federal subsistence regulations is consistent with the
45 definition of customary trade.

46

47 Southeast Regional Council supported
48 with modification. So hopefully I have the
49 modification here. The Council amended to include
50 tanned and untanned hides to add deer and elk to the

1 list of species covered. So they added the two species
2 of deer and elk, that'd be Southeast.

3

4 MR. RIVARD: And tanned hides.

5

6 MR. MATHEWS: Tanned.

7

8 MR. RIVARD: It's different.

9

10 MR. MATHEWS: Oh, okay. Their
11 modification again would be amended to include tanned
12 and untanned hides and to add deer and elk to the
13 species covered.

14

15 Okay, Proposal 3, I may need to get
16 clarification from Bristol Bay on this. It says that
17 they support with modification and then it's crossed
18 out.

19

20 MR. EASTLAND: It's just support.

21

22 MR. MATHEWS: It's just support, okay.
23 They voted to support the proposal to allow the sale.
24 Adoption of this proposal would result in alignment
25 with existing State regulation and is within the intent
26 of Federal regulations regarding customary trade.

27

28 Kodiak Aleutians, No. 3, support the
29 proposal as written -- no, wait a minute -- they took
30 no action. They moved to support the proposal, no one
31 seconded the motion so the motion died for lack of a
32 second, so Kodiak Aleutian did nothing on Proposal 3.

33

34 And, Madame Chair, that's it for the
35 Regional Councils.

36

37 The SRCs, Wrangell-St. Elias took up
38 No. 3, they unanimously support this proposal with the
39 modification that the provisions apply to deer and elk
40 in addition to the species listed in the original
41 proposal. State regulations already allow for the sale
42 of untanned capes and hides. Passage of this proposal
43 would allow Federally-qualified subsistence users the
44 same opportunity to more fully benefit from the animals
45 they harvest.

46

47 Lake Clark support with modification.
48 They support this proposal with the modification. The
49 reference to raw untanned hides should be deleted to
50 allow the sale of any hide so subsistence users may

1 maximize the value they can derive from selling parts
2 of legally taken animals.

3

4 Aniakchak Subsistence Resource
5 Commission support the measure -- support the proposal
6 and they support measures that create opportunities for
7 subsistence users to maximize the value they can derive
8 from selling the parts of legally taken animals.

9

10 And Denali SRC unanimously supports the
11 proposal.....

12

13 Oh, Amy's going to do that, I'm sorry.
14 She said I did a good job before, but anyways.

15

16 CHAIRWOMAN ENTSMINGER: Amy.

17

18 MS. CRAVER: Okay, the Denali National
19 Park Subsistence Resource Commission unanimously
20 supports this proposal. The justification for
21 supporting the proposal is that the change in
22 regulation will allow for the sale of raw hides taken
23 from animals for subsistence needs. The proposal is
24 consistent with Federal definition of customary trade.
25 Adoption of this proposal would result in an alignment
26 of an existing State regulation and is within the
27 intent of the existing Federal regulations regarding
28 customary trade.

29

30 Thanks.

31

32 CHAIRWOMAN ENTSMINGER: Anything else,
33 Vince.

34

35 MR. MATHEWS: Just the written comment
36 that's summarized on Page 63 that the -- I believe it's
37 the AHTNA 'Tene Nene' supports the proposal. Basically
38 they're in favor of allowing subsistence users to earn
39 some money from legally harvested goat, sheep, caribou
40 or moose.

41

42 CHAIRWOMAN ENTSMINGER: Okay. Do we
43 have any public testimony to this proposal.

44

45 (No comments)

46

47 CHAIRWOMAN ENTSMINGER: Okay, I have
48 one -- okay, Paul has a question.

49

50

1 MR. WILLIAMS: When the.....
2
3 REPORTER: Paul.
4
5 MR. WILLIAMS:the customary
6 trade.....
7
8 MR. RIVARD: Come up to the mic. State
9 your name.
10
11 MR. WILLIAMS: Paul Williams from
12 Beaver. When the customary trade and traditional type
13 of harvesting, what's the limit on selling these items
14 you're talking about, what's the limit on it, it used
15 to be a thousand dollars, is it more or does that still
16 remain the largest amount you could make in doing this
17 -- don't know? Thank you.
18
19 CHAIRWOMAN ENTSMINGER: Anyone.
20
21 MR. RIVARD: Madame Chair. Don Rivard.
22 There has been no proposal to put a limit on the amount
23 at this date. Maybe in the future it could be as it
24 has been for fish in some regions in the state.
25
26 CHAIRWOMAN ENTSMINGER: I have a
27 question, do the Council members have any questions
28 before I ask.
29
30 (No comments)
31
32 CHAIRWOMAN ENTSMINGER: The
33 modification by Southeast where they tanned to
34 untanned, can you explain to me if tanned is already in
35 regulation or must it have to go into this.
36
37 MR. RIVARD: Don Rivard. I don't
38 believe tanned is part of -- in the regulations right
39 now. That was the Southeast Council added that
40 amendment.
41
42 MR. EASTLAND: Madame Chair. Warren
43 Eastland with the BIA, member of the InterAgency Staff
44 Council -- Staff Committee, geez, it's getting late,
45 sorry.
46
47 The Southeast Council added tanned at
48 least partially, I believe, because of the potential
49 lack of clarity in the definition of handicraft.
50

1 CHAIRWOMAN ENTSMINGER: The question I
2 had was, if tanned is not in here, would it be illegal
3 for a subsistence user to have a tanned skin and sell
4 it?
5
6 MR. EASTLAND: Okay, I'm presuming that
7 your question includes the animal where the original
8 hide was taken under a subsistence season?
9
10 CHAIRWOMAN ENTSMINGER: Correct.
11
12 MR. EASTLAND: Is it a handicraft?
13
14 CHAIRWOMAN ENTSMINGER: No, it's a
15 tanned skin just like this raw skin.
16
17 MR. EASTLAND: Then I would
18 respectfully suggest that it is probably not.....
19
20 CHAIRWOMAN ENTSMINGER: Legal.
21
22 MR. EASTLAND:legal transaction.
23
24 CHAIRWOMAN ENTSMINGER: So in order to
25 this -- this is an oversight in this proposal. I
26 commend the Southeast people for picking it up, I mean
27 that's how I would feel. How does the rest of the
28 Council feel.
29
30 MR. UMPHENOUR: I'm going to have.....
31
32 CHAIRWOMAN ENTSMINGER: Virgil has a
33 question, go ahead Virgil.
34
35 MR. UMPHENOUR: Okay. I think it would
36 come down to what is tanned. So let me ask this
37 question, if it's totally salt-cured.....
38
39 CHAIRWOMAN ENTSMINGER: That's raw.
40
41 MR. UMPHENOUR:is that considered
42 -- what's that going to be considered, because it's not
43 totally raw, I mean totally raw is a green hide, and a
44 salt-cured is preserved for, you know, an indefinite
45 time until it gets something else done to it.
46
47 MR. EASTLAND: Through the Chair.
48 Virgil, I'm not a lawyer, I don't play one on TV, but
49 as a one time trapper and an amateur taxidermist, I'd
50 say it ain't a tanned hide, but it's a salted hide.

1 That isn't.....
2
3 CHAIRWOMAN ENTSMINGER: I would agree
4 with you, it's raw, uh-huh.
5
6 So we're in deliberation, let's hear
7 from the Council members.
8
9 Go ahead, Virgil.
10
11 MR. UMPHENOUR: Okay, I'm going to
12 speak to the proposal. There's no -- this has nothing
13 to do with conservation, this is just a full
14 utilization of the resource is what this issue is and
15 allowing people to be able to fully utilize the animal
16 that they've harvested for subsistence purposes. So
17 there's conservation involved in it.
18
19 And this has been done in the past,
20 it's allowed by the State, in fact, it's been allowed
21 for years and so there's a long history of this
22 happening in our region.
23
24 And as far as the issue of tanned
25 versus raw goes, myself, I don't see any difference in
26 selling a tanned hide or a raw hide, one that's not
27 tanned, and a lot of people do tan hides at home and
28 some, of course, send them to a tannery to get them
29 tanned.
30
31 But I'm in favor of the proposal and I
32 don't know whether we should amend our proposal to
33 throw in tanned as well.....
34
35 CHAIRWOMAN ENTSMINGER: I do.
36
37 MR. UMPHENOUR:but in order to
38 get the discussion on the table, I will so move to
39 amend our proposal to add the word tanned along with
40 raw.
41
42 CHAIRWOMAN ENTSMINGER: Before you
43 finish your amendment, I want to help you out.
44
45 Vince, did you mention that the
46 Wrangell-St. Elias had put in a modification to add --
47 this is the Subsistence Resource Commission, deer and
48 elk.
49
50 MR. UMPHENOUR: Yeah, he did.

1 MR. MATHEWS: (Nods affirmatively)
2
3 CHAIRWOMAN ENTSMINGER: yeah, you read
4 that, okay, I'm sorry. Is that something you would add
5 to that motion.
6
7 MR. UMPHENOUR: Right. I will add,
8 also add deer and elk to the motion as well as tanned.
9
10 Madame Chair.
11
12 CHAIRWOMAN ENTSMINGER: Thank you. Do
13 I hear a second.
14
15 MR. WOODRUFF: Second.
16
17 CHAIRWOMAN ENTSMINGER: Okay, all in
18 favor of the motion to add tanned and then to add deer
19 and elk to 03, all in favor of that amendment.
20
21 IN UNISON: Aye.
22
23 CHAIRWOMAN ENTSMINGER: All opposed.
24
25 (No opposing votes)
26
27 CHAIRWOMAN ENTSMINGER: Okay, now,
28 we're speaking to the amended proposal. Anyone else
29 have any comments.
30
31 (No comments)
32
33 CHAIRWOMAN ENTSMINGER: All done.
34
35 MR. UMPHENOUR: Question.
36
37 CHAIRWOMAN ENTSMINGER: Questions' been
38 called for, all those in favor.
39
40 IN UNISON: Aye.
41
42 CHAIRWOMAN ENTSMINGER: All opposed.
43
44 (No opposing votes)
45
46 CHAIRWOMAN ENTSMINGER: None. It's
47 unanimous.
48
49 MR. UMPHENOUR: Okay.
50

1 CHAIRWOMAN ENTSMINGER: How do you guys
2 feel, it's noon.
3
4 MR. UMPHENOUR: Lunch.
5
6 CHAIRWOMAN ENTSMINGER: You want to
7 break for lunch.
8
9 (Council nods affirmatively)
10
11 CHAIRWOMAN ENTSMINGER: I got a nod of
12 the head on this side of the me.
13
14 MR. NATHANIEL: Yes.
15
16 CHAIRWOMAN ENTSMINGER: Okay. I think
17 we can do this in an hour and 15.
18
19 MR. UMPHENOUR: We should.
20
21 CHAIRWOMAN ENTSMINGER: Okay. We'll be
22 back in at 1:20, a little after 1:00.
23
24 MR. UMPHENOUR: 1:15.
25
26 CHAIRWOMAN ENTSMINGER: Okay, 1:15.
27
28 (Off record)
29
30 (On record)
31
32 CHAIRWOMAN ENTSMINGER: Okay, we're
33 going to call this to order.
34
35 (Pause)
36
37 CHAIRWOMAN ENTSMINGER: Okay, James is
38 hiking on in here.
39
40 MR. UMPHENOUR: Okay, move to adopt
41 Proposal 07-04.
42
43 MR. GLANZ: I'll second.
44
45 CHAIRWOMAN ENTSMINGER: Okay, go ahead.
46
47 MR. RIVARD: Thank you, Madame Chair.
48 Don Rivard with the Office of Subsistence Management.
49 The beginning of the Staff analysis can be found in
50 your book on Page 66. For Richard's benefit and those

1 in the audience that may not be aware of this, what I
2 do as Staff is just kind of hit the high points, the
3 full Staff analysis is in the book and I try to hit the
4 important points and then let the Council do its
5 business in deliberating and making recommendations.

6

7 So Proposal.....

8

9 CHAIRWOMAN ENTSMINGER: Don, before you
10 go is it possible for you to -- you know, I know how
11 you're reading on a different sheet than we are to say
12 exactly where it is in the book or not, where you're
13 reading?

14

15 MR. RIVARD: I can try. It doesn't
16 necessarily follow real well.

17

18 CHAIRWOMAN ENTSMINGER: Yeah, I know.

19

20 MR. RIVARD: Because, again, it's
21 hitting the high points.

22

23 CHAIRWOMAN ENTSMINGER: Okay, well,
24 that's fine, go ahead.

25

26 MR. RIVARD: All right. Proposal WP07-
27 04 is the combination of two similar proposals
28 submitted by Eastern Interior Alaska Regional Advisory
29 Council and the Upper Tanana Fortymile Mile Fish and
30 Game Advisory Committee. The proponents request
31 Federal regulations that allow the sale of antlers or
32 horns of goat, sheep, deer, elk, caribou, moose or
33 muskox that have been naturally shed or removed from
34 the skull of an animal harvested on Federal public
35 lands under Federal subsistence regulations by
36 Federally-qualified subsistence users.

37

38 The proponents state that adoption of
39 this proposal would align Federal subsistence harvest
40 regulations with the State of Alaska hunting
41 regulations which allow for the sale of the antlers or
42 horns that have been naturally shed or, if legally
43 harvested, completely removed from any part of the
44 skull of the animal except in Unit 23. State
45 regulations specifically prohibit the sale of caribou
46 antlers from Unit 23, unless the antler is naturally
47 shed or made into an article of handicraft. This
48 prohibition is due to local conservation concerns about
49 the Western Arctic Caribou Herd because of the Asian
50 antler market.

1 Again, Federal subsistence regulations
2 do not include the gathering of naturally shed antlers.
3 Gathering of naturally shed antlers is prohibited on
4 National Park Service lands. Current Federal
5 subsistence regulations do not allow the sale of
6 unmodified, non-edible byproducts of fish and wildlife;
7 they must first be made into handicrafts. Unmodified
8 antlers or horns do not meet the Federal definition of
9 handicraft. The proposed sale of antlers or horns from
10 animals harvested under Federal subsistence
11 regulations may be consistent with the Federal
12 definition of customary trade.

13
14 Again, the Federal definition of
15 customary trade is the exchange of cash for fish and
16 wildlife resources regulated herein, not otherwise
17 prohibited by State or Federal law or regulation, to
18 support personal and family needs, and does not include
19 trade which constitutes a significant commercial
20 enterprise.

21
22 There is a long history of trade and
23 unmodified horns and antlers in Alaska that began prior
24 to the arrival of Europeans and continues today.

25
26 The proponents state that adoption of
27 this proposal would not increase harvests, but would
28 allow Federally-qualified subsistence users to fully
29 utilize the animals they harvest under Federal
30 subsistence regulations for food and to obtain cash
31 needed to access traditional hunting areas.

32
33 The effects of the proposal. If
34 adopted -- and the effects, I'll bring you over to
35 that, that's on Page 70. If adopted this proposed
36 regulation would allow hunters to sell horns and
37 antlers from animals harvested under Federal
38 subsistence regulations. However, again, shed antlers
39 are not regulated under Federal Subsistence Board
40 jurisdiction. The gathering of naturally shed antlers
41 is specifically prohibited on National Park Service
42 lands and on U.S. Fish and Wildlife Service lands
43 without a special use permit from the Refuge manager.

44
45 Authorization to collect animal parts
46 from animals not harvested within the approved Federal
47 subsistence harvest limits would not be consistent with
48 Federal subsistence harvest regulations. So the
49 proposed regulation should be modified to exclude
50 reference to shed antlers or collections from animals

1 obtained outside Federal subsistence harvest
2 regulations.

3
4 Regional variation in uses of horns and
5 antlers can be addressed by region-specific regulations
6 such as those for bear handicrafts and customary trade
7 of fish.

8
9 Current harvest limits are not affected
10 by this proposal and this proposal should not affect
11 other user groups. The adoption of this proposal would
12 not lead to an increase in subsistence harvests but
13 would allow Federally-qualified subsistence users to
14 fully utilize the animals they harvest for food, and
15 also for cash needed to access traditional hunting
16 areas.

17
18 The preliminary conclusion then is to
19 support with modification to address only horns and
20 antlers from animals harvested under Federal
21 subsistence regulations.

22
23 Thank you, Madame Chair.

24
25 CHAIRWOMAN ENTSMINGER: Yeah, thank
26 you, Don. Before we go on, questions. Go ahead,
27 Virgil.

28
29 MR. UMPHENOUR: Okay. So if I'm
30 reading what you said, the modification, or the
31 amendment, you didn't mention BLM lands or Forest
32 Service lands so it's okay to pick up sheds on BLM land
33 and Forest Service land, the only place you can't is
34 National Park Service and Fish and Wildlife Service.

35
36 MR. RIVARD: I don't fully know the
37 answer to that but I believe that's correct, Virgil.
38 There is a prohibition on National Park Service lands
39 and I do know that for Fish and Wildlife Service Refuge
40 lands you do have to get a special use permit.

41
42 MR. UMPHENOUR: I know lots of it going
43 on on National Wildlife Refuges and I seriously doubt
44 if any of those guys, in fact, I'm positive, don't have
45 permits that do it. But is there any Staff here that
46 would know whether on BLM or Forest Service land it's
47 okay.

48
49 MS. GRONQUIST: I'm Ruth Gronquist with
50 BLM, Eastern Interior Field Office in Fairbanks. And I

1 believe that as long as it's not a commercial venture
2 that you don't need a special use permit but it's worth
3 looking into.

4
5 MR. UMPHENOUR: Thank you. Madame
6 Chair.

7
8 CHAIRWOMAN ENTSMINGER: Do any of the
9 other Council members have any questions.

10
11 (No comments)

12
13 CHAIRWOMAN ENTSMINGER: I have one, and
14 I don't know if anyone here can answer it.

15
16 Title VIII of ANILCA gave the National
17 Parks -- well, all the Federal land subsistence use.
18 And the Parks have a, what do they call it, a hunting
19 plan that they develop, and in the hunting plan it
20 covered berries or subsistence uses, all subsistence
21 uses, berries, so if you're out there harvesting
22 berries you might be out there harvesting a horn or an
23 antler or a pick up, I'd like someone to tell me how
24 that's different.

25
26 MR. RIVARD: Madame Chair. This is Don
27 Rivard. I do not know the answer to that.

28
29 CHAIRWOMAN ENTSMINGER: Do you know the
30 answer, Vince.

31
32 MR. MATHEWS: Well, you're right the
33 Parks have their own subsistence plans. And if I'm not
34 mistaken the Gates of the Arctic Subsistence Resource
35 Commission has that, part of their plan to address shed
36 antlers, and I'm going -- stretching my memory because
37 Jack Reakoff is on that group and just finished their
38 meeting for the Western Council, they have not gotten
39 an answer back yet, I believe, from their plan for the
40 use of shedded antlers and that. But that's just by
41 memory on that. So I don't know if Amy's been brought
42 up to speed on any of that issue, but I know it was an
43 issue in Gates of the Arctic.

44
45 CHAIRWOMAN ENTSMINGER: And I know it's
46 an issue in the Wrangells because in their hunting plan
47 you're given a lot of -- sometimes the people don't
48 agree with what the Park Service is saying and they do
49 not believe that this applies to subsistence use, that
50 you cannot pick up a shed -- so I see some more help

1 here.

2

3

Go on.

4

5 MR. EASTLAND: Madame Chair. My name
6 is Warren Eastland and I'm with the BIA. ANILCA, as
7 you know, is many parts. Shed -- Title VIII, with
8 which this Council and the Federal Subsistence Board
9 deal, with the consumptive taking of fish and wildlife.

10

11 Once the antler has naturally shed, has
12 naturally parted company with the head that held it,
13 it's no longer either fish or wildlife, so it takes --
14 but for people to do whatever they want with it, pick
15 it up, leave it, whatever, is part of the individual
16 agency's land management plans, and the situation that
17 you're talking about with the Park Service and stuff,
18 that would occur in a different part of ANILCA. And
19 I'm so unfamiliar with the other parts of it that I
20 can't even give you what title it's under there, but
21 it's not the piece that this Council and its governing
22 Board deal with.

23

24 And that's the reason that in this
25 proposal that sheds are considered excluded from the
26 proposal because it's technically dealing with
27 something that's beyond the jurisdiction of the Board.
28 They have the management authority over the antlers
29 that are on the animal, but once they've been naturally
30 shed then it's not a consumptive taking.

31

32 Thank you.

33

34 CHAIRWOMAN ENTSMINGER: I know this is
35 tough for you but do you think, or would you know if
36 there's a Federal solicitor's opinion to verify that.

37

38 MR. EASTLAND: Not with certainty. I'm
39 dealing with hearsay but I'm just giving you the way
40 that it was explained to me.

41

42 CHAIRWOMAN ENTSMINGER: I'm sorry, I
43 just want this dialogue so that Council members can
44 understand what's happening in our area, that we do not
45 agree with the government, until there's a Federal
46 solicitor's opinion. Sometimes you're sorry you asked
47 for one but sometimes you want to be sure that they
48 know what they're talking about and we're not being
49 disenfranchised when we shouldn't be.

50

1 But we're going to continue, if anyone
2 else has any other questions.
3
4 (No comments)
5
6 CHAIRWOMAN ENTSMINGER: What's that.
7
8 MR. UMPHENOUR: I think someone back
9 there.
10
11 CHAIRWOMAN ENTSMINGER: Come on up.
12
13 MR. RIVARD: State your name.
14
15 CHAIRWOMAN ENTSMINGER: Okay, go ahead.
16
17 MR. SAM: My name is Edward. Madame
18 Chair we live here in this community and we're on
19 tribal land and we don't need, you know, the tribal got
20 their own -- keeping track of their records of
21 harvesting caribou, moose. Going through your proposal
22 here, if we don't got permit, you know, you got to have
23 permit to hunt wildlife, so what if a person next door
24 had a bunch of horns and you end up with it and wanted
25 to sell it, do you have to have a permit, harvest
26 ticket permit to show you're obligated to sell it.
27
28 CHAIRWOMAN ENTSMINGER: You know, from
29 what I know is if it's taken on your land, you're the
30 land owner so you can do with something taken on your
31 own land like that, what you want, because the State,
32 you can pick up a shed antler and do things with it.
33 So it's my understanding that Native land ownership
34 comes under State regulations.
35
36 MR. MATHEWS: Yes.
37
38 CHAIRWOMAN ENTSMINGER: So, no, you
39 wouldn't need a permit would be my -- how I would
40 interpret that but I'm not.....
41
42 MR. SAM: My question is the horns, is
43 -- are removed out of our tribal jurisdiction into
44 State jurisdiction when you fly with Wright's Air or
45 any airline out of our airspace, you know, do you need
46 a permit to sell it, that's my question. If we don't
47 report it that's violation and you got to work with the
48 law.
49
50 CHAIRWOMAN ENTSMINGER: What they're

1 telling us now, is on your State -- on your land
2 ownership, no, on Federal land, yes, is what they're
3 telling us now, so we don't have a clear answer as I
4 see it. I mean right now they're saying, without a
5 solicitor's opinion that, no, you cannot do it, you
6 can't pick up on the Fish and Wildlife Service and the
7 Park Service land.

8

9 MR. UMPHENOUR: But on his own
10 land.....

11

12 CHAIRWOMAN ENTSMINGER: But on your own
13 land you can pick it up, you don't need a permit.

14

15 MR. SAM: But what I'm saying is when
16 you transfer it out of our jurisdiction.....

17

18 CHAIRWOMAN ENTSMINGER: It's okay.

19

20 MR. SAM:do you need a permit to
21 come along with the horns that you're willing to sell.
22 No.

23

24 CHAIRWOMAN ENTSMINGER: No.

25

26 MR. SAM: Okay, thank you.

27

28 CHAIRWOMAN ENTSMINGER: Okay. Okay,
29 we'll move along here. We're going to go to the agency
30 comments, Vince, is going to summarize ADF&G.

31

32 MR. MATHEWS: Yes, Madame Chair, I've
33 just got to get to those. They're found on Page 76.
34 Again, I'm just going to highlight on their conclusion,
35 the rest of the material is before the Council.

36

37 The Department of Fish and Game
38 recommends against adoption of this proposal because:

39

- 40 1. This opportunity is already
41 provided under State
42 regulations;
- 43 2. State regulations are adopted
44 into Federal regulation by
45 reference;
- 46 3. Adopting this proposal would
47 increase regulatory complexity
48 and create duplicative
49
50

1 regulations.

2

3 However, if the Federal Board moves
4 forward with this proposal, the Department of Fish and
5 Game recommends customary and traditional use
6 determinations be made and that Federal regulations be
7 limited to those areas of the state where evidence of a
8 long-term historic pattern of community use exists.

9

10 So this is a repeat of their earlier
11 comment, Madame Chair.

12

13 CHAIRWOMAN ENTSMINGER: And it means
14 the same thing, I think, to us, what it did, the last
15 proposal.

16

17 What's next Vince.

18

19 MR. MATHEWS: Next, I think is Regional
20 Council recommendations and, again, I've got to go
21 through the eight of them.

22

23 Western Interior took up 04, they
24 supported as modified by Staff. Their justification,
25 the sale of antlers or horns from harvested animals is
26 consistent with the Council's understanding of what is
27 customary trade. The Council supports maximum
28 utilization of harvested resources. That's Western,
29 supports as modified.

30

31 YK -- Yukon-Kuskokwim, support with
32 modification per Staff recommendation. So they align
33 with Western.

34

35 Seward Penn, if I can find out, yes,
36 they supported the proposal as modified by Staff.
37 Justification, adoption of this modified proposal will
38 allow Federally-qualified users the opportunity to full
39 utilize animals they have harvested and would be within
40 the intent of other regulations regarding the sale of
41 non-edible parts. So Seward Penn, all three of those
42 align.

43

44 Southeast Regional Council. Proposal
45 No. 4 support with modification based on the advice of
46 Staff to eliminate shed antlers and horns. So without
47 attending their meeting it looks like they aligned with
48 the Staff recommendation.

49

50 Bristol Bay. Let's see they voted to

1 support the proposal with modification. They took
2 action -- the action they took only address animals
3 harvested under Federal subsistence regulations. The
4 new modified Federal regulation would be consistent
5 with State regulations relative to harvested animals.
6 The collection of naturally shed antlers is not under
7 Federal Board jurisdiction. The opportunity to sell
8 antlers will continue under State of Alaska regulations
9 and can be applied to those resources found on Federal
10 public lands, only to the extent consistent with
11 specific Federal land managing agencies. So that
12 answers your question.

13

14 Kodiak Aleutians. They opposed
15 Proposal 4 unanimously. Their justification, there are
16 already regulations that allow this proposed action.
17 So Kodiak Aleutians opposed this proposal.

18

19 The rest of the Councils supported
20 pretty much as modified by Staff.

21

22 The only other written comments you
23 have on Page 76 is from the AHTNA 'Tene Nene'
24 Subsistence Committee and they support allowing the
25 sale, and I assume they support it as written.

26

27 Madame Chair, that's all for Proposal.

28

29 Oh, no, we have all the SRC's too. I
30 can get those on the record.

31

32 CHAIRWOMAN ENTSMINGER: Yes.

33

34 MR. MATHEWS: Okay. Wrangell-St. Elias
35 met on Proposal 4, unanimously support the proposal as
36 written. This proposal will allow the Federally-
37 qualified subsistence users to be make more full use of
38 the animals harvested. Okay, so they support it as
39 written.

40

41 Lake Clark SRC support the measure.....

42

43 CHAIRWOMAN ENTSMINGER: Before you go
44 on, I just want to state that the SRC, I attended that
45 meeting and they felt strongly what I just tried to
46 describe, that it could be done under Federal regs, so
47 that was their reasoning for it to stay as written.

48

49 Okay, we can continue.

50

1 MR. MATHEWS: Lake Clark basically
2 supports the proposal as written. They support
3 measures that allow subsistence users to maximize the
4 value of what they derive from legally taken animals.

5
6 Aniakchak support the proposal measure,
7 again, the same thing, they support it as written. The
8 same language as Lake Clark.

9
10 And then Amy wants to cover for Denali
11 SRC.

12
13 CHAIRWOMAN ENTSMINGER: Okay, Amy.

14
15 MS. CRAVER: For the record this is Amy
16 Craver, the subsistence manager for Denali.

17
18 Denali National Park Subsistence
19 Resource Commission unanimously supports the Staff's
20 recommendation to adopt the proposed Federal regulation
21 wording as written. This position concurs with the
22 Wrangell-St. Elias National Park Subsistence Resource
23 Commission's rationale, that this proposal will allow
24 Federally-qualified subsistence users to more fully
25 make use the animals they harvest. This proposal makes
26 it legal to sell these items.

27
28 Thank you.

29
30 CHAIRWOMAN ENTSMINGER: I have a
31 question, did they support as written or the
32 modification by Staff.

33
34 MS. CRAVER: As written -- the
35 modification that the Staff made.

36
37 CHAIRWOMAN ENTSMINGER: The Staff had
38 made.

39
40 MS. CRAVER: Yeah.

41
42 CHAIRWOMAN ENTSMINGER: Which is
43 different than what the Wrangell.....

44
45 MS. CRAVER: Well, that's true because
46 -- in the -- it's the wording on Page 71, and I don't
47 really know what this number is, the 25(j)(12), you may
48 sell the horns and antlers that have been separated
49 from the skull, legally harvest goat, sheep, deer, elk
50 and caribou. And that's what they're supporting, how

1 the Staff rewrote that.

2

3 CHAIRWOMAN ENTSMINGER: With the
4 modification.

5

6 MS. CRAVER: With the modification,
7 sorry for the confusion.

8

9 CHAIRWOMAN ENTSMINGER: I just wanted
10 to have that on there, thanks, uh-huh. But, Vince, can
11 I clarify the other three SRCs. We know that Wrangell
12 wanted it as written not.....

13

14 MR. UMPHENOUR: Modified.

15

16 CHAIRWOMAN ENTSMINGER:modified.
17 The other two also.

18

19 MR. MATHEWS: Looking real quickly
20 here, yes, Lake Clark as written and Aniakchak as
21 written. They don't mention any modification.

22

23 CHAIRWOMAN ENTSMINGER: Yeah, and these
24 people are like people that are like advisory to the
25 Parks, where this is specific too.

26

27 MR. CARROLL: Yeah.

28

29 CHAIRWOMAN ENTSMINGER: All right,
30 we'll continue, unless anyone has any questions to all
31 of this. Now, we kind of jumped around slightly. We
32 had the -- Federal agencies, any comments.

33

34 (No comments)

35

36 CHAIRWOMAN ENTSMINGER: We might have
37 already covered that. Native, tribal villages, any
38 other comments.

39

40 (No comments)

41

42 CHAIRWOMAN ENTSMINGER: Any InterAgency
43 Staff.

44

45 MR. EASTLAND: None.

46

47 CHAIRWOMAN ENTSMINGER: None. Okay, we
48 should have covered it up to public testimony. Any
49 other public testimony.

50

1 (No comments)
2
3 CHAIRWOMAN ENTSMINGER: Now, we're into
4 deliberation. What is the wishes of the Council.
5
6 Virgil.
7
8 MR. UMPHENOUR: I move to amend the
9 proposal to delete naturally shed.
10
11 CHAIRWOMAN ENTSMINGER: Now, what does
12 that mean to you?
13
14 MR. UMPHENOUR: That means what we
15 would be doing is modifying our proposal to be the same
16 as to what the agency wants to modify it, is what that
17 would mean. That means that the sheds would not --
18 they say they have no jurisdiction over the -- the
19 Federal Subsistence Board has no jurisdiction over
20 sheds, only animals that you actually take, so that
21 would be deleting the naturally shed horns and antlers
22 from the proposal.
23
24 CHAIRWOMAN ENTSMINGER: Okay. Do I
25 hear a second.
26
27 MR. WOODRUFF: Second.
28
29 CHAIRWOMAN ENTSMINGER: Okay. I just
30 need to let you guys know that I'm in support with the
31 SRCs, that I disagree with the government at this
32 point, okay. That's how I feel.
33
34 MR. UMPHENOUR: Right. If there's no
35 authority for the Federal Subsistence Board to take the
36 action then what this could do, if we don't do this, is
37 cause the entire proposal to fail and so that's why I
38 think it's best -- because they're going to do
39 whatever their attorney says that they have the legal
40 ability to do and if he says you don't have the legal
41 ability to pass this because it also includes naturally
42 shed antlers and horns, then it will fail. And so
43 that's why I think it's best to go ahead and modify or
44 amend our proposal to take the naturally shed out of it
45 because then our proposal will probably fail before the
46 Federal Subsistence Board. That's why I made the
47 motion.
48
49 CHAIRWOMAN ENTSMINGER: Okay.
50

1 MR. UMPHENOUR: Even though I don't
2 like having to make the motion that way, if they have
3 no legal authority then they can't do it and that will
4 cause our proposal to fail.

5
6 CHAIRWOMAN ENTSMINGER: Any other
7 comments to the amendment.

8
9 Okay, Paul.

10
11 MR. WILLIAMS: Paul Williams from
12 Beaver.

13
14 REPORTER: Paul, please turn on the
15 mic, okay, thanks.

16
17 MR. WILLIAMS: Paul Williams from
18 Beaver. You make me forget what I was going to say.

19
20 (Laughter)

21
22 MR. WILLIAMS: You know this one time
23 when I was trapping I pick up a couple of antlers that
24 had been naturally shed, you know, they're just laying
25 over there on the side by the willows and I just went
26 over there and picked them up. This is kind of getting
27 complicated, you know, is that breaking the law or does
28 this just go on with the program, right, it doesn't do
29 nothing by deleting naturally shed from that program or
30 is that the changing of the amendment to the motion?

31
32 CHAIRWOMAN ENTSMINGER: What land were
33 you on?

34
35 (Laughter)

36
37 MR. WILLIAMS: Mother Earth.

38
39 CHAIRWOMAN ENTSMINGER: It'd be best to
40 say that you were on your own land.

41
42 (Laughter)

43
44 CHAIRWOMAN ENTSMINGER: Do you know
45 what we're saying here?

46
47 MR. WILLIAMS: No.

48
49 CHAIRWOMAN ENTSMINGER: State land, as
50 in Fish and Wildlife Service and National Park Service

1 lands are telling us that we cannot pick up a shed
2 antler without a permit. And what I hear from the SRCs
3 are, the Subsistence Resource Commissions of the Parks,
4 not just the Refuge, because that's a different system,
5 they're saying that they don't agree with the Federal
6 Staff that they don't have jurisdiction, only harvested
7 animals is what they're saying that they only have
8 jurisdiction over harvested animals, not shed. So the
9 SRCs are saying, no, we don't believe that. And I'm
10 just -- I want this clear is all that's why I'm going
11 there.

12

13 MR. WILLIAMS: Because I think I was on
14 Federal land, I was on my trap line, you know, out
15 trapping. And when I found it, it was early -- well,
16 it was late in November when I started trapping so
17 that's when I picked it up, they were just laying there
18 on the ground on Federal land. I mean I don't see no
19 -- so what you're saying is the Federal Yukon Flats, on
20 the Refuge, they have no authority over horns that just
21 fell off the bull moose; is that what you're saying
22 Virgil?

23

24 MR. UMPHENOUR: (Nods affirmatively)

25

26 MR. WILLIAMS: Okay, thank you.

27

28 CHAIRWOMAN ENTSMINGER: Okay, are we as
29 clear as mud.

30

31 (Laughter)

32

33 CHAIRWOMAN ENTSMINGER: Okay, or are we
34 doing good here.

35

36 MR. CARROLL: Yeah.

37

38 CHAIRWOMAN ENTSMINGER: Okay. So
39 speaking to the motion, are you ready to vote, for this
40 amendment, the amendment to the proposal is to delete
41 shed, natural shed, as is the Federal modification that
42 they asked.

43

44 (Council nods affirmatively)

45

46 So are we ready for the vote.

47

48 MR. GLANZ: Question.

49

50 CHAIRWOMAN ENTSMINGER: Okay, everybody

1 in favor say aye.

2

3 IN UNISON: Aye.

4

5 CHAIRWOMAN ENTSMINGER: Anyone opposed.

6

7 I am opposed. I lost.

8

9 But I want the record to be clear that
10 people feel as Paul Williams stated, that, my goodness,
11 we should be able to pick up that shed without a permit
12 on those lands. So I want that to be clear. There are
13 people that believe that strongly.

14

15 Now, we're speaking to the main motion,
16 as amended. Anymore comments.

17

18 Virgil.

19

20 MR. UMPHENOUR: I'm going to support
21 the proposal, this is actually our proposal. And
22 there's not going to be any conservation concern. This
23 is just further utilization of the harvested animals,
24 is all it is.

25

26 Madame Chair.

27

28 CHAIRWOMAN ENTSMINGER: I'm sorry, we
29 might add for clarification, as we did the last
30 proposal, that even though the State says it's already
31 provided for, it is not, when there is a Federal
32 permit.

33

34 Okay.

35

36 MR. CARROLL: Okay.

37

38 CHAIRWOMAN ENTSMINGER: Question.

39

40 MR. UMPHENOUR: Question.

41

42 CHAIRWOMAN ENTSMINGER: All in favor.

43

44 IN UNISON: Aye.

45

46 CHAIRWOMAN ENTSMINGER: All opposed.

47

48 CHAIRWOMAN ENTSMINGER: Go ahead

49 Virgil.

50

1 MR. UMPHENOUR: Vince has something.
2
3 CHAIRWOMAN ENTSMINGER: Go ahead Vince.
4
5 MR. MATHEWS: Madame Chair. It sounded
6 like the mover of the motion, Virgil, was also
7 sympathetic to your concern, you do have the option of
8 informing the Refuge and Parks of your concern, that
9 naturally shedded antlers should be allowed to be
10 picked up by qualified subsistence users.
11
12 CHAIRWOMAN ENTSMINGER: Okay.
13
14 MR. MATHEWS: So that's an option you
15 can take to inform them either through a letter or some
16 action that's put you in a dilemma here with this
17 proposal because of that. But that's your wishes,
18 that's just another option. That's assuming that the
19 rest of the Council members agree with your concerns.
20
21 CHAIRWOMAN ENTSMINGER: I believe we
22 pretty much.....
23
24 MR. WOODRUFF: Make it so.
25
26 CHAIRWOMAN ENTSMINGER: Make it so,
27 yes. Is that enough?
28
29 (Council nods affirmatively)
30
31 MR. MATHEWS: Yeah, that's fine.
32
33 CHAIRWOMAN ENTSMINGER: Everyone's here
34 nodding their head, they all agree.
35
36 MR. MATHEWS: All right, thank you.
37
38 CHAIRWOMAN ENTSMINGER: All right,
39 we're going to move into the next one. Virgil.
40
41 MR. UMPHENOUR: Move to adopt Proposal
42 WP07-56.
43
44 CHAIRWOMAN ENTSMINGER: Okay, Donald.
45
46 MR. WOODRUFF: Second.
47
48 CHAIRWOMAN ENTSMINGER: Thank you.
49 Don.
50

1 MR. RIVARD: Thank you, Madame Chair.
2 The Staff analysis begins in your book on Page 78.
3 I've got quite a bit to say here because this is a
4 proposal that's particularly of interest to people of
5 Arctic Village, so we're going to cover this
6 thoroughly.

7
8 Proposal WP07-56 was submitted by the
9 Alaska Department of Fish and Game, and the proponent
10 requests the elimination of the closure of Federal
11 public lands in the drainages of Red Sheep and Cane
12 Creek within the Unit 25A, Arctic Village Sheep
13 Management Area to sheep hunting by non-Federally-
14 qualified hunters.

15
16 This regulatory action would allow
17 sheep hunting in these drainages under State
18 regulations during the August 10th through September
19 20th season. Section .815(3) of ANILCA allows
20 restrictions on the taking of fish and wildlife for
21 non-subsistence uses on the public lands only if
22 necessary for the conservation of healthy populations
23 of fish and wildlife or for reasons set forth in
24 Section .816 of ANILCA that would allow subsistence
25 uses of such populations to continue or pursuant to
26 other applicable law. Federal closure regulations for
27 the management area have been in existence since the
28 1991/1992 regulatory year. The management area was
29 expanded in 1995 to include the Cane Creek and Red
30 Sheep drainages.

31
32 Last year's proposal, No. WP06-57 was
33 submitted by the Department of Fish and Game in October
34 2005. That proposal requested the Federal Subsistence
35 Board to eliminate the closure for the entire Arctic
36 Village Sheep Management Area. The Federal Board
37 rejected the proposal so that information on the sheep
38 population and harvest could be collected.

39
40 Last summer, the Federal Subsistence
41 Board was sent a special action request, this was No.
42 WSA06-03, which was submitted by the U.S. Fish and
43 Wildlife Service in 2006 that requested the Federal
44 Board to open the Cane Creek and Red Sheep Creek
45 drainages during the August 10th through September
46 20th, 2006 season. The Board adopted the request in
47 July 2006. The Board's action lifted the Federal
48 closure only for the fall 2006 sheep season.

49
50 This proposal, No. 56, would place into

1 permanent regulation the Federal Board's actions that
2 were taken on the special action, again, that was
3 submitted by the Fish and Wildlife Service.

4
5 Madame Chair, the proposed regulations
6 can be found on Page 79 in your book.

7
8 Residents of Arctic Village,
9 Chalkytsik, Fort Yukon, Kaktovik and Venetie have a
10 positive customary and traditional use determination
11 for sheep in Unit 25A. That means that only those
12 folks, those residents of those villages can hunt under
13 Federal subsistence regulations for sheep in Unit 25A.

14
15 Recent information submitted by Arctic
16 Refuge Staff has provided an estimate of sheep
17 abundance and distribution of within the Management
18 Area north of Cane Creek. A variety of extensive
19 outreach efforts made by the Refuge Staff are ongoing
20 with the intent to provide information and to conduct
21 public use monitoring around the Red Sheep Creek
22 airstrip. Outreach efforts are also being made to the
23 public and proprietors of commercial air taxi services.
24 Public use monitoring was conducted by Refuge Staff at
25 the Red Sheep Creek airstrip during the 19 day period
26 between August 7th and August 25th, 2006. The specific
27 objectives were to document public use at the Red Sheep
28 Creek airstrip and document aircraft traffic in the
29 area.

30
31 Nine groups of users were documented at
32 the airstrip during the August 7th through 25th period.
33 Four of these groups hunted within the area affected by
34 special action WSA06-03. An additional four hunting
35 parties stopped at the Red Sheep Creek airstrip but did
36 not hunt in the Red Sheep Creek or Cane Creek
37 drainages.

38
39 Because additional users may have
40 accessed the area at other points and during the latter
41 part of the sheep hunting season, the documented use
42 data may be minimum estimates of public use for the
43 immediate vicinity of the Red Sheep Creek airstrip only
44 and should not be applied to the entire Management
45 Area.

46
47 Current sheep populations are
48 considered to be relatively stable. Analysis of
49 results from a June 2006 survey indicates that the dall
50 sheep population within Red Sheep and Cane Creek

1 drainages is 1.7 sheep per square mile. The most
2 recent previous survey in the area was conducted by
3 Mauer in 1991 who reported an estimate of 2.25 sheep
4 per square mile. It is unclear whether the differences
5 between the 2006 and 1991 density estimates for the
6 area between Red Sheep and Cane Creek represents a
7 population decline or differences in sheep
8 distribution. In the 2006 survey Refuge Staff observed
9 188 sheep in the Red Sheep Creek and Cane Creek
10 drainages including 53 rams. 18 of these rams, or 34
11 percent were classified as mature, which includes rams
12 with full-curl horns as well as large bodied rams
13 having horns with massive bases and horn tips pointing
14 upwards but less than full-curl. A similar density was
15 estimated for the area north of the Red Sheep Creek and
16 Cane Creek drainage where a population density of 1.8
17 sheep per square mile was estimated for the Red Sheep
18 Creek to Gilbeau Pass area. In 1990 Mauer conducted a
19 survey from Gilbeau Pass to Cane Creek and estimated
20 that density for this larger area was 1.9 sheep per
21 square mile.

22
23 Analysis of results from harvest data
24 collected by the Alaska Department of Fish and Game
25 revealed a total of nine hunters reported hunting sheep
26 in the Management Area. Of these nine hunters, seven
27 were successful in taking sheep. Five of the nine
28 hunters are Alaska residents, two are non-residents and
29 residency for the remaining two hunters is unknown.

30
31 Federal registration permits have been
32 available since the 1995/96 regulatory year and limited
33 data are available for Federal hunt RS596. No permits
34 were issued in 2001. Two permits to one hunter were
35 issued in 2002 and four permits to two hunters were
36 issued in 2003.

37
38 No harvest reports have been returned
39 but verbal reports from one hunter in each year
40 indicated no animals were harvested.

41
42 Refuge Staff anticipates gaining
43 further insight into public use levels within the
44 Management Area from additional sources.

45
46 Currently there is no complete
47 compilation of sheep harvest for the Management Area.

48
49 Although sheep harvested concluded in
50 September of 2006, the main subsistence harvests may

1 occur in late winter and spring 2007. Therefore, a
2 more complete harvest estimate may be available after
3 the Department of Fish and Game harvest summaries are
4 compiled and after Federal subsistence harvest permits
5 are returned in April and May of 2007.

6
7 Law enforcement activities may provide
8 further information regarding public use of the
9 management area.

10
11 Commercial air taxi services client use
12 reports for 2006 are due in January 2007 and should be
13 compiled and available for analysis prior to this
14 meeting here that we're at. I'm not sure if that's
15 taken place, maybe Refuge Staff will be able to give us
16 some update on that. These user reports may provide
17 additional information regarding access to the area at
18 other points.

19
20 Finally a flight-based snowmachine
21 tracks survey is scheduled for spring 2007 to provide
22 some assessment of area use during the spring sheep
23 hunt possibly a primary time of subsistence use.

24
25 Adoption of the proposed action would
26 provide access to the affected area for non-Federally-
27 qualified users during the State's August 10 through
28 September 20 sheep season. This action would place
29 into regulation the special action decision made by the
30 Board for the 2006 hunt.

31
32 Because those hunting under State
33 regulations would be limited to taking one full-curl
34 ram in the fall season, sheep hunting by non-Federally-
35 qualified users in these drainages would not adversely
36 affect the sheep population. Removal of some full-curl
37 rams in the population is not expected to reduce
38 reproductive success in the sheep population. The
39 sheep population in these drainages can support harvest
40 by both Federally-qualified subsistence users and non-
41 Federally-qualified hunters. In fact, because
42 Federally-qualified subsistence users can take rams of
43 any age the number of rams available to Federally-
44 qualified subsistence users far exceeds the number of
45 full-curl rams available to non-Federally-qualified
46 users. Again, Section .815(3) of ANILCA allows
47 restrictions on the taking of fish and wildlife for
48 non-subsistence uses on the public lands only if
49 necessary for the conservation of healthy populations
50 of fish and wildlife, to continue subsistence uses of

1 such populations or pursuant to other applicable law.

2

3 Maintaining the Federal closure to non-
4 subsistence hunting of sheep in the Red Sheep Creek and
5 Cane Creek drainages within the Management Area is no
6 longer necessary for conservation of healthy sheep
7 population.

8

9 A survey of the affected population in
10 the Red Sheep Creek and Cane Creek drainages within the
11 Management Area conducted in June 2006, I'm repeating
12 myself a little bit here, but I think they're probably
13 good numbers to point out, found a minimum of 188 sheep
14 in these drainages including 53 rams, of which 18 were
15 classified as mature rams.

16

17 The estimated density, again, is, for
18 these drainages is 1.8 sheep per square mile. And,
19 although density of sheep in the area is relatively low
20 compared to some other areas of the state, the density
21 is similar to that observed in a 1990 survey and
22 reflects the relatively poor quality of the sheep
23 habitat. The sex and age ratios of the sheep are
24 within normal ranges and indicate that the population
25 is healthy.

26

27 Allowing sheep hunting by non-
28 Federally-qualified hunters in these drainages would
29 not adversely affect the sheep population because these
30 hunters would be limited to taking one full-curl ram in
31 the fall season.

32

33 Maintaining the closure to non-
34 subsistence hunting of sheep in these drainages is also
35 not necessary to provide for continued subsistence use
36 of sheep.

37

38 The sheep population in the affected
39 area can support harvest by both Federal Subsistence
40 Board and non-subsistence hunters. In fact because
41 subsistence hunters can take rams of any age, the
42 number of rams available to Federally-qualified hunters
43 far exceeds the number of full-curl rams to which non-
44 Federally-qualified hunter are limited.

45

46 In addition, the opportunity to harvest
47 under regulations extends until April 30th providing
48 Federally-qualified users with over seven months of
49 opportunity beyond the State's fall hunting season,
50 which is used by sport hunters.

1 Finally, the existing closure is not
2 justified for reasons of public safety, administration
3 or pursuant to other applicable law.

4
5 Madame Chair and members of the Council
6 Staff fully acknowledge that this issue is very
7 sensitive and that the Cane Creek and Red Sheep Creek
8 area is important to the local users who hunt sheep in
9 those drainages. Staff have listened to residents in
10 Arctic Village who stated that sheep are important to
11 them and that they take sheep and also that the Cane
12 Creek and Red Sheep Creek area are both important to
13 them. But, as Staff, who's job is to do a biological
14 analysis of the proposal within the guidelines of
15 ANILCA, there is no evidence that supports the need to
16 leave the Federal closure in place at this time. In
17 other words, the status of the existing population and
18 harvest does not meet the criteria established under
19 Sections .815 and .816 of ANILCA that would warrant
20 keeping the Cane Creek and Red Sheep Creek drainages
21 closed to non-Federally-qualified hunters.

22
23 With that said, Madame Chair, the
24 preliminary conclusion for Proposal 56 is to support
25 the proposal.

26
27 Thank you.

28
29 CHAIRWOMAN ENTSMINGER: Any Council
30 members have any questions.

31
32 MR. WOODRUFF: I do.

33
34 CHAIRWOMAN ENTSMINGER: Okay, Donald.

35
36 MR. WOODRUFF: Thank you, Madame Chair.
37 I'm curious that this special action 06-03 that was
38 initiated, there doesn't seem to be any harvest data
39 about this one year that it was opened; is that
40 correct?

41
42 MR. RIVARD: I read the harvest.

43
44 CHAIRWOMAN ENTSMINGER: Yeah, it's
45 there.

46
47 MR. GLANZ: Six or something he said.

48
49 MR. WOODRUFF: Six, is that what you
50 said?

1 MR. GLANZ: No, no, two, no, I can't
2 remember what he said.
3
4 CHAIRWOMAN ENTSMINGER: Donald, are you
5 talking about the '06 season?
6
7 MR. WOODRUFF: Yep. Yep.
8
9 CHAIRWOMAN ENTSMINGER: Not -- because
10 what you asked was something to do with a special
11 action, yeah -- yeah, and he said there was nine
12 hunters, right, and then seven took sheep, two were
13 non-residents.
14
15 MR. WOODRUFF: Yeah, I got that. Yeah.
16
17 CHAIRWOMAN ENTSMINGER: Okay. That was
18 just Red Sheep and Cane Creek, right, or Red Sheep
19 Creek?
20
21 MR. RIVARD: Yes.
22
23 CHAIRWOMAN ENTSMINGER: Those two
24 drainages.
25
26 MR. WOODRUFF: I was just concerned
27 that if this is opened up entirely, what the possible
28 impact would be from sporthunters, you know, instead of
29 it just being for one season and see what happens, as
30 they'd done in the past, that's all.
31
32 Thank you.
33
34 CHAIRWOMAN ENTSMINGER: So you feel
35 your question was answered?
36
37 MR. WOODRUFF: Yep.
38
39 CHAIRWOMAN ENTSMINGER: Okay. Any
40 other questions.
41
42 (No comments)
43
44 CHAIRWOMAN ENTSMINGER: All right,
45 we'll continue. The next is the Department of Fish and
46 Game.
47
48 MR. MATHEWS: Yes, Madame Chair,
49 they're found on Page 85. Basically Fish and Game is
50 sensitive to concerns regarding possible trespass and

1 transport problems raised by local Arctic Village
2 residents during their testimony before the Federal
3 Board. To address these concerns Fish and Game worked
4 with the Fish and Wildlife Service Staff in
5 consultation with Arctic Village representatives to
6 produce a brochure, and I think we may have copies
7 around here, I don't have a copy of the brochure, that
8 serves as a land status map and reminds transporters
9 and hunters to be respectful of private property and
10 natural resources. This brochure helped to insure a
11 successful hunt in 2006, that was under the special
12 action, without trespass or other conflicts for the
13 Arctic Village residents. The Department will, again,
14 consult with Fish and Wildlife Service and local
15 representatives to refine or update the brochure as
16 needed prior to the next hunting season.

17

18 They wanted to emphasize in Section
19 .815(3) of ANILCA authorized restriction of the taking
20 of fish and wildlife for non-subsistence uses on
21 Federal public lands only if necessary for:

22

- 23 1. The conservation of healthy
24 populations of fish and
25 wildlife;
- 26 2. To continue the subsistence
27 uses of population or pursuant
28 to other applicable law.

29

30
31 Given the health of the respective
32 sheep populations and the finding of the hunting by
33 non-Federally-qualified hunters will not reduce
34 subsistence harvest opportunities there is no basis for
35 the Federal Board to maintain this closure.

36

37 So in conclusion the Department
38 recommends that the Federal Board adopt this proposal.
39 The existing closure of the Red Sheep Creek, Cane Creek
40 drainages to non-Federally-qualified hunters is not
41 necessary for any of the following reasons authorized
42 by ANILCA, which is:

43

44 Conservation of sheep to provide
45 subsistence opportunities for
46 Federally-qualified subsistence
47 residents on Federal lands, public
48 safety, administration or pursuant to
49 any other applicable law.

50

1 Without justification to close the area
2 to non-Federally-qualified hunters, there's no reason
3 to maintain this closure.

4
5 The additional background material
6 supporting their comments and conclusion is found on
7 Page 85.

8
9 Thank you.

10
11 CHAIRWOMAN ENTSMINGER: Any Council
12 members have any questions.

13
14 (No comments)

15
16 CHAIRWOMAN ENTSMINGER: Okay. Now,
17 we're to the Federal agencies. Richard.

18
19 MR. VOSS: Good afternoon. My name is
20 Richard Voss, I'm the Refuge manager of Arctic National
21 Wildlife Refuge. I'm here today to update you with the
22 results of the public use monitoring that occurred this
23 last hunting season, to answer any questions that the
24 Council may have.

25
26 I guess I would start out by saying
27 this whole -- when this proposal first loaded up we
28 recommended in January of 2006 to the Federal
29 Subsistence Board that the proposal be deferred for at
30 least three years while we worked with the village to
31 document harvest and the importance of the area. We
32 also conducted wildlife surveys, sheep surveys in the
33 area as a result of the request of the Board and that
34 report was given to you, I believe, the last time
35 around. I would say that it documented the densities
36 of sheep in the Arctic Village Sheep Management Area
37 for the year that we conducted the study but any
38 inferences about the stability and the abundance of the
39 sheep really can't be made from that one survey and
40 comparing it to a survey in 1991. It would require
41 more survey work.

42
43 CHAIRWOMAN ENTSMINGER: Excuse me,
44 Richard, could you speak a little closer to the mic,
45 they're having a hard time hearing you back there.

46
47 MR. VOSS: Where to begin, again, or
48 continue.

49
50 CHAIRWOMAN ENTSMINGER: No, continue.

1 MR. VOSS: Okay. So the hand out that
2 we just passed around talked about the Red Sheep Creek
3 airstrip public use monitoring program.

4
5 Basically we conducted public use
6 monitoring at the Red Sheep airstrip for a 19 day
7 period from August 7th through August 25th of 2006. A
8 total of 10 groups were observed using the airstrip,
9 four of the groups were hunting the Arctic Village
10 Sheep Management Area, two of the hunting groups used
11 the airstrip but actually accessed other areas, but not
12 in the Arctic Village Sheep Management Area that was
13 opened up. Three of the groups used the airstrip as a
14 transit stop and one group was actually a commercially
15 guided recreation group, it wasn't a hunting group.

16
17 We recorded -- in addition to the
18 hunting camps we also recorded 25 overhead flights
19 across the area, those are basically flights that flew
20 low enough in the valley to be in the area but they
21 didn't actually stop in the Red Sheep Creek area.

22
23 Let's see, and then in addition from
24 the air taxi public use reports that were turned in at
25 the end of the season, there was one additional hunting
26 group of two people that was taken into the area after
27 our monitoring period ended.

28
29 We concluded that the monitoring effort
30 would provide the minimum estimates in public use in
31 the immediate vicinity of the Red Sheep Creek area.

32
33 I would highlight that the 25 overhead
34 flights we saw during that period would compare with 42
35 overhead flights from a similar study done in 1997 that
36 documented the number of hunters and the overflights in
37 the area.

38
39 If you turn to the -- oh, one other
40 item, the subsistence harvest permits that were issued
41 in Arctic Village so far this year, we issued 11
42 subsistence permits and we know of one ram being
43 harvested, but that permit period is still open and the
44 hunting would occur on into the spring so we really
45 can't give you a total number of harvested rams or the
46 effort was expended but we would hope to have something
47 at the end of the subsistence season.

48
49 Table 1 gives you a basic summary of
50 what I went over about the number of -- about the

1 public use we saw at the Red Sheep Creek area,
2 basically the number of groups, 10 number of people 29
3 and the number of landings and take offs was 29.

4
5 Basically that's it. Give you an idea
6 of what we've found out so far this year.

7
8 I guess I would say that we recommended
9 deferring this proposal so we could collect the
10 biological information and the harvest use information
11 but as a result of the recent outreach meetings that
12 we've been having and past meetings, I would highlight
13 the importance that the village places on the -- and
14 the cultural importance of the area, too. It's not
15 necessarily harvest or conflict information but it's an
16 important area culturally to them as recognized by the
17 number of allotments that they have in the area, too.

18
19 CHAIRWOMAN ENTSMINGER: Okay. Council
20 members. Richard.

21
22 MR. CARROLL: The overhead flights in
23 the area, there was a bunch of them in '97, 42, and
24 then only 25 -- it dropped down to 25, so if that area
25 were to be opened up to hunting -- well, first of all
26 them 25 airplanes flying overhead, did they fly around
27 and like scout the area or possibly went through the
28 area knowing already this was restricted, we're going
29 to fly right by. I just -- just to know. What I'm
30 getting at is if it was to open up to hunting for
31 anybody, all of a sudden there'll be 50 airplanes
32 landing in and out of there.

33
34 MR. VOSS: We don't really know the
35 nature of those 25 flights other than they were flying
36 low enough in the valley, that they weren't flying long
37 distance from one point to another point. They were
38 flying up the valley but they didn't land. So whether
39 those were hunters or recreationists, I don't really
40 know. It would be unfair of me to characterize that.
41 I would say that based on the short time that the
42 hunting public had to know that the area was open, that
43 I would expect more hunters as word gets out and
44 success is learned about the area or not success that
45 there would be some increase in activities. It'd be
46 very difficult to put a handle on it.

47
48 CHAIRWOMAN ENTSMINGER: I just want to
49 make sure, Richard, you know that it was open last
50 year.

1 MR. CARROLL: Oh, it was, I wasn't
2 aware.
3
4 CHAIRWOMAN ENTSMINGER: Yeah, last year
5 it was open.
6
7 MR. CARROLL: Okay.
8
9 CHAIRWOMAN ENTSMINGER: So this
10 information is from after an opening.
11
12 MR. CARROLL: All right, I'm sorry.
13
14 CHAIRWOMAN ENTSMINGER: Yeah, okay.
15
16 MR. CARROLL: I'm with you, yeah.
17 Yeah.
18
19 CHAIRWOMAN ENTSMINGER: Right.
20
21 MR. CARROLL: That's when the nine
22 people.....
23
24 CHAIRWOMAN ENTSMINGER: Right. Right.
25
26 MR. VOSS: So basically in terms of air
27 taxi operators we know of one group that was taken in
28 and we know the people that were actually -- that we
29 counted -- there's one commercial guide who can hunt in
30 the area, he wrote a letter to the Council saying that
31 he wouldn't hunt the Arctic Sheep Area of his permit
32 until he had a chance to work with the Council and
33 develop a hunt of some sort.
34
35 CHAIRWOMAN ENTSMINGER: Did you know
36 that.
37
38 MR. VOSS: The other portion of the
39 hunt is not open to the public -- or to a commercial
40 operation.
41
42 CHAIRWOMAN ENTSMINGER: But that guide
43 can hunt in Cane.....
44
45 MR. VOSS: Yes, he is.....
46
47 CHAIRWOMAN ENTSMINGER:and he did
48 and he took two?
49
50 MR. VOSS: No, the guide didn't hunt in

1 the Red Sheep Creek area.
2
3 CHAIRWOMAN ENTSMINGER: How could two
4 non-residents have hunted then?
5
6 MR. VOSS: That's a good question.
7 That information came from the Fish and Game report and
8 I'm assuming that they're doing.....
9
10 CHAIRWOMAN ENTSMINGER: In other words
11 they're second degree kindred if they were legal.
12
13 MR. VOSS: That could be.
14
15 CHAIRWOMAN ENTSMINGER: Okay.
16
17 MR. VOSS: We only recently got that
18 report ourselves.
19
20 CHAIRWOMAN ENTSMINGER: Okay.
21
22 MR. UMPHENOUR: So there were seven
23 sheep taken?
24
25 CHAIRWOMAN ENTSMINGER: Right. Go
26 ahead, Virgil, you have a question.
27
28 MR. UMPHENOUR: So did any transporters
29 -- the transporters have to be licensed by the Refuge
30 to transport and drop hunters off.
31
32 MR. VOSS: Correct.
33
34 MR. UMPHENOUR: So were there any
35 transported.....
36
37 MR. VOSS: No.
38
39 MR. UMPHENOUR:hunt -- okay, so
40 all the hunters that went there were residents in their
41 own airplane basically then.
42
43 MR. VOSS: Or they're buddy's, yes,
44 correct.
45
46 MR. UMPHENOUR: Or their buddy's and
47 their relatives.
48
49 MR. VOSS: Yeah.
50

1 MR. UMPHENOUR: Okay. That's -- and
2 there were a total of nine hunters and seven sheep
3 taken.

4
5 MR. VOSS: That's what the State says,
6 we haven't seen the results. Our people who were in
7 the field documented four sheep being taken by one
8 particular group so I would expect more than that were
9 shot, too.

10
11 MR. UMPHENOUR: But your people that
12 were in the field, and now I'm remembering from last
13 meeting when you gave us a report, because I haven't
14 had a chance to really look this over, but it seemed to
15 me like there was three groups of four or something
16 like that and one group was still there when your
17 people left and there was four sheep taken out of the
18 two groups.....

19
20 MR. VOSS: I think at that point in
21 time but.....

22
23 MR. UMPHENOUR:before or
24 something like that.

25
26 MR. VOSS: But this represents the full
27 period, time period, this report.

28
29 MR. UMPHENOUR: Okay. But the nine
30 hunters and the seven sheep taken were from the State's
31 harvest reports, I guess, cards being turned in.

32
33 MR. VOSS: Yeah, the harvest report was
34 definitely from the State but we monitored and actually
35 our numbers that we counted agree with what the harvest
36 report, that it was nine hunters, we both those nine
37 hunters. In addition we had patrol people in planes
38 conduct six patrols in the area including the area
39 that's not open to Red Sheep and we only saw one camp
40 in Cane Creek in an open area. So basically all of the
41 activity, at least for sheep hunting, occurred in the
42 open Red Sheep Creek, Cane Creek area. There was no
43 activity in the Arctic Village Sheep Management Area
44 that's closed.

45
46 MR. UMPHENOUR: Thank you. Madame
47 Chair.

48
49 CHAIRWOMAN ENTSMINGER: Any other
50 questions.

1 (No comments)
2
3 CHAIRWOMAN ENTSMINGER: I just want it
4 clear in my mind now. You're saying that there is a
5 guide that could guide in that area, but.....
6
7 MR. VOSS: In the Red Sheep Creek area.
8
9 CHAIRWOMAN ENTSMINGER:he has
10 chosen -- this person has chosen not to guide in those
11 two drainages that were open.
12
13 MR. VOSS: Correct. That's part of his
14 unit, it's Unit 8.
15
16 CHAIRWOMAN ENTSMINGER: As an agreement
17 with the people.
18
19 MR. VOSS: He wrote a letter to the
20 Arctic Village Council that he recognized the
21 controversy and wanted to work with them. The other
22 area, there's two units, commercially guided units that
23 are in this Red Sheep Creek area, it's not just one,
24 there's two. The one, Unit 12, is not -- there isn't a
25 commercial guide in it, it's not open to.....
26
27 CHAIRWOMAN ENTSMINGER: Okay. Yeah.
28 Wait, I had one more question before we go on. I don't
29 know where I wrote it, just a second.
30
31 So the hunters, in that hunt under the
32 State, all they need is a harvest ticket from the
33 State.
34
35 MR. VOSS: Correct.
36
37 CHAIRWOMAN ENTSMINGER: Okay. That was
38 my other question. Okay -- well, Vince, I saw your
39 hand, did you have something.
40
41 MR. MATHEWS: No.
42
43 CHAIRWOMAN ENTSMINGER: Okay. No more
44 questions of the Federal agency.
45
46 (No comments)
47
48 CHAIRWOMAN ENTSMINGER: Okay. Next,
49 Native, tribal or village comments.
50

1 I see Paul's hand. Do we have a sign
2 up sheet for public testimony here or are we just going
3 by hand.

4
5 MR. MATHEWS: Yes, we can put out sign
6 up sheets or just call them up.

7
8 CHAIRWOMAN ENTSMINGER: I think we'll
9 just -- if it's okay with the public you don't need to
10 sign up unless you want to but show your hands and I'll
11 call you up, okay, this is your chance.

12
13 Okay, Paul.

14
15 MR. WILLIAMS: Madame Chair. Members
16 of the Council. Chief Gimmell. People of Arctic
17 Village. My name is Paul Williams and I'm from Beaver.

18
19 After I left the Army in '63 I came
20 here to visit my sister and that's where I met my wife,
21 after a year we got married and I lived here for 20
22 years. And during that time I worked for my mother-in-
23 law, you know, who liked sheep, so I go sheep hunting
24 for her, moose, caribou, get wood, pack water, I did
25 all these things. And she left us in 1983 so we moved
26 down to Beaver. But I'm familiar with this land that
27 you guys are talking about, not only that but over
28 towards the east down -- down that way.

29
30 (In Native)

31
32 MR. WILLIAMS: People have been living
33 around here for a long time, they were strong people.
34 They respected the land and they took care of it,
35 including the sheep, the hunting area, their season,
36 you know, that they watched. And because of their
37 respect for the sheep and other animal they took good
38 care of it. So that area up there has all been used by
39 Native people for thousands of years.

40
41 So I just want to testify that today
42 the sheep hunting area around Cane Creek and Red Sheep,
43 you know, it's is still very important for subsistence
44 people around here.

45
46 I think that request to keep it closed
47 again is a legitimate request and I think you guys, as
48 the Council, should make a recommendation that they
49 close that area again out of respect to those people
50 who took care of this land for thousands of years and

1 kept it pristine and knew how to take care of it.

2

3 I speak up here on the request of Chief
4 Gimmell, ladies and gentlemen.

5

6 Thank you.

7

8 CHAIRWOMAN ENTSMINGER: Thank you,
9 Paul. Any questions of Paul. I see Don has one.

10

11 MR. RIVARD: Well, I don't have a
12 question but I just want to clarify something, is this
13 area is closed right now, the proposal is to open up
14 Red Sheep and Cane Creek drainages to non-Federally-
15 qualified users.

16

17 CHAIRWOMAN ENTSMINGER: Virgil has a
18 question.

19

20 MR. UMPHENOUR: Yes. Paul did you meet
21 Joe Want when you were living here.

22

23 MR. WILLIAMS: Virgil, I didn't --
24 Madame Chair. Virgil, I knew who he was but I didn't
25 meet him personally. I know he hunted up that way for
26 years and years and I think he brought in horses and
27 stuff like that.

28

29 MR. UMPHENOUR: Right. I talked to him
30 Monday and he told me that one time he was here and
31 that people in the village -- he told me the names of
32 the people, I guess this was a long time ago, but said
33 that they had killed seven sheep, and he took his mules
34 and went and packed the sheep off the mountain for
35 them, down to the village, but that was on Red Sheep
36 Creek is where he said he did that. But I was just
37 wondering -- I should have wrote those people's names
38 down, but I didn't, to see if they were still here.

39

40 Thank you.

41

42 MR. WILLIAMS: Madame Chair. That's
43 where they get their sheep, they take it down to the
44 river and skin canoe and canoe it down to the Arctic
45 Village.

46

47 Thank you.

48

49 CHAIRWOMAN ENTSMINGER: Thank you.
50 Let's see, I guess even though it says -- let me look

1 at this thing here, it says Native, tribal, village, so
2 anybody, so public testimony is anyone else, okay.
3 This is a chance for anyone else who wants to come up
4 and testify from the village.

5
6 MS. GIMMELL: Hello. Good afternoon.
7 Marjorie Gimmell, Chief of Arctic Village. Well, I
8 wanted to ask you guys to oppose this proposal.

9
10 Natives, we always have to battle our
11 way for everything. And already I just want to let you
12 guys know, like they said there was how many, 10 or 25
13 that landed at Red Sheep Creek just during that, what,
14 15, 20 days it was open. And not only that they fly
15 over and they do other hunting, sheep hunting, caribou
16 hunting that way. And they have rafters go up and this
17 is a couple hundred every year, even that one year
18 there was like 400 hikers, rafters, sportshunters, they
19 were all flying up there.

20
21 It's already a disturbance for us here
22 because our traditional way, you know, with the caribou
23 and the sheep and everything. So they land here at
24 this airport, they refuel and they go up that way and
25 some of them, they go past the Sheenjok River and
26 that's where the caribou pass to come over here in the
27 falltime and so they're landing around there, camping
28 out around there, and disturbing the caribou, they
29 turn, they go to Canada instead for the fall and
30 winter. And there's just issues like this that we go
31 through.

32
33 And I'm not just talking about Red
34 Sheep Creek, I'm talking about Doyon Land Exchange,
35 Arctic Refuge, and I just hope you guys make a good
36 decision. I've been working for the tribe for almost
37 10 years, and it's just really important to us, not
38 only that, there's -- up at Red Sheep Creek, there's
39 some unmarked graves and just traditional land up
40 there.

41
42 I mean, you know, technically you guys
43 say we don't go up there but what we do is we're
44 Natives, we just live within our means, we don't take
45 everything from the land, we -- we only take what we
46 need and that's one of the reasons why we don't go up
47 there every fall and stuff.

48
49 So I just wanted to let you know, so
50 thank you.

1 MR. RIVARD: Stay here. Stay here.
2
3 CHAIRWOMAN ENTSMINGER: Just wait
4 Marjorie.
5
6 MR. RIVARD: They may have questions
7 for you.
8
9 MS. GIMMELL: Okay.
10
11 CHAIRWOMAN ENTSMINGER: Any questions
12 from the Council members for Marjorie.
13
14 MR. CARROLL: I do.
15
16 CHAIRWOMAN ENTSMINGER: Go ahead.
17
18 MR. CARROLL: Pretty much based on
19 traditional knowledge so you're feeling that increased
20 traffic and the existing traffic pretty much frightens
21 the caribou from migrating their tradition route down
22 here and supplying this village with access to them,
23 that's.....
24
25 MS. GIMMELL: Yeah, it's been going on
26 for a few years. Sine the -- well, since the Arctic
27 Refuge got known for them trying to drill in there.
28 That's how come we got so much hikers and stuff because
29 it became popular all over the nation.
30
31 MR. CARROLL: Thank you.
32
33 CHAIRWOMAN ENTSMINGER: Any other
34 questions from Council members.
35
36 (No comments)
37
38 CHAIRWOMAN ENTSMINGER: Marjorie, I
39 have one.
40
41 MS. GIMMELL: Okay.
42
43 CHAIRWOMAN ENTSMINGER: I like to see
44 people, you know, join hands and work together and make
45 things work for all users when we can and I understand,
46 you know, a lot of times when you have a Refuge or a
47 Park you area gets a lot more focus than it normally
48 would have. Sometimes I think they didn't do us any
49 favors when they thought they were saving the land.
50

1 But at the same time, as hunters, there
2 are -- do you see ways for hunters, you know, Alaska
3 resident hunters or particularly the guide that Richard
4 Voss mentioned, that we can work together and there can
5 be a season that we can work on that works.

6
7 MS. GIMMELL: Well, I mean I would have
8 to confer with the people here but it could be an
9 option if they wanted.

10
11 CHAIRWOMAN ENTSMINGER: Do you feel the
12 people would like to -- are open enough that we can
13 talk about things that might -- sometimes when there's
14 an opportunity, that we get together and work, do you
15 see a way that we can do that, that would work and
16 people would feel comfortable.

17
18 MS. GIMMELL: Well, I don't have an
19 answer to that right now, I can't do anything without
20 my people's consent so.....

21
22 CHAIRWOMAN ENTSMINGER: But you'd think
23 your people would be willing to meet with others and
24 talk about issues that people might be able to work
25 together on the lands with other users.

26
27 MS. GIMMELL: I'm not sure, maybe.

28
29 CHAIRWOMAN ENTSMINGER: Okay.

30
31 MS. GIMMELL: So anything else.

32
33 CHAIRWOMAN ENTSMINGER: Thank you.

34
35 MS. GIMMELL: Okay, thanks.

36
37 CHAIRWOMAN ENTSMINGER: Who is next.

38
39 MR. JAMES: My name is Gideon James. I
40 live in Arctic Village. I hold the same impression or
41 knowledge about the area that we talk about. My
42 people, long time ago, sometimes that's the way they
43 survive from and I hold a lot of memory and also, you
44 know, I treasure that place because I'm Indian, I'm
45 traditional Native people that live around here . Just
46 like Richard say earlier about his own area, that he's
47 not going nowhere, they're not going back to Arizona or
48 somewhere when they retire, we're going to stay right,
49 you know.

50

1 So when we talk about our own resources
2 that surround our village, I think that you should
3 really listen and understand what we're talking about.
4 We're not chasing anybody out, they're the ones that
5 are coming in and disturb our life, we don't do that to
6 them down south.

7
8 So I just wanted to make a little point
9 about that. Another thing, too, I notice is that all
10 your members are not here. How many representatives
11 are not here on your board.

12
13 CHAIRWOMAN ENTSMINGER: Four.

14
15 MR. JAMES: I don't have a very good
16 feeling about, you know, voting on this issue while you
17 have four members not present. Like I said, you know,
18 this issue is kind of a one-sided deal, as far as I
19 know, that every time this thing come up the State have
20 a lot of weight, the State of Alaska had a lot of
21 weight as far as coming to decision.

22
23 The reason I say that is because in the
24 past, we were able to close that area completely
25 because too many people come here, too many unnecessary
26 things that happened, couple airplane crashes and
27 there's a lot of people that are coming in with, you
28 know, very little knowledge about the area. So in the
29 time that it was closed it was all right. And then now
30 the State is kind of in a rush to open this back up
31 again and they're kind of halfway successful about it --
32 let me tell you, we sit here and talk about this
33 issue, remember, when we're looking at the statistics
34 here, you that you look in that book right there, you
35 mention, one guy that cover that area, how much money
36 are we spending just to have that one guide in that
37 area, if we're talking about 10 guys in that area,
38 that's understood but, you know, this issue is not
39 worth talking about it, there's not enough resource up
40 there, we already see it in our written paper, we just
41 have our mind in there to believe that, you know, this
42 is important to one particular guy, you know. And the
43 State is wasting their money to do -- to push for these
44 things like that, and they've been doing that years
45 after years.

46
47 So I really think that, you know, this
48 issue is kind of a dead issue because of that because
49 we're wasting time just so that one guy can go in there
50 and guide and there's not enough resource there, and we

1 know it, we all know that.

2

3 And talking about earlier -- about the
4 traffic and the other influx of people, which is true,
5 you know, we are -- you know people that are -- that
6 really take care of our resources, we just take what we
7 need, you know, we hardly go fishing, the only fish
8 that we get is, you know, sometimes people that own
9 dogs, that's what we do.

10

11 But what I'm trying to say is if we
12 kind of waste our time and say -- who listen to the
13 State of Alaska people that, you know, these resources,
14 I don't know why they keep this issue -- bring it back
15 up every time, you know, every time that they finally
16 are successful about -- we request a -- we request a
17 resource to -- -- to count the sheep and they did that
18 in a very hurry, you know, they did that in a month.
19 And years after years before that we requested it, they
20 never did it. So there's a one side issue about these
21 things.

22

23 Talking about influx of people like,
24 you know, even last summer, or when they opened that
25 place up, there was a lot of aircrafts up there. They
26 don't land here -- sometimes they don't even land here,
27 they just fly straight up there. And some of the
28 pilots tell us that there were something like 17
29 aircrafts parked in that one airport. So we don't get
30 the whole story when -- you know, when a small issue
31 like this causes a lot of the headache.

32

33 I just sit back there and listen and
34 read what is written and what is said before. so I
35 really think we should not talk about this anymore and
36 just close it up again. The State is wasting money,
37 the Federal government is wasting money, and we're not
38 helping the resource.

39

40 CHAIRWOMAN ENTSMINGER: Any Council
41 members have any questions of Gideon.

42

43 MR. WOODRUFF: I do.

44

45 CHAIRWOMAN ENTSMINGER: Go ahead.

46

47 MR. WOODRUFF: Thank you, Madame Chair.

48 Is it correct.....

49

50 MR. JAMES: You got to speak up.

1 MR. WOODRUFF: Is it correct that in
2 the years when the caribou come through this area that
3 you don't necessarily go hunt but, yet, years when the
4 caribou aren't here you do utilize those sheep so
5 they're not necessarily a resource that you harvest
6 every year, it's sort of like, well, this is our second
7 source for food.

8
9 Thank you.

10
11 MR. JAMES: Well, our people, they
12 consider certain specie as a delicacy and sheep is one
13 of them and the trout is the lake is one of them. And
14 we know the story behind these. Like sheep, they
15 survive way high up in the mountain and the rocks and
16 it's windy and cold and they're able to survive and
17 they hold respect for that, so it's very strict rule
18 about how you take them, you know, how you treat them,
19 you know.

20
21 And the same thing with big trout in
22 Old John Lake, you know, the big trout like say four
23 feet long, it'll take 50 years to grow that big, and
24 our people respect that and they just don't throw it
25 around, when they get it, when they catch it, they
26 treat it in a really respectful way.

27
28 So I'd just mention that when we, back
29 in the early '90s, we saw a knowledge about intruding --
30 a lot of people that are not listening to our
31 traditional way of life, we gather information from our
32 elders and wrote an ordinance, you know, bring back the
33 knowledge about our game management and how you treat
34 each animals, and the sheep is in there and also the
35 trout in Old John Lake. Those two species that I
36 remember, that they gave very, very little information
37 about it because how they respect the animals like
38 that.

39
40 MR. WOODRUFF: Thank you.

41
42 CHAIRWOMAN ENTSMINGER: Are there any
43 other questions for Gideon from the Council.

44
45 (No comments)

46
47 CHAIRWOMAN ENTSMINGER: Gideon, I'd
48 just like to let you know, from my perspective, we sit
49 on this Council and we have to try our best to look at
50 each proposal, what comes before us and we, you know,

1 sometimes like this last one, I disagreed with the
2 government and sometimes I'm faced to agree with them,
3 God be known, I don't like to do that always, but in
4 any rate in this case they keep speaking to this one
5 section of ANILCA that we have to listen to and that's
6 the one that when you stop hunting -- sporthunting and
7 just be Federally-qualified subsistence users, we have
8 to meet all these criteria, and I just want you to know
9 that sometimes that's hard to understand this whole
10 process, and that's what we're here struggling through.

11
12 And I don't know if you have one of
13 those books, but isn't ANILCA lined out in what you
14 just read to us here on that.

15
16 MR. MATHEWS: I read that in the
17 State's comments on .815(3).

18
19 CHAIRWOMAN ENTSMINGER: Right. I'm
20 just trying to give you a feeling that, you know, it's
21 a struggle. Sometimes you're pulled from one side to
22 the other on the Council.

23
24 Okay, that brings up some more
25 questions, go ahead.

26
27 MR. CARROLL: Okay. Gideon raised the
28 question, on our Board vote here, if it comes down to a
29 roll call vote, is such a thing exercised here.

30
31 CHAIRWOMAN ENTSMINGER: Yes.

32
33 MR. CARROLL: Okay. If it comes down
34 to that and we're missing four Board members here, I
35 don't know what the bylaws are, I haven't seen them,
36 maybe I got them and haven't really read them.

37
38 Normally, I've Chaired a few and bylaws
39 are sometimes different, I don't know what these ones
40 say, sometimes you'll need -- there's 10, what do we
41 need, three-quarters, a majority, you'd have to have
42 six positive votes, or seated -- I'd just like some
43 clarification on the bylaws if it comes to that.

44
45 MR. MATHEWS: Well, first off we don't
46 have any bylaws for this Council. So it'd be the
47 majority of those that are present here would be a
48 passage of it. So that would have to be four votes,
49 3/3 would be a tie.

50

1 MR. CARROLL: Okay. Thank you. That
2 answered my question.
3
4 MR. MATHEWS: Okay.
5
6 CHAIRWOMAN ENTSMINGER: Any other
7 questions.
8
9 MR. CARROLL: Yes. Gideon, that's what
10 you wanted to know earlier.
11
12 MR. JAMES; Yeah.
13
14 MR. CARROLL: You happy with that.....
15
16 MR. JAMES: Yeah.
17
18 MR. CARROLL: Okay.
19
20 MR. JAMES: Yeah, the way the vote
21 would take place, you know, I don't think six members
22 should vote on this.
23
24 MR. GLANZ: If I may, a year ago this
25 time we had the same issue before us and we only had
26 one member missing and we voted unanimously to support
27 you people here and keep it closed to open hunting and
28 did little good, so you follow me.
29
30 We were behind you last year 100
31 percent and it didn't do any good, they still opened
32 it.
33
34 CHAIRWOMAN ENTSMINGER: Thank you,
35 Gideon. From the audience some more testimony. Hi, go
36 ahead.
37
38 MR. SAM: Good afternoon Advisory
39 Council. My name is Edward Sam. And I got no written
40 testimony but I'll give you what I've been working on
41 and what I understand from the State and Federal
42 wildlife.
43
44 You know, for tens of thousands of
45 years we've been living here, the archeology of finding
46 of artifacts on the headwaters of Crow River on Canada
47 side, on the Yukon which dated 27,000 years. Since
48 statehood 48 years ago we've been having a lot of
49 problem with communication, and so I wanted to clarify
50 some important issues that's related to the Red Sheep

1 and Cane Creek and other matters.

2

3 I've been living here for about 35
4 years in this community. Last time I left this
5 community was March of 2000 to work with a Canadian --
6 what is called Arctic Borderland Ecological Survey, a
7 lot of good information in there. Tiga.net (ph). And
8 that's the last time I've been to Fairbanks. I just
9 like my surrounding. I love it here.

10

11 My parents, their parents, they
12 survived it here. They survived it from the nomadic
13 way of life to the present time where they could get on
14 a snowmachine and drive, but my forefathers are not
15 here, and wherever they are, they're looking upon me to
16 keep this sheep management or our hunting area to be
17 protected.

18

19 After the decision in May of 2006, last
20 year, of the Board, they favor -- or keeping the
21 closure of the Red Sheep Creek and Cane Creek closure,
22 and without the consent or notifying the people of
23 Venetie, Arctic Village, Chalkytsik and Ft. Yukon, the
24 State of Alaska, the day after the decision was made,
25 State of Alaska put a reconsideration and I want to
26 emphasize, I want you to come out with big heart and
27 make a reconsideration and put a permanent closure to
28 this issue.

29

30 My mom, she's been dead since 1995, and
31 years before that, I fly to -- I used to travel
32 throughout the state, United States, and I view those
33 dall sheep between the Yukon River and Fairbanks, it's
34 called White Mountain. In the summertime I see
35 hundreds, if not thousands, over the mountain tops,
36 flying over in the spring. Right now you hardly see
37 any. What are they managing.

38

39 Moving -- moving from White Mountain,
40 going up to Chandalar River ahead to one river, it's
41 about 40, 45 miles south of here where my mom used to
42 talk to me when we used to live in Venetie, Alaska, how
43 plentiful the sheep is around that area. Five years
44 ago I revisited that area and I didn't see no rams, I
45 seen four or five ewes with three lambs. That's a 10
46 hunt, and it cost me \$3,200 just to travel down there
47 and back, to charter a plane. And when you don't got
48 no job and all the expense of food, economy is high,
49 the prices are high, so we don't just go out into our
50 sheep management area at any time and hunt, we have

1 certain people, you know, that are able to walk -- it's
2 a scared [sic] area where we just don't go in there and
3 hunt the sheep. And the sheep, if you shoot at the
4 sheep in that one area, they don't return back, that's
5 how sensitive it is.

6

7 On how the cycle of a full-curl ram is
8 a 12 year cycle to develop a full-curl ram.
9 Overharvesting in these areas as I see it, it's like
10 those half curl, breeding, breeding with the ewes where
11 the full-curl rams is no longer around, overharvest.

12

13 It's just like I think teenagers to
14 breed with the old ones so you could have more
15 surrounding, we don't like that. We see it.

16

17 Just recently, last year in March of
18 2006, the Fish and Wildlife had a meeting with us, and
19 saying it's okay, it's okay to get any full -- any size
20 of a ram, it could be one-fourth, why, would it be that
21 way when it was first established in 1991. A matter-
22 of-fact I'm a founder and I have two co-founder, one
23 Caucasian, one elder, the Caucasian is dead -- I
24 shouldn't say dead, deceased, the elder is deceased,
25 I'm following -- I'm carrying their talking stick.
26 They give me power, I know it, that's why I come in
27 front of you ladies and gentlemen speaking from my
28 heart, there's no guessing, there's no fooling around,
29 we live off subsistence. You know, when you got no
30 work or no job, that's when subsistence, you rely on.

31

32 Like the cost of living, I'll tell you
33 a little bit about the cost of living, right now when
34 Lower 48 people are jumping up and down at \$2.23 a
35 gallon, we pay \$9 a gallon. Five gallon of gas will
36 take you 20 miles round-trip, so you have to make sure
37 that you're successful in what you're doing in hunting.

38

39 Like the local store, you get a little
40 piece of meat, steak, that's \$20. Without work, it's
41 hard. I'm pretty sure if you all don't get paid, you
42 don't get per diem, how many of you would be sitting
43 here without pay, I'm pretty sure there won't be none.
44 But I will still be here depending on my subsistence
45 way of life.

46

47 I'm speaking for the tribes here and
48 four other communities, five actually with Kaktovik.

49

50 The only way to get to the sheep

1 hunting area is by flying, from here to Red Sheep
2 Creek, 31 minutes. \$400, \$450 at the most. I save one
3 whole year just to go on this one specific hunting
4 trip. And I don't get nothing sometime, I don't like
5 it but I have to go by your regulations.

6
7 Like I'll go back to some of the
8 statements that State made. Where they find
9 snowmachine tracks, I don't know where the location is,
10 but I tell you the truth, on that Sheenjek River on the
11 first river drainage into the Chandalar River on the
12 left hand on the north side of here, we don't go beyond
13 that, we don't go anywhere far since fuel is so
14 expensive, we don't travel very far. When the caribou
15 don't come by, or migrate by and there's no wild meat,
16 we ask a few people to hunt sheep so the village could
17 have fresh meat. We grew up on a live animal not
18 packaged it 4,000 miles away and preserve it. We live
19 off the land.

20
21 On a closure -- on the closure of Red
22 Sheep Creek or the proposal by the State, we're not
23 comfortable with it, that's why you're here, we don't
24 like the decision.

25
26 Around Red Sheep Creek I'll give you a
27 little bit of history on Red Sheep Creek. The State
28 indicated that one person, the only one that get
29 harvest ticket, I'm the one. Since there's no
30 reporting because I'm just pissed off and that I don't
31 get no -- no sheep, that's why I don't report it,
32 there's nothing to report. I see 40 to 50 sheeps every
33 year but I can't see no ram. Four years ago I went
34 into Red Sheep Creek and hunted in that area, it took
35 me five days to go into the next corridor with no name.
36 We spotted some, five rams, from distant it looked
37 full-curl, but six hours after trying to come close to
38 it, I came about 200 yards from it, or 200 feet is
39 closer, I guess, and I look at it with my binoculars it
40 is one inch short, nothing I could do, I just turn away
41 and walk back to the camp because I don't want to
42 violate any law. That's how I practice the law and I
43 would like you all to see our consideration and put a
44 permanent closure on it.

45
46 I have nothing written down so it's
47 hard to memorize everything so if you got any
48 questions, I'm open, and I'll be glad to answer.

49
50 Thank you.

1
2 CHAIRWOMAN ENTSMINGER: Any questions
3 from the Council.
4
5 (No comments)
6
7 CHAIRWOMAN ENTSMINGER: I do have a
8 question for you, did you say you were hunting sheep
9 and you saw a full-curl ram and you didn't shoot it
10 because you thought it was not legal.
11
12 MR. SAM: It wasn't a full-curl, it's
13 one inch short on both sides.
14
15 CHAIRWOMAN ENTSMINGER: But I'm looking
16 at the regulations and it looks like you can shoot any
17 ram.
18
19 MR. SAM: As I indicated earlier on
20 March -- March of 2006 it's only -- when Refuge manger
21 proudly presented that we are eligible to hunt any
22 size, regardless of size of horn.....
23
24 CHAIRWOMAN ENTSMINGER: You didn't know
25 is what you're saying.
26
27 MR. SAM: What I'm telling you is one
28 year ago, I'm talking about all these years that the
29 State indicated that there's no harvest report, you
30 see, four or five years back.
31
32 CHAIRWOMAN ENTSMINGER: You were
33 hunting four or five years ago.
34
35 MR. SAM: Yes.
36
37 CHAIRWOMAN ENTSMINGER: And you thought
38 it was a full-curl then for you.
39
40 MR. SAM: At the distance, yes, but
41 when I came close it wasn't legal.
42
43 CHAIRWOMAN ENTSMINGER: Well, I guess
44 it'd be my understanding that you could have shot that
45 sheep but I might be wrong here.
46
47 MR. SAM: I would be violating the
48 jurisdiction of the hunting regulation if I did, at
49 that time.
50

1 CHAIRWOMAN ENTSMINGER: I would have to
2 ask the government here about that, yeah.

3
4 MR. MATHEWS: Well, I think Richard
5 will probably jump in on this, it was discovered in
6 different meetings with the village here that there
7 wasn't knowledge under Federal regulations that two
8 rams can be harvested by permit.

9
10 CHAIRWOMAN ENTSMINGER: I see.

11
12 MR. MATHEWS: And what I think what
13 you're saying, Edward, please correct me if I'm wrong,
14 when you hunted it five years ago and I'd have to look
15 here to find out, it may have been one full-curl ram
16 back then so he was following the regulations that he
17 knew of from the past; is that correct?

18
19 MR. SAM: I don't want to break no law.

20
21 CHAIRWOMAN ENTSMINGER: We understand.

22
23 MR. SAM: Until March of last year, one
24 year ago, when -- when we had a public meeting here,
25 when they're giving us a report on this sheep
26 management and Refuge report is when they indicated --
27 Mr. Voss indicated that it was okay to harvest any size
28 of horn. That's just last year.

29
30 CHAIRWOMAN ENTSMINGER: Okay.

31
32 MR. SAM: What I'm saying is from the
33 State report there's no report of no harvest and then
34 like from last year, the last two years, I got a
35 Federal permit to harvest two rams in the sheep
36 management and I -- if I'm not successful in harvesting
37 sheep in the management area, I got State harvesting
38 tickets for three ewes, so that's just an emergency
39 where -- when I don't get any ram, I'm obligated to
40 hunt in the other area to harvest my needs.

41
42 CHAIRWOMAN ENTSMINGER: Virgil.

43
44 MR. UMPHENOUR: Okay, in the sheep
45 hunting that you've done up in this area, did you used
46 to get up there by boat or is airplane the only way you
47 could get there.

48
49 MR. SAM: Only airplane. Only
50 airplane. Because the water is shallow. You go 20

1 miles on the left side of the creek, Sheenjek, that's
2 how far you could go, 35, 40 miles up Chandalar River
3 that you could go, and that's it, with boat.

4
5 MR. UMPHENOUR: Okay. So the only --
6 unless you had a flood or something, then I suppose you
7 might be able to get up there. So the only way you can
8 get all the way up there is with an airplane, no way to
9 get there by boat and that was one of the things I was
10 wondering about.

11
12 MR. SAM: One thing is that a few years
13 back that we used a boat to drive 20 miles and walk the
14 rest of the way. That was 15, 20 years ago. It's
15 going to be my 28th year, wish me luck.

16
17 (Laughter)

18
19 CHAIRWOMAN ENTSMINGER: I do.

20
21 MR. SAM: I'll send you a piece.

22
23 CHAIRWOMAN ENTSMINGER: No, you keep
24 it.

25
26 MR. SAM: I'm just glad you're here and
27 listening to our perspective on this very critical
28 issue. I wish you have kind heart and reconsider and
29 keep it a permanent to it.

30
31 One thing I forgot to mention is on the
32 north side of Red Sheep Creek drainage, Red Sheep Creek
33 drainage on the north side about three to four miles on
34 that creek I have a great-great-grandmother that's
35 buried there. I can't even locate the burial site
36 because the wooden cross has rotted away. That's the
37 only reason I didn't locate, but it's in that specific
38 area.

39
40 On the Sheenjek River, on the mouth of
41 the Water Creek I have a great-great aunt that is
42 buried there, those kind of statements that I have
43 written down to outline this Red Sheep Creek area where
44 it will be preserved.

45
46 I wish we could have head counts of
47 sheep every year but I don't know why, just like since
48 the closure, since 1995/96 year, there was only on the --
49 on the testimony from last year by Gideon and myself,
50 there was only 10 -- actually there was five --

1 actually there was a mistake that me and Gideon made,
2 it was 10 full-curl of -- 10 years of closure, actually
3 11 years, but actually it's five, five full-curl that
4 we notice that -- that was around in that area, Red
5 Sheep Creek area.

6
7 A lot of -- I scare a lot of them, too,
8 you know, they're smart animals. But minus two now
9 since the last report just a few minutes ago, now
10 there's three. See keeping that closure for 10 years
11 we just had saved it, five rams, and then one -- one
12 month, one year they eliminate two of them. I know
13 it's -- I know that's how the State makes its money.
14 Like I said I'm a freelance and studying of the taking
15 of wildlife, not just here in our communities,
16 throughout the state, let me give you a hint.

17
18 In 1994 there was 34,000 applicant to
19 harvest moose in Anchorage area, 34,000 applicants,
20 14,000 successful hunts. And now they're blaming it on
21 the wolf. What kind of management is that. Poor wolf,
22 they got to eat too. We're taking their resources --
23 because they're getting too many of them now since --
24 since they're taking a lot of moose out of the area.

25
26 Just like the muskox, they infiltrated
27 our area and they're so protected and.....

28
29 MR. UMPHENOUR: Let me ask you
30 something, you know, you can hunt the sheep right now.

31
32 MR. SAM: Uh-huh.

33
34 MR. UMPHENOUR: And so does anyone go
35 up there and hunt sheep this time of year because this
36 is the best time of year to go get them if you want to
37 go get them efficiently because they're not going to be
38 up real high, they're going to be on the wind blown
39 ridges is where they're going to be because there's no
40 snow.

41
42 MR. SAM: When caribou doesn't migrate
43 by here, as you heard testimony earlier, when the
44 caribou and moose are scarce that's when we go out, we
45 just tell anyone to go out. The person that got
46 knowledge of the awareness of land, how they call that,
47 where they -- snow slide.

48
49 CHAIRWOMAN ENTSMINGER: Avalanche.
50

1 MR. SAM: Avalanche. You know, people
2 who got knowledge and that, we just don't tell, hey,
3 let's go hunting, no, it's -- we know if we hunted
4 there and we scare it away we know they won't come back
5 to that area.

6
7 Another issue -- another issue that I
8 wanted to mention the establishment of Bureau of Indian
9 Affair and State of Alaska. Under the BIA, Indian
10 Bylaw, correct me if I make mistake, I don't got iron --
11 mine as iron, but under the BIA they put a self-
12 determination act in the State of Alaska where -- where
13 it's stated, as I recollect it, is the, agency is the
14 Fish and Wildlife, Alaska Fish and Game have to work
15 with the tribe pertaining to the area under -- under
16 wildlife management in BIA bylaw, so there's a lot of
17 place that the State of Alaska doesn't practice, just
18 like -- just like Refuge manager have indicated that
19 they counted those sheep. That's where that wildlife --
20 BIA wildlife should have practice. Where -- where the
21 State or the Federal who's managing and counting should
22 have invited individual from our community to witness
23 what they are counting. They didn't practice that.

24
25 There is a lot of misscommunication
26 between these agencies and our tribal government.

27
28 I hope I'm not taking too much of your
29 time. I could.....

30
31 CHAIRWOMAN ENTSMINGER: Well.....

32
33 MR. SAM:go on and make.....

34
35 CHAIRWOMAN ENTSMINGER: Yeah.

36
37 MR. SAM:good sense and.....

38
39 CHAIRWOMAN ENTSMINGER: Well, we're
40 going to have to discuss this further so we'll give
41 some other people some opportunity unless there's.....

42
43 MR. SAM: Any more questions.

44
45 CHAIRWOMAN ENTSMINGER:more
46 questions -- yeah, okay.

47
48 Because we need to ask some questions
49 of the government, some of the things you brought out
50 and I appreciate your testimony.

1 MR. SAM: I thank you and I wish you
2 have a joyful time in Arctic Village and enjoy the view
3 and we wish you to come back and see us in summer and
4 you could feed the mosquito.....

5
6 (Laughter)

7
8 MR. SAM:with us. Thank you.

9
10 (Laughter)

11
12 CHAIRWOMAN ENTSMINGER: Thank you. Any
13 other public testimony, yes, come up.

14
15 MR. GILBERT: My name is Mathew
16 Gilbert. I am a resident of Arctic Village. And I'm
17 the tribal transportation manager here.

18
19 First off, I wanted to ask a question
20 before I wanted to make a series of arguments for
21 keeping the sheep area closed. You said as long as
22 it's closed it makes it harder for you to meet the
23 mandates of ANILCA, were you talking about Section
24 .815(3)?

25
26 CHAIRWOMAN ENTSMINGER: Yes.

27
28 MR. GILBERT: Well, it says that ANILCA
29 indicates that Federal subsistence regulations cannot
30 authorize the restriction on the taking of fish and
31 wildlife for non-subsistence uses on Federal public
32 lands other than National Parks and Monuments unless
33 necessary for the conservation of healthy populations
34 of fish and wildlife for the reasons set forth in
35 Section .816 and I have this underlined here, it's on
36 Page 78, to continue subsistence uses of such
37 populations. Doesn't the -- isn't the essence and
38 nature of this statement right here exactly what the
39 Arctic Village residents have just testified on. It's
40 on Page 78.

41
42 CHAIRWOMAN ENTSMINGER: Are you asking
43 me, personally?

44
45 MR. GILBERT: I'm asking the whole
46 Board.

47
48 CHAIRWOMAN ENTSMINGER: Yeah.

49
50 MR. GILBERT: You said it's difficult

1 to meet this specific language in ANILCA when you keep
2 the sheep area closed. But isn't Section .816 to
3 continue subsistence use of such populations, isn't
4 that -- it seems to me that the essence and the nature
5 of that statement right there is exactly what we, in
6 Arctic Village, are trying to advocate for because.....

7
8 CHAIRWOMAN ENTSMINGER: I think what
9 the State is trying to say in this, and that's why I
10 bring it up that we can talk about it, is that, if it
11 is a healthy population, you do not keep it closed;
12 that's what the State is arguing. And that's why, you
13 know, I like to hear that part of what they're arguing
14 to us, so we can discuss it.

15
16 MR. GILBERT: I see. Well, I have very
17 little faith that the population will maintain its
18 health if it is opened to sporthunters. Because I've
19 seen this all over Alaska, I've heard stories
20 everywhere of how sporthunters really monopolize a lot
21 of wildlife from Native people and I'm thinking that
22 happens because they carry a lot of economic control in
23 Alaska because they come up here from the states and
24 they buy all these \$10,000 trailers and shop from all
25 these local stores in Alaska and, therefore,
26 organizations like the Alaska Outdoors Council, have a
27 lot of economic weight with the State. Before Governor
28 Palin got elected, she was the keynote speaker at the
29 Alaska Outdoors Council on some occasions. So I just
30 want to make the argument to you guys that I don't see
31 a possibility of the populations maintaining their
32 health if we do open it to non-subsistence users.

33
34 And I'd like to use your booklet to
35 make a series of arguments.

36
37 If you read the statements by Arctic
38 Village hunters on Page 81. It says that the area --
39 the Cane Creek and Red Sheep Creek Management Area
40 contains traditional cultural sites and says that local
41 hunter displacement caused by considerable air traffic
42 that deter the sheep from utilizing lower elevations
43 where Arctic Village hunters could gain access to
44 sheep. I just want to reiterate that statement to you
45 guys, to really consider that statement because it's a
46 very thorough one -- self-explanatory. And it also
47 says the local hunters cannot compete with non-local
48 hunters using more sophisticated equipment. And like I
49 told you I've seen a lot of cases where these people
50 that come up here, they're really rich so they can

1 afford like airplanes and all sorts of stuff, and, we,
2 as Native people we can't compete with that, I mean we
3 could barely get up there with the cost of gasoline and
4 very little employment in this village, so when we just
5 send like at least just one, you know, in a way that
6 one person is getting sheep for the entire village.
7 He's getting -- yeah, he's one person but sometimes
8 that's all we can afford is to send one person up
9 there, which is what explains why we haven't been
10 heavily using the area.

11
12 But I was throwing an idea around with
13 my chief just a few minutes ago of maybe creating a
14 fund so a lot of Arctic villagers could start using
15 that area. And, again, I reiterate, that I do believe
16 you guys should consider leaving it closed.

17
18 It also said on Page 81, that the Board
19 rejected that proposal expressing the disappointment
20 with the absence of dialogue over the past year between
21 the State/Federal Staff and Arctic Village, and this
22 shows me blatant disrespect. I think we have strong --
23 a strong argument on that part that they didn't even
24 consult us, I'm talking about the Alaska Department of
25 Fish and Game P6-55 [sic].

26
27 Also if it is -- if the proposal does
28 pass, I'd like to talk for my grandfather, he's not
29 here, he's traveling, but he emphasized that he's
30 witnessed some want and waste of sheep meat last summer
31 when he saw some officers, I think they were wildlife
32 officers at Wright Air Service, they detained a couple
33 hunters at Wright's Air Service, and I think these
34 hunters -- I'm pretty sure these hunters got some horns
35 and they left all the meat up there and I just have a
36 feeling that we're going to see a lot of that if you
37 open this area up, we're going to see a lot more. And
38 that's very disrespectful to us as a people and I want
39 you guys to consider that we don't want to allow any of
40 these activities on our land.

41
42 Basically that's the gist of what I
43 wanted to say so I'm for total closure of the land, the
44 Red Sheep and Cane Creek management area.

45
46 And I believe should -- if you look at
47 -- I study a lot of Federal Indian History, Federal --
48 the history of Federal Indian Law and the past 500
49 years I found very little cases where American Indians
50 who were at peace with sport and trophy hunters and the

1 Fish and Wildlife and this is one of the last places in
2 Indian Country that's left untouched and I just wanted
3 you guys to consider that when you guys make your
4 decision.

5

6 So, thank you.

7

8 CHAIRWOMAN ENTSMINGER: Council member
9 any questions. Virgil.

10

11 MR. UMPHENOUR: Does anyone from Arctic
12 Village go up and hunt the sheep other than in August
13 and September.

14

15 MR. GILBERT: I can't speak to that, I
16 don't know. I've just moved back last year, I was at
17 college.

18

19 MR. UMPHENOUR: Okay. You've read the
20 analysis and what the analysis basically says is that
21 the residents of Arctic Village, Chalkytsik and Fort
22 Yukon and someplace else, can hunt sheep from -- I
23 believe it says from the 20th of September until the
24 end of April.

25

26 MR. GILBERT: Uh-huh.

27

28 CHAIRWOMAN ENTSMINGER: No, it's the
29 10th of August to April.

30

31 MR. UMPHENOUR: So they can hunt the
32 regular season, the 10th of August.....

33

34 CHAIRWOMAN ENTSMINGER: But through
35 April 30th.

36

37 MR. UMPHENOUR: Through April 30th --
38 August 10th to April 30th. Now, I'm a guide, she's a
39 guide, we both -- well, I don't hunt sheep anymore but
40 she still does, but my son does, he's one of the best
41 sheep guides in the state, maybe the world, I think. I
42 consider myself a good sheep guide and good sheep
43 hunter. Hunting sheep is not for the faint of heart,
44 it's for the hard core people that are tough, that are
45 willing to climb big mountains, carry their house on
46 their back and do that for maybe four or five days to
47 get to where they can get a sheep. That's what sheep
48 hunting's all about, it's a personal challenge amongst
49 the person that's doing it.

50

1 The meat that you get off the sheep, if
2 you make a good shot, you shoot it right behind the
3 front legs so all you ruin is two ribs and that's it,
4 maybe a pound of meat, is 60 pounds of meat, that's
5 about all you're going to get off of a big sheep.
6 Right now you can go get them because I'm getting ready
7 to go bear hunting. All my guides that work for me are
8 all Natives, they're all Indians from Huslia, Kaltag is
9 where they're from and that's when we go hunt grizzly
10 bear, those bears when they first come out, you know
11 what they're going to be hunting up here, they're going
12 to be hunting those sheep. That's what they're going
13 to be hunting. If you guys wanted to get out and get
14 sheep because it's a spiritual meat, it's one of the
15 toughest animals out there, now's the time to do it if
16 you're going to be efficient, not to go compete with
17 these hunters from someplace else. And like the Refuge
18 manager said, the guide did not take anyone up there
19 this year, the guide that could have taken someone did
20 not because he wants to have, evidently, a good
21 relationship with the village, just like I want to have
22 a good relationship with Huslia where I hunt moose out
23 of that village and so he didn't hunt there.

24
25 Now, the people that are hunting there
26 and I know this can happen from my experience in being
27 involved in hunting for longer than you are old, is
28 that, if people think they're going to have a good
29 chance of getting an animal that they want to get,
30 they're going to try to go there. And most of these
31 people, I assume, are Alaska residents that have
32 airplanes or they have an air taxi, but I don't know if
33 an air taxi can drop people off in the refuge or not
34 without a Refuge permit, I don't know that question but
35 we can ask the Refuge manager.

36
37 But what I'm saying is this, the reason
38 the Federal Subsistence Board opened up the hunting,
39 it's right here in the book, is because the sheep
40 population -- it's because the hunters that go up there
41 have to shoot a full-curl sheep. It's not easy to find
42 a full-curl sheep, you can sometimes hunt, walk for 10
43 days and maybe see 50 rams and not see one that's a
44 full-curl, because to see full-curl it depends on the
45 habitat and et cetera, they're going to average 8 years
46 old is what the Department says.

47
48 So, anyway, my point is this, I
49 sympathize with the people from Arctic Village. What's
50 happened statewide because of a number of the animals

1 that -- the prey animals -- for the predators has been
2 decreased because of poor management on the part of the
3 State and the Federal government, both, and so we have
4 very low abundance and this area right here is a good
5 example of it, the Yukon Flats, on moose, is a very
6 good example of that. So there's people that are
7 wanting the opportunity to go hunting and there's going
8 to be probably -- I wouldn't doubt if 20 -- I can't
9 remember what the Department said -- but, anyway, in
10 this report we've got here it says how many people were
11 up there hunting, it's hard to tell how many people
12 were up there, but at least maybe 12 people must have
13 been hunting up there, but there's probably going to be
14 a number of people that are going to go, most of those
15 people are not going to be successful sheep hunters.
16 The majority of them are not going to be because they
17 don't have the backbone to climb those mountains and
18 stay after the sheep. But if you want to get some
19 sheep meat to eat the time to do it is now, when you
20 have good snow conditions, you can travel good, you got
21 to be careful because of the avalanches like was
22 brought up awhile ago, but you've got a college
23 education, you can figure that out, but that's the most
24 efficient time to go do it. But to charter an airplane
25 and fly up there, that's not economically feasible for
26 the normal person to do.

27

28 I don't know exactly how I'm going to
29 vote but I can tell you that biologically, by looking
30 at the information presented by the Staff and
31 everything else, regardless of what we do, we voted in
32 support of Arctic Village, along with the North Slope
33 RAC last time, and even though we voted with you people
34 that didn't carry no weight with the Federal
35 Subsistence Board, they voted just opposite of the way
36 we voted. But we came here because of this issue,
37 that's why this Council is here right now, because we
38 wanted to make sure that we understand everything about
39 this before we make our recommendation to the Federal
40 Subsistence Board, but I -- I've rambled on long
41 enough.

42

43 I just wanted to give you a little bit
44 of suggestions from an experienced sheep hunter.

45

MR. GILBERT: Uh-huh.

47

48 MR. UMPHENOUR: Now is the time to go
49 get them if you want sheep meat.

50

1 MR. GILBERT: Well, great, I wouldn't
2 mind going myself sometime. I'm just coming back,
3 trying to learn my traditional ways again.

4
5 My only question is, again, I want to
6 bring up the question Madame Chair brought to the Chief
7 earlier about whether there was any kind of compromise
8 that could be -- common ground that could be settled
9 between Arctic Village and other people, but, like her,
10 I don't want to speak to that, we need a consensus from
11 our people or something. Personally I have no qualms
12 about people like -- I just -- I just really don't want
13 to see that area overused or polluted. But in the end
14 I think what most Arctic villagers that came by and
15 testified today want is like complete closure of the
16 area.

17
18 That's all I wanted to say, thank you.

19
20 CHAIRWOMAN ENTSMINGER: Before we go
21 any further, there's a couple things that Virgil
22 brought up, as someone that hunts sheep every year and
23 we actually do a subsistence sheep hunt in the
24 Wrangells every year as a family, my family, we spend
25 10 days out there bringing home that delicate meat, and
26 there are places that there's way more than 60 pounds,
27 Virgil, especially the way I -- there's some sheep that
28 are -- we've brought 100 plus -- 105 pounds out of a
29 sheep, part of it was bone, but it's just the size of
30 the sheep, some sheep are bigger than other sheep, the
31 body size, I'm sure how large of meat you would get
32 here.

33
34 But just speaking also to spring versus
35 fall, I've been around people that have spring taken
36 sheep and they are tough, they're very much more
37 tender, more fat, more wonderful in the fall. So I
38 mean that becomes a choice of the people. They have
39 the opportunity to do either one here.

40
41 And I think, Gideon, is that what you
42 wanted to speak to.

43
44 MR. JAMES: Yes. What Virgil.....

45
46 MR. RIVARD: No, come up to the table.

47
48 MR. JAMES:say about the.....

49
50 CHAIRWOMAN ENTSMINGER: You need to

1 come up.
2
3 MR. JAMES:hunting it.....
4
5 MR. RIVARD: Gideon. Gideon.
6
7 CHAIRWOMAN ENTSMINGER: Gideon, can you
8 get to the speaker please. Thank you. And were you
9 finished, Mathew -- Mathew, were you finished?
10
11 MR. GILBERT: (Nods affirmatively)
12
13 CHAIRWOMAN ENTSMINGER: Okay. Did
14 anyone have any more questions of Mathew.
15
16 (No comments)
17
18 CHAIRWOMAN ENTSMINGER: Okay. Gideon.
19
20 MR. JAMES: I just want to comment on
21 what Virgil say about the technique of hunting sheep.
22
23 We have to realize that different area,
24 different places have different practice, and different
25 belief and different way of doing our hunting. And
26 this is what we kind of respect here. And I think your
27 point is too extreme, to the point where, you know, you
28 want to change the practice, which we can't.
29
30 And in this area, we're going to hunt
31 when the snow is on the ground, we do it early, like
32 November, when there's no drift, no drift and the snow
33 is slow and when you get it -- shoot it up high you can
34 just drag it off the mountain, that's how we do it.
35 But we don't talk about packing or anything like that,
36 you know, this is how we do it. Because this animal,
37 they come down low at that time of the year.
38
39 CHAIRWOMAN ENTSMINGER: In the winter.
40
41 MR. JAMES: Tree line. They know
42 that's -- that's when we go out there and sometimes
43 there's no snow so we can't get there.
44
45 CHAIRWOMAN ENTSMINGER: Are you hunting
46 in the winter.
47
48 MR. JAMES: A lot of times there is no
49 snow around here in November.
50

1 CHAIRWOMAN ENTSMINGER: November.
2
3 MR. JAMES: Uh-huh.
4
5 CHAIRWOMAN ENTSMINGER: Could I ask
6 someone to pull that door close please.
7
8 MR. JAMES: I just wanted to make that
9 point, that, you know, we need to understand each
10 other, how we take these games and how we practice it
11 in different areas. I understand how you do it, but,
12 you know, don't push it upon the people that live all
13 their life trying to survive from it.
14
15 Thank you.
16
17 CHAIRWOMAN ENTSMINGER: Go ahead.
18
19 MR. UMPHENOUR: There's a possible
20 solution here.....
21
22 CHAIRWOMAN ENTSMINGER: Gideon.
23
24 MR. UMPHENOUR:that might -- you
25 know, Mathew talked about some type of compromise or
26 something. There's a possible solution because I -- I
27 fully can comprehend what you're worried about and
28 that's a whole bunch of people going up there and
29 running too many hunters, that's what you're worried
30 about, and that's an easy thing to solve. But it
31 requires a proposal to the Board of Game, and that's to
32 put a limit on the number of hunters that can hunt
33 there.
34
35 And I think that maybe the Federal
36 Subsistence Board would go along with that. So what
37 I'd like to ask is you people to think about and maybe
38 I could ask Madame Chair if we could take a short
39 little break and you could kind of talk about it, is
40 have a drawing permit hunt for there, you decide how
41 many hunters may be acceptable to go there, say maybe
42 four hunters from outside, or come up with a number,
43 five, six, 10, whatever you want. We know that this
44 year there was a minimum of 12 and maybe more, what
45 would be acceptable to the people of Arctic Village,
46 because I think that the Federal Subsistence Board,
47 regardless of whether we say no, we don't think any
48 non-Federally-subsistence qualified hunters should be
49 able to go there, I think they're going to let them do
50 it regardless of what we say. So the best thing --

1 your best angle of attack is ask that it be a limited
2 number of people, a drawing permit hunt, a lottery
3 hunt, and decide how many hunters -- this is a
4 suggestion, how many hunters would be acceptable to go
5 rather than just have an unlimited number, because what
6 they did this last time was an unlimited number could
7 go and that is what they'll do in the future unless
8 someone makes a suggestion to limit the number of
9 hunters.

10

So could we have a break and.....

12

13 CHAIRWOMAN ENTSMINGER: Yes.

14

15 MR. UMPHENOUR:maybe we could --
16 kind of all of us talk off the record about it a little
17 bit, if anyone has any questions ask -- Sue and I both
18 know about a lot about this drawing permit stuff and
19 we're really involved in it.

20

21 CHAIRWOMAN ENTSMINGER: I just want to
22 get a showing of hands of how many people from the
23 audience would still like to testify.

24

25 Do I see one, one quiet -- okay, we'll
26 call for a break and let's discuss this.

27

(Off record)

29

(On record)

31

32 CHAIRWOMAN ENTSMINGER: Are we ready to
33 come back, okay, the Council is back in session.

34

35 Virgil.

36

37 MR. UMPHENOUR: Thank you, Madame
38 Chair.

39

I move that the Council defer this
40 proposal -- or recommend deferring this proposal for
41 one year and that the Refuge Service, the Refuge
42 manager coordinate with the regional supervisor of Fish
43 and Game in Fairbanks, form a working group to decide
44 what an acceptable sheep harvest or number of sheep
45 hunters it would be in this area and then a proposal
46 needs to be put forward to the Board of Game which will
47 meet exactly a year from this month to discuss issues
48 for this area and this proposal should contain that
49 number of hunters and it be a drawing permit hunt. The
50 Board of Game will take action, of course, a year from

1 right now, usually they meet the first part of March
2 and that will give the Federal Subsistence Board time
3 to take a look at what the working group has come up
4 with and what proposal they've put forward to the Board
5 of Game and what the Board of Game will do.

6

7 Madame Chair.

8

9 CHAIRWOMAN ENTSMINGER: Thank you,
10 Virgil. Do I heard a second.

11

12 MR. WOODRUFF: Second, please.

13

14 MR. UMPHENOUR: I'd like to speak to
15 the proposal.

16

17 CHAIRWOMAN ENTSMINGER: Okay. I want
18 to make sure that we understand Virgil's motion.
19 Anyone have any questions to the motion?

20

21 (Council shakes head negatively)

22

23 CHAIRWOMAN ENTSMINGER: Vince, looks
24 like he has one.

25

26 MR. MATHEWS: Yes, you already have a
27 motion on the floor to adopt the proposal, so do you
28 want to withdraw that motion to adopt the proposal and
29 then take up this motion. That would be the cleanest
30 way.

31

32 MR. UMPHENOUR: Vince, correct me if
33 I'm wrong. The motion I just made was an amendment to
34 substitute for the proposal.

35

36 CHAIRWOMAN ENTSMINGER: To substitute
37 for the first motion?

38

39 MR. UMPHENOUR: Right. What I want to
40 do is substitute that motion for the proposal.

41

42 MR. MATHEWS: Does the second concur
43 with that substitution.

44

45 MR. WOODRUFF: (Nods affirmatively)

46

47 MR. MATHEWS: Thank you.

48

49 MR. WOODRUFF: Yeah.

50

1 MR. MATHEWS: The second shook his head
2 in the affirmative. Thank you.

3
4 MR. UMPHENOUR: Now, I'd like to speak
5 to this.

6
7 I guide in the Koyukuk National
8 Wildlife Refuge. I've been guiding there since 1993.
9 In 1998 because of an influx of moose hunters the
10 quality of the moose was going down, the moose
11 population was going down, but that was because of a
12 combination of hunters and predators, and so a working
13 group was formed. The Fish and Wildlife Service
14 participated in the process. Fish and Game
15 participated in the process. The guides participated
16 in the process. The subsistence users. Advisory
17 Committees from Fairbanks, Middle Yukon, Koyukuk,
18 Anchorage and Kenai/Soldotna. All participated in the
19 process. This is what needs to happen here, except you
20 don't need to have so many people.

21
22 You need to have an open, transparent
23 public process, get the scientific data from the
24 science. Scientists from the Refuge and from the
25 State, both, and decide what is an acceptable number of
26 hunters to hunt in this area.

27
28 From looking at the map, to me, I
29 probably think maybe four hunters a year because I
30 think they said the had 18 in that one report mature
31 dall sheep rams, but that's not legal dall sheep rams,
32 that's mature dall sheep rams. And so I don't know
33 what the appropriate number would be but that's kind of
34 the basis behind my motion to substitute that for this
35 proposal.

36
37 And one other thing, if we don't do
38 this, I think what's going to happen is the same thing
39 that happened last year, is the Federal Subsistence
40 Board will go ahead and approve this proposal, there'll
41 be no limit on how many hunters are going in there and
42 the controversy will go on. This way the people that
43 live in Arctic Village are going to have their say so,
44 they're going to get to sit across the table eyeball to
45 eyeball and question the people from the State and
46 they're going to get to question the people from the
47 Refuge and if some people that want to go up there and
48 go sheep hunting want to show up for the meetings, they
49 can show up and everyone can be there eyeball to
50 eyeball to each other and discuss it and try to figure

1 out the best thing to do.

2

3 Thank you.

4

5 CHAIRWOMAN ENTSMINGER: Other
6 discussion from other Council members.

7

8 MR. CARROLL: Yes, Madame Chair.

9

10 CHAIRWOMAN ENTSMINGER: Yes.

11

12 MR. CARROLL: I sympathize with the
13 Arctic Village hunters here and I'm going to go along
14 with this deferral and I think our argument, we got a
15 slight argument here, but it's -- it's so weak, but in
16 their own words here, with the information that I got,
17 you could almost -- you'd have to be a better speaker
18 than me for sure, but you'd have to find somebody and
19 use their own words against them here, their numbers
20 just don't jive. I mean it doesn't justify opening
21 right now. But I don't think that risk is worth
22 taking. And the proposal for limited hunters is a
23 Federal option and I'd go along with that. I can
24 understand your involvement especially with the
25 traditional use up there, the graves there and there's
26 Native allotments there and your connection to the land
27 and with sheep.

28

29 Their study right here shows that in a
30 17 year period there was hardly any increase in sheep
31 in that area, hardly any, and you got a possible, maybe
32 50 hunters coming in there just by their fly over of
33 the airplanes and those that landed there and I think
34 you'd limit a lot of that if we just go about a
35 different way.

36

37 Virgil raises a good point, they don't
38 even know how many full-curl sheep are there, they're
39 just talking mature and they state it themselves.

40

41 And apparently in a 17 year study
42 there, that area has one of the lowest populations of
43 sheep in Alaska, it's very poor habitat it says, very
44 poor, just can't hardly support what's there. But I
45 think it's a weak argument and one that you're going to
46 lose at, you're going to lose with this argument. It's
47 a weak argument. I could argue with it right now, it's
48 too weak.

49

50 I think we should go with something

1 that will fly and defer this for a year and I know,
2 Gideon, you're frustrated and you want to get this over
3 with, but -- and you've been in politics long enough to
4 know that it can't happen that fast and I sympathize
5 with you, and wish there was more we could do. But as
6 an Advisory Council here, they could pitch everything
7 we say or recommend, they could pitch it to the side,
8 you see, we could be just having a little visit and
9 airing our views to each other and that's all we're
10 going to end up with.

11

That's all I've got to say.

12

13
14 CHAIRWOMAN ENTSMINGER: Very well done.
15 James or -- okay, Gideon, well, I guess we're in
16 deliberation right now, okay.

17

18 MR. JAMES: I just.....

19

20 REPORTER: Wait a second, Gideon,
21 please.....

22

23 MR. JAMES:this is unrelated to
24 -- I just want to point out some other -- I want you to
25 -- I just talked to Virgil a little bit outside and
26 earlier I brought up an issue of resource management
27 and each of us, we live in Alaska, we work in Alaska,
28 we have -- some of our homes are in Alaska, our
29 family's are in Alaska and -- but our politicians kind
30 of steer us in the wrong way, you know, in the last 20
31 or 30 years that I know, our rich state has been
32 strained out by outside people.

33

34 You know, look at the oil company, look
35 at the oil that we did, you know, we just gave half of
36 it away, we never got any good return on it.

37

38 Same thing with our timber industry or
39 fishing industry.

40

The list goes on.

41

42
43 You know, this resource that we're
44 talking about is a very small amount, we need to save
45 it, we need to think really serious about this.

46

47 I just want to say that, you know, our
48 kids never got a good education in this rural area even
49 though millions and millions of barrels of oil have
50 been pumped from our country, you know, and that's just

1 oil alone. But this state is a rich state, our
2 politicians are just giving it away, we need to know --
3 we need to be aware of that.

4

5 Thank you.

6

7 CHAIRWOMAN ENTSMINGER: Okay.

8

9 MR. UMPHENOUR: You should ask the
10 Refuge manager if he's willing.....

11

12 CHAIRWOMAN ENTSMINGER: Anyone else.

13

14 (No comments)

15

16 CHAIRWOMAN ENTSMINGER: Virgil has
17 requested Richard Voss, to ask if your Refuge is
18 willing to take that on.

19

20 MR. VOSS: Richard Voss, Arctic Refuge
21 manager. That's establishing or working with a working
22 group of Fish and Game, users, including Arctic
23 Village, sporthunters, guides, and the -- did you say
24 the Subsistence Board, too.

25

26 CHAIRWOMAN ENTSMINGER: Well, the RAC.

27

28 MR. VOSS: The RAC too.

29

30 CHAIRWOMAN ENTSMINGER: Well, I would
31 hope the RAC's involved, I assume so.

32

33 MR. UMPHENOUR: Yes.

34

35 CHAIRWOMAN ENTSMINGER: Yeah, uh-huh.

36

37 MR. VOSS: Obviously something like
38 this passes up the chain but I would be willing to
39 working with something like that, you know, it goes to
40 my boss, to the boss on up the line. But there's no
41 reason you couldn't have this conversation even if
42 there wasn't a RAC proposal. You could establish this
43 kind of working group just based on.....

44

45 CHAIRWOMAN ENTSMINGER: Directly to
46 Fish and Wildlife Service.

47

48 MR. VOSS: (Nods affirmatively)

49

50 CHAIRWOMAN ENTSMINGER: Yeah, uh-huh.

1 But the Service would be the one to take it on or how
2 on that.

3

4 MR. VOSS: How has this been done.

5

6 MR. MATHEWS: Well, the example that
7 Virgil covered was brought up by the State. I'm not
8 committing the State, I'm just saying historically
9 these working groups have been spearheaded by the
10 State, that's the Koyukuk River Moose Management plan,
11 that's the Innoko, Lower Innoko, I can go down a long
12 list. They're not here so I'm not making their
13 commitment.

14

15 I think what Richard was saying, that
16 this request would be bumped up the chain of command to
17 see if they'd be willing to fund this, it's not a small
18 deal.

19

20 CHAIRWOMAN ENTSMINGER: But the Refuges
21 have also taken on working groups or not, have any of
22 the Refuges ever done a working group thing?

23

24 MR. VOSS: Not Arctic as far as I know.

25

26 CHAIRWOMAN ENTSMINGER: Not Arctic.

27

28 MR. VOSS: I mean I've been on working
29 groups before but we haven't established something like
30 this at Arctic or Tetlin for that matter.

31

32 CHAIRWOMAN ENTSMINGER: I see Don's
33 looking kind of cross like he's thinking, what are you
34 thinking.

35

36 MR. RIVARD: Madame Chair. Don Rivard
37 with the Office of Subsistence Management. I think if
38 this -- if you vote on it the way it's going, this is
39 also going to be heard by the Federal Subsistence Board
40 at their April 30th through May 2nd meeting and your
41 representative, whoever that will be there, the Chair
42 or somebody else, will also be able to give their
43 reasons why they would like to see this formed. We've
44 done this in the past, that's how the YRDFA group got
45 formed last year to look into the fish size, and so the
46 Board they will kind of direct which way this should go
47 and how a working group like this might be formulated.

48

49 Other than that, I can't -- I don't
50 know how it would go.

1 Thank you.

2

3 CHAIRWOMAN ENTSMINGER: Yeah, I'd just
4 like to reiterate, this is probably the key issue I
5 feel the strongest about is people for people to work
6 together and then you're face to face, you're working
7 out problems and you don't have to go and have so many
8 contentious issues a lot of times when you come before
9 these Councils and Board. And this is the kind of
10 stuff that we should be working on, this is really
11 important to how I feel about Alaskans working
12 together, and especially subsistence.

13

14 I see another hand, come on up.

15

16 MS. BROWN: Thank you, Madame Chair.
17 Again, Wennona Brown for Arctic and Yukon Flats
18 Refuges. Not wanting, again, like Vince, to speak on
19 behalf of the State but at some of the other meetings
20 that I've been to where their planners and things have
21 been present, in the last couple years, they have
22 stated that they are fairly strapped for funding to
23 take on new planning meetings. You know, like they've
24 had people asking them to do, you know, moose planning
25 groups in other areas and they've said just both from
26 the funding standpoint and the Staffing standpoint,
27 they're pretty much at their limits right now on what
28 they can take on. So if looking to the State, you
29 know, that might be a question mark on their
30 availabilities.

31

32 CHAIRWOMAN ENTSMINGER: You know I
33 don't think we're suggesting we're looking for the
34 State to do this, because after what Don has said, we
35 have the funding to do things, I'm sure. We did it on
36 the fish side so here's a chance to do something on the
37 game side and I think it's really important.

38

39 Yes, Vince.

40

41 MR. MATHEWS: Yes, on that, I think
42 what both Wennona and I are saying is we don't want to
43 give you great expectations this would be funded. You
44 don't need to be concerned about funding, you need to
45 be concerned about the best way to handle this and if
46 that happens ending up to be funding then that's what
47 will fed back to you, because you'll get strapped down
48 on funding.

49

50 The other thing, Virgil, is you

1 indicated a concern about some kind of quota on
2 hunters, do you want to empower your representative or
3 the Council when they go to the Board have some
4 direction on numbers of hunters or whatever, or do you
5 just want to go with deferral. The Board -- if the
6 Board doesn't defer, I'm not trying to distract from
7 your thing, but if the Board doesn't defer, do you want
8 your person at that Board meeting to have some
9 direction if the Board does not defer.

10

11 CHAIRWOMAN ENTSMINGER: Virgil.

12

13 MR. UMPHENOUR: Yes. But I don't know
14 if the Federal Subsistence Board has the authority to
15 allocate to sporthunters unless they use the just --
16 they would have to justify it somehow, and I don't
17 think they've ever done this. We've tried to get them
18 to do it on the fish side and, in fact, tomorrow we
19 might make some proposals, or I intend to make some
20 proposals -- well, we did with our petition on Area M,
21 tried to get them to do something, and we'll try to
22 something again tomorrow.

23

24 CHAIRWOMAN ENTSMINGER: By a proposal.

25

26 MR. UMPHENOUR: In the form of a
27 proposal. But in this case I would say that the
28 maximum, just from looking at the map and the data
29 we've got, I would say a maximum of four sheep hunters
30 and if they want to take that on and allocate four
31 sports sheep hunters for that area, then that's up to
32 them, but that's what I would say.

33

34 CHAIRWOMAN ENTSMINGER: Vince.

35

36 MR. MATHEWS: Yes, Madame Chair, I did
37 investigate, again, it's only one person, it doesn't
38 mean that it's the actual case, but the Staff Committee
39 representative, I talked to him on break about what
40 authority the Board has, it's his understanding, he's
41 not the solicitor, et cetera, it's just his
42 understanding because your recommendation goes to his
43 level next, is that the Board cannot establish a
44 drawing permit, but it possibly could. It probably
45 would not like to do it, set a quota on the number of
46 hunters, that could go in that area.

47

48 CHAIRWOMAN ENTSMINGER: I mean we could
49 get Warren up here and talk to that, but at break I
50 spoke with him and it's a place where they don't want

1 to go and I don't think we need to go there. I think
2 what Virgil is suggesting is we have a working group,
3 we talk about it, and we know full well that it would
4 probably come down to a proposal to the Board of Game
5 for a drawing. And through the working group then you
6 would determine what those numbers are.

7

8 Giving numbers to the Federal
9 Subsistence Board at this time is premature, I believe.

10

11

12 Does the Council agree with that.

13

14 (Council nods affirmatively)

15

16 CHAIRWOMAN ENTSMINGER: Okay. All
17 right, I think we've probably done as much as we can,
18 does anyone have any more discussion or any more to say
19 to the proposal -- I mean to this motion.

20

21 Call for the question.

22

23 MR. UMPHENOUR: You got to call the
24 question.

25

26 MR. WOODRUFF: Question.

27

28 CHAIRWOMAN ENTSMINGER: The question
29 has been called for. All of those in favor to the
30 motion as Virgil stated, we do understand without me
31 repeating?

32

33 (Council nods affirmatively)

34

35 CHAIRWOMAN ENTSMINGER: Okay. All
36 those in favor of the motion say aye.

37

38 IN UNISON: Aye.

39

40 CHAIRWOMAN ENTSMINGER: Opposed, no.

41

42 (No opposing votes)

43

44 CHAIRWOMAN ENTSMINGER: There's -- and
45 I'm voting with the group, so do I need a roll call.

46

47 MR. UMPHENOUR: No, she got it,
48 it's.....

49

50 CHAIRWOMAN ENTSMINGER: Okay, it's

1 unanimous.

2

3 MR. UMPHENOUR:I mean everyone
4 voted yes.

5

6 CHAIRWOMAN ENTSMINGER: Right.
7 Everyone voted yes, it's unanimous.

8

9 (Council nods affirmatively)

10

11 CHAIRWOMAN ENTSMINGER: Okay. Rapidly
12 moving forward.

13

14 Virgil.

15

16 MR. UMPHENOUR: Move to adopt Proposal
17 WP07-57.

18

19 MR. GLANZ: I'll second that.

20

21 CHAIRWOMAN ENTSMINGER: Thank you. Go
22 ahead.

23

24 MR. RIVARD: Okay. Don Rivard with
25 Office of Subsistence Management. The analysis for
26 Proposal WP07-57 begins on Page 88 in your Council
27 book.

28

29 This proposal was submitted by the
30 Upper Tanana Fortymile Fish and Game Advisory Committee
31 asking that the November moose hunt in Unit 12 be
32 returned to a month long hunt to include all of
33 November.

34

35 The proponents said that the existing
36 November 20 through 30 season does not provide adequate
37 opportunity. It penalizes people who work and can only
38 hunt on weekends giving them only two weekends or
39 basically four days to hunt. Often the temperatures
40 can be between 40 to 50 degrees below zero fahrenheit
41 and the short daylight length, the current season does
42 not provide, again, adequate opportunity.

43

44 The proponent wants a season that
45 extends the entire month of November. The current
46 season is 11 days long from November 20th to the 30th.
47 There is no November season in State regulations.
48 Federal lands include the Tetlin National Wildlife
49 Refuge and part of the Wrangell-St. Elias National
50 Preserve. Residents of Unit 12, 13C, Dot Lake and

1 Healy Lake have a positive customary and traditional
2 use determination for this portion of Unit 12.

3

4 There has been no November moose season
5 in Unit 12 under State regulations since the fall of
6 1974.

7

8 Under Federal subsistence regulations
9 the November 20 through 30 moose hunt season was
10 authorized by the Federal Subsistence Board in 1990 and
11 has remained unchanged since then.

12

13 Moose densities appear stable although
14 at a low density throughout the Tetlin National
15 Wildlife Refuge and northern Wrangell-St. Elias
16 National Park and Preserve with high bull to cow
17 ratios, a diverse adult age class structure, moderate
18 calf production and good recruitment and there is no
19 indication that the population is increasing.

20

21 The moose population may be near or
22 just below carrying capacity. No moose have been
23 reported harvested during the November season within
24 Unit 12 for the past three regulatory years. Many
25 hunters who obtain permits did not participate in the
26 hunt probably due to unfavorable conditions during the
27 limited season and many did not report.

28

29 Recognizing the need to accurately
30 document harvest, the Office of Subsistence Management
31 has helped the Tetlin National Wildlife Refuge Staff
32 install a computer assisted permit issuing process.
33 This new process will require permit holders from the
34 previous year to submit the harvest report before a new
35 permit can be issued. Implementation of this new
36 process, which began in the fall of 2006 should address
37 most of the past harvest reporting deficiencies.

38

39 There's a high probability that the
40 snow cover will not be adequate during the proposed
41 early November season extension to protect the surface
42 vegetation from snowmachine travel on the Refuge or
43 Preserve. By extending this moose season 10 days to
44 November 10th, subsistence users would gain some of the
45 sought after increased opportunity to harvest moose
46 when snow conditions are more likely to be adequate for
47 snowmachine travel. Because reported participation in
48 this hunt has traditionally been low, very low, it
49 would not be expected to result in a substantial
50 increase in harvest for this low density moose

1 population.

2

3

4 Therefore, the preliminary conclusion
5 is to support WP07-57 with modification to provide an
6 additional 10 day opportunity after the current season
7 when snow conditions are more likely to be adequate for
8 snowmachine travel. Therefore, the new November --
9 well, the new fall season would be November 20th
10 through December 10th.

11

Thank you, Madame Chair.

12

13 CHAIRWOMAN ENTSMINGER: Thank you. Any
14 questions.

15

16

(No comments)

17

18

19 CHAIRWOMAN ENTSMINGER: Okay. Vince,
20 you can talk for the State again.

21

22

23 MR. MATHEWS: Yes, Mr. Chairman --
24 Madame Chair, excuse me, they're found on Page 93 and
25 94 of your book, again, focusing on their conclusion.

26

27

28 Participation in the Federal winter
29 season may be very low but incomplete reporting by the
30 hunters is a concern that should be addressed. Moose
31 population appears to be stable but it's at a low
32 density and can support some additional harvest in the
33 winter season. The season changes proposed in the
34 preliminary conclusion may provide some additional
35 hunting opportunity but access to areas where moose are
36 likely to be found at that time of year would be
37 difficult.

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If the Board adopts an extended season,
the Department recommends close monitoring of harvest
and enforce reporting in order to facilitate any
actions that might be necessary should harvest
jeopardize conservation of the moose population in the
affected area of Unit 12.

43 Their justification and further
44 background information, again, is found on Page 93.

46 Thank you.

48 CHAIRWOMAN ENTSMINGER: Any questions.

50 (No comments)

1 CHAIRWOMAN ENTSMINGER: This is my home
2 area. We have Federal agencies next. I might just
3 bring Gail forward, she came all the way from Tok to
4 come to the meeting. So the biologist from the Tetlin
5 Wildlife Refuge. Would you have any more to report
6 than we've already heard.

7
8 MS. COLLINS: No. Basically what's
9 already been said.....

10
11 MR. RIVARD: Identify yourself.

12
13 MS. COLLINS; Oh, I'm sorry. Gail
14 Collins, Tetlin National Wildlife Refuge. The Refuge
15 obviously supports the Staff analysis with the
16 modification. Our concern is that the snow cover in
17 the earlier part of November would not be adequate for
18 snowmachine travel.

19
20 CHAIRWOMAN ENTSMINGER: Gail, you might
21 also give a report of what you've done. There's a Fish
22 and Game Advisory Committee in the Upper Tanana
23 Fortymile country and you were not able to go to the
24 meeting when they -- you want to give a report on all
25 of that and how you met.

26
27 MS. COLLINS: Basically the AC decided
28 to put forth this proposal to the Federal Subsistence
29 Board, and unfortunately neither I nor the Refuge
30 manager were able to be present at that meeting. So
31 afterwards we called another meeting at our Refuge
32 headquarters here last week to try to discuss this a
33 little bit more with the AC, which we did, on Thursday
34 afternoon, to explain to them our concerns about the
35 snow cover. And I think after discussing it a little
36 bit more I think they understood our point of view and
37 not that -- that we were concerned about the snow
38 cover.

39
40 CHAIRWOMAN ENTSMINGER: Okay. I wanted
41 to also add that Amy had called, Amy, our other member
42 from Tok, her and I had talked on the phone, she was
43 very, very, very disappointed that she couldn't be at
44 this meeting, and I think she suggested to you that it
45 could be -- the people, you could say there's not
46 adequate snow cover, the season could still be opened,
47 and can you speak to that.

48
49 MS. COLLINS: I can't speak directly to
50 that because it would have to be something our Refuge

1 manager would have to design. One of the ideas that
2 was discussed at this meeting that we talked about with
3 our AC, was to have more of a to be determined season
4 so there was adequate snow cover the Refuge manager
5 would be able to open it up to allow people opportunity
6 to go out earlier in the season if the snow cover was
7 adequate. But that's -- I mean I'm assuming that would
8 have to be another proposal to the Federal Subsistence
9 Board.

10

11 CHAIRWOMAN ENTSMINGER: I want to
12 continue the questioning here a little bit so bear with
13 me. Are you saying that the Refuge could not have a
14 season open and then just announce that there isn't
15 adequate snow cover.

16

17 MS. COLLINS: My understanding is that
18 if the season is on the books, it would be open. We
19 have a caribou season that we open -- that we do open
20 when there's adequate snow cover, we have opened it in
21 the past but closed it to snowmachine use, so I can't
22 really speak to that. I mean, Tony, our Refuge
23 manager, would have to answer some of those questions.

24

25 CHAIRWOMAN ENTSMINGER: Say that again.
26 You're saying you have a caribou season that it's open
27 but you say, no, that there's not adequate snow cover
28 to use a snowmachine but the season is still open, if a
29 person wants to walk somewhere or do something, they
30 can do that.

31

32 MS. COLLINS: We have a caribou season
33 that is a Federal hunt only that is determined each
34 year when it opens and it's in part determined when the
35 caribou show up and it's in part determined when
36 there's adequate snow cover. And so it's at the Refuge
37 manager's discretion on when to open it. It's not on
38 the books, there's no season on the books. And that's
39 the main difference between our caribou season and this
40 season.

41

42 CHAIRWOMAN ENTSMINGER: Yeah, that's
43 what I was trying to clarify, that's an announced
44 season, and what I'm asking is a different thing, and
45 that is if a season was opened and, you, the Refuge,
46 says there's not adequate snow cover announced that
47 there isn't, they cannot use it, and there's still a
48 season, correct.

49

50 MS. COLLINS: I might defer that to

1 Vince, he may know more.

2

3 MR. MATHEWS: What the Refuge manager
4 would have to do is submit a special action and go
5 through a special action to close that season. So he's
6 not been granted that aut.....

7

8 CHAIRWOMAN ENTSMINGER: I'm not
9 asking.....

10

11 MR. MATHEWS:that authority.

12

13 CHAIRWOMAN ENTSMINGER:I'm not
14 saying that. It's not saying closing the season, it
15 just means the season is open but you're not using a
16 snowmachine for access. Because the Park Service does
17 that, they'll close access but the season is still
18 open.

19

20 MR. MATHEWS: Well, the Board hasn't
21 granted the authority to the Refuge manager to do that,
22 that's the bottom line. The Refuge manager is not --
23 the Board hasn't delegated that authority to the Refuge
24 manager to do that. The Refuge manager just has to
25 enforce what's found on Page 88 under existing Federal
26 regulations, is my understanding. You can ask through
27 an amendment that that be granted to the Refuge
28 manager.

29

30 CHAIRWOMAN ENTSMINGER: No, I don't
31 think that's what I'm asking, and help me out members
32 of the Board if I sound crazy here. But if they have a
33 regulation, the Fish and Wildlife Service has a
34 regulation on the books that they will not allow travel
35 by snowmachine unless there's adequate snow cover,
36 that's their regulation. And if our regulation says
37 there's a season open and that's the Federal Board's
38 privy to open a season and close a season. If we say
39 it's open, then the Fish and Wildlife Service says,
40 man, I don't want any snowmachines running on there,
41 there isn't adequate snow cover, you can announce that,
42 is the way I would interpret it.

43

44 MR. WOODRUFF: Just like the caribou
45 hunt.

46

47 CHAIRWOMAN ENTSMINGER: Yeah, and the
48 season -- the caribou is a different because it's an
49 announced season where they actually announce the
50 season, okay, that's different. What I'm talking

1 about, you know, the access would be closed to a
2 snowmachine but the season would be open if somebody
3 wants to walk and go and do something with a sled or
4 whatever else they want to do.

5
6 MS. COLLINS: I think, you know, part
7 of our concern, though, is that if it is open, that
8 people will push it with their snowmachines. And it's
9 been, at least, my experience in working in different
10 areas, that if it's open and it's open -- if the season
11 is open, even if the snowmachine access is pretty
12 limited people will still go out and push it and go
13 across tundra and do a lot of damage. So I don't know
14 if that's a possibility or not. I can't speak to the
15 regulations, if the Refuge manager could close it to
16 snowmachines, so.....

17
18 MR. VOSS: I think she's right.

19
20 CHAIRWOMAN ENTSMINGER: Could you say
21 that on the record, please.

22
23 (Laughter)

24
25 CHAIRWOMAN ENTSMINGER: I just would
26 like to know because I think in the future no matter
27 what we do today we might come up with a situation
28 where we really care about this. We might have an area
29 where it's easily accessed by foot and a sled. I can
30 pull 200 pounds with one of them toboggan sleds and I
31 can do well with that. But, you know, it just depends
32 on how far I got to go. So I want us to know that
33 there might be situations where you don't want to see
34 that argument, that we're going to close it -- or we're
35 going to go with this because these people wanted an
36 earlier season because there was more daylight and more
37 -- they weren't successful in those 11 days, and I just
38 want this on the record.

39
40 Don has something to say.

41
42 MR. RIVARD: Well, Madame Chair, I
43 think what your Council could do, as part of any
44 recommendation you may have on this, is request that
45 the Board give the Refuge manager the authority or the
46 discretion. Because if it's a Federal subsistence
47 hunt, then I think all means that are legal are open to
48 the hunter, to the Federally-qualified subsistence
49 user. I don't think the Refuge manager has his own
50 discretion to shut off a certain means to hunting

1 unless that authority has been granted to him or her by
2 the Federal Subsistence Board.

3

4 So we're talking use -- we're talking
5 use here. If it's just -- say somebody wanted to go
6 snowmachining in the Refuge, not for hunting, just
7 wanted to go do recreational snowmachining, running
8 around the Refuge, the Refuge manager in that case has
9 the authority to say there's not enough snow out there,
10 I can't let you do it at this time. But if it's a
11 Federal subsistence hunt, I don't think he has that
12 discretion to say, no, you can't use a snowmachine
13 right now because there's not enough snow. I don't
14 think he has that -- if it's legal otherwise, if it's a
15 means to Federally subsistence hunt, then I don't think
16 they have that discretion. But the Federal Subsistence
17 Board theoretically could grant a Federal manager, land
18 manager that discretionary authority based on snow
19 conditions because they do give authority in other
20 things as well. But it has to be real specific from
21 the Federal Subsistence Board to the Refuge manager.

22

23 I hope that's clear.

24

25 CHAIRWOMAN ENTSMINGER: Could I ask
26 Richard if he has any insight on this as it was
27 described here.

28

29 MR. VOSS: I would probably yield to
30 Don's interpretation but as a land manager I think
31 you're right. I think I could establish regulations
32 governing access but that's just me as a past manager
33 of Tetlin but it's still just me. I'd have to go to a
34 higher up source to get a legal opinion on that.

35

36 CHAIRWOMAN ENTSMINGER: So I would take
37 that as we're really not sure. Okay. All right, I'm
38 sorry to take you through all that but I think it's
39 important sometimes to know what we can and can't do,
40 and this time we're really not sure.

41

42 Don.

43

44 MR. RIVARD: Well, the reason I say
45 that and I think we're right, we need to research it a
46 little bit more, is what it would do is it then gives --
47 if that's the case where a Federal land manager -- I
48 won't just say the Refuge manager can say, well, I'm
49 closing this off because I don't think the conditions
50 are right for you to use a snowmachine, then you put

1 authority into their hands where they can shut down a
2 Federal subsistence hunt that maybe they really don't
3 have the authority to do. So we have to research this
4 a little bit more.

5
6 CHAIRWOMAN ENTSMINGER: Don, I will say
7 this, on the Wrangell-St. Elias, there's trails on the
8 north side on the Nabesna Road and it was a really
9 rainy, rainy year and the Park Service closed access to
10 ATVs on the trails because it was just too wet for them
11 and they decided it was too detrimental to the habitat,
12 so I know it's been done by the Park Service.

13
14 MR. RIVARD: We'll research it some
15 more.

16
17 CHAIRWOMAN ENTSMINGER: Okay, let's see
18 where are we now -- we were just into asking questions.
19 I wanted to bring Gail forward because she's leaving
20 and she's the biologist for that. So does anyone have
21 any more questions of the Federal agencies.

22
23 (No comments)

24
25 CHAIRWOMAN ENTSMINGER: Okay, thanks
26 Gail. Next would be Native, tribal or village
27 comments.

28
29 (No comments)

30
31 CHAIRWOMAN ENTSMINGER: Since it's Unit
32 12, they probably don't have too many comments.
33 InterAgency Staff Committee comments.

34
35 MR. EASTLAND: (Shakes head negatively)

36
37 CHAIRWOMAN ENTSMINGER: Okay. Now,
38 Vince, you're going to give us a synopsis of the rest.

39
40 MR. MATHEWS: Yes, Madame Chair. I
41 assume that's Fish and Game -- oh, we did Fish and
42 Game. The comments of Southcentral Regional Council
43 and my understanding is they deferred to the home
44 region and took no action on crossover proposals, so
45 they did not -- they deferred to you guys on this
46 proposal. That'd be the Southcentral Regional Council.

47
48 No other Regional Council I know was
49 going to take up this proposal. So that is where
50 they're at.

1 And then you were at the -- or involved
2 with the Wrangell-St. Elias Subsistence Resource
3 Commission. They unanimously support the proposal as
4 modified in the Staff recommendation to have a November
5 20th to December 10th season. November weather can be
6 bitterly cold and consequently not conducive to
7 hunting. Extending the season an additional 10 days in
8 December would provide additional subsistence
9 opportunity at a time when there's more adequate snow
10 cover for snowmachine use. Commission members have
11 observed that in years when there is a November cold
12 spell the temperatures often moderate in December.

13

14 You already got from Gail Collins
15 additional input from, not officially from the Advisory
16 Committee, but additional input from them.

17

18 Their written comments from the Upper
19 Tanana Fortymile Local Advisory Committee are found on
20 Page 93. They support their proposal for the November
21 season which started November 1 through 30th, no one
22 knows why it changed November 20th through the 30th as
23 the harvest was always low or nil. Moose population on
24 the Refuge are doing well. Subsistence harvest is low
25 during the winter season and this proposal will allow
26 more time for moose to be hunted when families are in
27 need of meat. The extending the season to November 1
28 through the 30th may be a minimal increase in the
29 current subsistence harvest -- may result in a minimal
30 increase in the current subsistence harvest of moose.
31 So the Upper Tanana supports the proposal.

32

33 The AHTNA 'Tene Nene' Subsistence
34 Committee, they support Proposal 57 to open up a moose
35 season earlier in Unit 12 from November 1 through
36 November 30th since this will allow a longer moose
37 hunting season for the Federally-qualified subsistence
38 users.

39

40 So those are a summary of the written
41 comments as I am aware of.

42

43 CHAIRWOMAN ENTSMINGER: Okay. All
44 right, we're down to public testimony.

45

46 (No comments)

47

48 CHAIRWOMAN ENTSMINGER: And now
49 deliberation. Does anyone have anything to say,
50 Council. Go ahead Virgil.

1 MR. UMPHENOUR: Well, the proposal is
2 from your area so I want to hear what you think.

3
4 CHAIRWOMAN ENTSMINGER: Okay. I guess
5 I know the proposer of this proposal and they were
6 thinking so far back it's incredible, they were
7 thinking of State regulations back in the '60s, and,
8 actually, Frank, my husband's, also on that committee
9 and he also -- I guess when that many years go by, you
10 kind of fail to remember that it was under State regs
11 and not under Federal regs, so this Federal season is
12 as he wrote, it was the 11 days since it was started.

13
14 But I guess one of the things that kind
15 of, this is just me talking here, that when Gail met,
16 there was only three of them, there wasn't a whole
17 bunch of conflict that people couldn't show up to the
18 meeting at the Refuge, but the person that wrote the
19 proposal was there, it sounded like they just concluded
20 that it was too difficult to go against them, I guess,
21 because of this snow cover issue. But I know Amy was
22 talking it and she's -- that's why I went through that
23 line of questioning and she thought, well, gee whiz why
24 can't you just let it open sooner because in our area
25 you can't determine what day it's going to be 50 below
26 zero in the month of November or those 10 days in
27 December, that can change from year to year. And the
28 daylight is so short, I guess, me, personally, I was
29 thinking it would be better to have it on the beginning
30 so you'd have more opportunity. But they concluded --
31 they just agreed to the -- the three people that went
32 to that meeting at the Refuge to go with what the Staff
33 has recommended. So that's kind of an analogy of how
34 it went.

35
36 So I guess I don't have any problem, I
37 just can't, in my mind, I'm thinking why in the heck
38 can't you just give the people the opportunity earlier
39 when there's more daylight. But like I said it sounds
40 like the people that live there have decided to work
41 with the Refuge and they'll go with the Staff analysis.

42
43 MR. UMPHENOUR: So do you want to amend
44 it and just go with the Staff analysis.

45
46 CHAIRWOMAN ENTSMINGER: Well, what you
47 have on the floor right now, the proposal as written,
48 correct?

49
50 REPORTER: (Nods affirmatively)

1 CHAIRWOMAN ENTSMINGER: So you would
2 have to, to go with the Staff you would have to do what
3 you did the last time or just make an amendment.

4
5 Go ahead.

6
7 MR. UMPHENOUR: I move that we amend
8 the proposal to the Staff recommendation.

9
10 MR. WOODRUFF: Second.

11
12 CHAIRWOMAN ENTSMINGER: Any discussion
13 on the amendment.

14
15 Question.

16
17 MR. UMPHENOUR: Well, the Staff
18 analysis says there's not a conservation concern, the
19 moose population is low but stable and they don't think
20 there will be that much additional harvest with the
21 extension of season and so this will give the hardcore
22 hunter a little bit more opportunity because you got to
23 be hardcore to hunt that time of year and there's not
24 that much light, like you said, so they're going to
25 have to get out there while it's still dark and be
26 where they want to hunt when it gets daylight and it
27 might be tough hunting.

28
29 Madame Chair.

30
31 CHAIRWOMAN ENTSMINGER: Good analogy.
32 So are you all ready to vote on the amendment.

33
34 (Council nods affirmatively)

35
36 CHAIRWOMAN ENTSMINGER: All those in
37 favor.

38
39 IN UNISON: Aye.

40
41 CHAIRWOMAN ENTSMINGER: Okay, opposed.

42
43 (No opposing votes)

44
45 CHAIRWOMAN ENTSMINGER: I don't know
46 how I feel actually but you win. And now we have
47 before us the main motion as amended.

48
49 Any more discussion.

50

1 MR. WOODRUFF: I got one question.
2
3 CHAIRWOMAN ENTSMINGER: Go ahead.
4
5 MR. WOODRUFF: The way the regulation
6 is written, is it just for the residents of Unit 12 or
7 is it -- like if the road happens to be still open can
8 I drive over there as a subsistence user and use that
9 area, I don't know.
10
11 CHAIRWOMAN ENTSMINGER: You have to
12 have a C&T.
13
14 MR. WOODRUFF: Oh, okay.
15
16 CHAIRWOMAN ENTSMINGER: Do you -- yeah.
17
18 MR. WOODRUFF: Thank you.
19
20 CHAIRWOMAN ENTSMINGER: Do you need to
21 know anything more, because your book is here and you
22 can look. I'm not really sure actually, I think it's
23 just.....
24
25 MR. RIVARD: It's on Page 89.
26
27 CHAIRWOMAN ENTSMINGER: 89.
28
29 MR. MATHEWS: Yeah, it's residents of
30 Unit 12, 13C, Dot Lake, Healy Lake have a positive C&T.
31
32 MR. WOODRUFF: Okay, thank you.
33
34 CHAIRWOMAN ENTSMINGER: Okay. So are
35 we ready to vote on the main motion.
36
37 (Council nods affirmatively)
38
39 CHAIRWOMAN ENTSMINGER: All those in
40 favor say aye.
41
42 IN UNISON: Aye.
43
44 CHAIRWOMAN ENTSMINGER: No opposed so
45 it passes unanimously. How are we doing, do we need a --
46 do one more.
47
48 MR. UMPHENOUR: Yeah, we can do this
49 one real quick.
50

1 CHAIRWOMAN ENTSMINGER: All right.
2 Virgil.
3
4 MR. UMPHENOUR: Move to adopt Proposal
5 WP07-59.
6
7 MR. GLANZ: I'll second that.
8
9 CHAIRWOMAN ENTSMINGER: Go ahead.
10
11 MR. RIVARD: Thank you, Madame Chair.
12 Don Rivard. Council members the analysis begins on
13 Page 96 in your book. Proposal WP07-59 was submitted
14 by the Eastern Interior Alaska Subsistence Regional
15 Advisory Council and requests that the closing dates of
16 the wolf hunting season in Units 12, 20 and 25 be
17 changed from April 30th to May 31st. The proposed
18 regulatory change would provide an additional 31 days
19 for Federally-qualified subsistence users to harvest
20 wolves in those units.
21
22 The proponent wants to provide
23 additional opportunity for subsistence hunters to
24 harvest wolves in the Eastern Interior region
25 incidental to spring bear hunts and to align with State
26 regulations which have the requested extended seasons
27 already.
28
29 This is a resubmittal of Proposal WP06-
30 64 by the same proponent. WP06-64 was rejected by the
31 Federal Subsistence Board in May 2006 stating that
32 extending the hunting season for wolves into the time
33 when wolves have pups in the den is, "contrary to sound
34 wildlife management principles." However the proponent
35 submitted WP07-59 because of the belief that the affect
36 of an extended season would be expected to be minimal
37 on pups as the increase in wolf harvest would likely be
38 small. The harvest would most likely be of animals in
39 the pack other than the alpha female as those other
40 animals range out farther and would be moving about
41 more and therefore be more exposed to hunters than the
42 alpha female.
43
44 You can see the existing regulations
45 and the proposed Federal regulations on Page 96 and the
46 existing State regulations are on Page 97, as well as
47 the customary and traditional use determinations. You
48 can see that there's a lot of rural residents that
49 qualify for hunting in these units.
50

1 There's also extended history you can
2 see on Pages 98 and 99.

3
4 And the current events involving the
5 species are also on Page 99, which I'm going to read
6 some of that. In the fall of 2005 the proponent
7 submitted parallel proposals to the Federal Subsistence
8 Board and the Alaska Board of Game to allow wolf
9 hunting in Units 12, 20 and 25 during the proposed 31
10 day season extension. The Alaska Board of Game adopted
11 the 31 day extension during its March 2006 meeting,
12 explicitly for the purpose of providing opportunity to
13 reduce wolf populations for the benefit of ungulates.

14
15 The Alaska Department of Fish and
16 Game's recommendation to the Alaska Board of Game on
17 this proposal, which was No. 20, was do not adopt
18 because of the poor quality of the hides in May, the
19 negatives effects of hunting wolves when pups are in
20 the den and because the extended season would not
21 result in a significant reduction in the number of
22 wolves and would have little effect on moose survival
23 and recruitment.

24
25 In spite of these comments by the
26 Alaska Department of Fish and Game, the Alaska Board of
27 Game approved the extended season after several Board
28 members expressed their intent to facilitate the
29 reduction of wolf populations to benefit moose and
30 caribou populations, in other words, predator control.

31
32 The Federal Subsistence Board, aware of
33 the State's actions last year in March, rejected the
34 Federal Proposal, that was WP06-64 during its May 2006
35 meeting stating that extending the hunting season for
36 wolves into the time when wolves have pups in the den,
37 is, again, contrary to sound wildlife management
38 principles.

39
40 There is some biological background,
41 some of this has been updated, that's on Pages 100 and
42 101. Wolves occur throughout the Eastern Interior
43 region, Units 12, 20 and 25 and populations are
44 generally considered to be healthy, however, it should
45 be noted that the wolf population is at an all time low
46 in Yukon-Charley Rivers National Preserve and you can
47 see that with Table 1 on Page 101. The wolf density
48 estimate for fall, September/October 2006 is 3.25
49 wolves per thousand kilometers measured using 10
50 adjacent radio collared packs. This is a continuation

1 of a downward trend as shown in the table.

2

3 Harvest history is also on Page 101.
4 Wolves are an important subsistence resource for rural
5 Alaskans. Hunters and trappers continue the tradition
6 of harvesting the economically and culturally
7 significant wolf resource. Most of the annual wolf
8 harvest occurs between November and March when all
9 harvest methods are allowed and is usually incidental
10 to moose, caribou and dall sheep hunting activities.
11 Over the years there have been a number of intensive
12 wolf management programs in parts of the Eastern
13 Interior region and these programs have contributed to
14 the overall wolf harvest levels in these units.

15

16 The effects of the proposal, I'm on
17 Page 102 now. Some of the wolf populations in Units
18 12, 20 and 25 have a harvestable surplus and can likely
19 support the additional harvest that may occur during
20 the proposed season extension. As noted above this is
21 not the case for the wolf population in the Yukon-
22 Charley River National Preserve. This proposal seeks
23 to extend the hunting season to May 31st when wolves
24 shed their fur and the hides are in sub-prime
25 condition. Any person taking a wolf for subsistence
26 uses must salvage the hide.

27

28 At their winter 2005 meetings, both the
29 Eastern and Western Interior Alaska Subsistence
30 Regional Advisory Councils observed that the fur from
31 wolves taken in late summer and fall is sought after
32 for subsistence use. The Eastern Interior Council
33 noted that fur clothing sewers do use the shorter fur
34 wolf pelts for making hats.

35

36 The Western Interior Council noted that
37 the pelts from yearling wolves are highly prized and
38 sought after in the falltime to provide for winter
39 clothing.

40

41 A harvested pelt during the proposed
42 season extension would not generally be considered for
43 use in the making of quality clothing and handicrafts
44 as sub-prime pelts are generally not sought by hunters
45 and trappers, however, the proponents state that the
46 hides of wolves taken in May are suitable for making
47 clothing and handicrafts and that the Eastern Interior
48 Council members have used wolf hides taken in this time
49 period for doing so. The proposed 31 day extension
50 would occur at the end of spring when wolves become

1 more difficult to track and see without adequate snow
2 cover. While the harvest that might result from this
3 proposed regulatory change would likely be small, it's
4 adoption could cause the inadvertent harvest of adult
5 wolves with pups, which could result in the abandonment
6 of the young at the den site and subsequent additional
7 mortality. Adoption of this proposal would align the
8 Federal season dates with the State season.

9
10 Currently rural residents may harvest
11 wolves during May on the affected Federal lands,
12 including National Park Service Preserve lands under
13 State regulations. This proposal, if adopted, would
14 provide for this extended opportunity on National Park
15 Service managed Parks in Units 12 and 20.

16
17 The preliminary conclusion, therefore,
18 on Page 103 is to propose the proposal. The harvest of
19 adult wolves and the possible harvest of post-
20 parturient females in Units 12, 20 and 25 during the
21 month of May will likely result in the death of pups
22 through starvation. The loss of additional pack
23 members who would otherwise contribute to the
24 sustenance of the alpha pairs offspring during this
25 time will be detrimental to the pups survival.

26
27 Accordingly, extending the hunting
28 season for wolves into the time the wolves have pups in
29 the den is contrary to sound wildlife management
30 principles. The hides of wolves taken in May are not
31 prime and are of very low value for the making of
32 clothing and handicrafts. Some handicrafts are made
33 from the non-prime hides with short hair. Spring hides
34 are in the process of winter hair loss. Accordingly,
35 passage of this proposal might be considered wasteful
36 take.

37
38 Federal Subsistence Board policy is not
39 to promulgate regulations specifically for predator
40 control.

41
42 Although this proposal does not state
43 predator control as an objective, parallel action taken
44 by the Alaska Board of Game was recently requested by
45 the proponent and was adopted specifically to reduce
46 predator populations. Again, it should be noted that
47 Federally-qualified subsistence users have the
48 opportunity to take wolves during the month of May
49 under State regulations except on National Park Service
50 Park lands.

1 Thank you, Madame Chair.

2

3 CHAIRWOMAN ENTSMINGER: Any questions.

4

5 (No comments)

6

7 CHAIRWOMAN ENTSMINGER: Okay. ADF&G's
8 comments.

9

10 MR. MATHEWS: Madame Chair, they're
11 found on Page 105. Again, focusing on the conclusion
12 that's there.

13

14 The Department recommends that the
15 Federal Board eliminate its wolf hunting regulations in
16 Units 12, 20 and 25. In the areas where aligning State
17 and Federal regulations is desirable the Federal
18 Subsistence Board should act instead to delete its
19 Federal regulations that duplicate State regulations.
20 State regulations are directly Federally enforced under
21 Federal regulation in 50 CFR 100.14 part (a) and in 36
22 CFR 242.14 (a), which generally adopt State regulations
23 by reference. The State is providing the subsistence
24 preference required by both Federal and State laws for
25 all residents so there is no need for parallel Federal
26 regulations that alternatively duplicate or diverge
27 from State regulations.

28

29 So that's the State.

30

31 I can go on to Regional Council
32 recommendations.

33

34 CHAIRWOMAN ENTSMINGER: Actually that's
35 a pretty big mouthful from the State there.

36

37 (Laughter)

38

39 CHAIRWOMAN ENTSMINGER: Do you guys
40 understand where they're coming from in that.

41

42 MR. WOODRUFF: Yep.

43

44 (Laughter)

45

46 CHAIRWOMAN ENTSMINGER: Enlighten me.

47

48 MR. WOODRUFF: Excuse me. What they
49 seem to be saying to me is that they want to delete the
50 State regulation for the extended -- no. They're

1 advising that the State come in compliance with the
2 Feds.

3

4 MR. UMPHENOUR: No.

5

6 MR. WOODRUFF: No. That's what it
7 sounded, that gobbly-goop.

8

9 MR. GLANZ: The State wants us to get
10 rid of all the Federal regulations in regards to that
11 and go concurrent with their regulations rather than
12 having two to look at -- two different governing
13 bodies.

14

15 CHAIRWOMAN ENTSMINGER: Any more
16 questions.

17

18 (No comments)

19

20 CHAIRWOMAN ENTSMINGER: Any Federal
21 agencies want to speak to this.

22

23 (No comments)

24

25 CHAIRWOMAN ENTSMINGER: Native, tribal,
26 village comments.

27

28 (No comments)

29

30 CHAIRWOMAN ENTSMINGER: InterAgency
31 Staff.

32

33 (No comments)

34

35 CHAIRWOMAN ENTSMINGER: None. Now,
36 Vince is going to summarize for us.

37

38 MR. MATHEWS: Yes, Madame Chair.
39 Western Interior took up this proposal, Proposal 59,
40 they debated this for a fair amount of time and they
41 basically ended up taking no action and defer to the
42 home region.

43

44 The Council recommended no action
45 because the area affected by this proposal was so far
46 from the Western Interior region and the home region as
47 well -- the home region as well, the more directly
48 affected Council. Plus the Southcentral Regional
49 Council had not met to review or comment on this
50 proposal.

1 I need to explain why they thought it
2 was so far away. They interpreted this, that this
3 basically dealing with Park Service lands that are in
4 the far corner of your region and they didn't want to
5 say what to do in that area. But they did review its
6 previous recommendation on this proposal, the one
7 submitted in 2006 and the need to maintain consistency
8 and credibility. Basically what they're saying there
9 is they opposed it last year.

10
11 The minority felt the Council should
12 support the neighboring Regional Council's proposal to
13 provide additional harvest opportunities that is
14 granted by the State for other users.

15
16 The only other Regional Council that
17 addressed this proposal was Southcentral and Warren
18 will correct me if I got it wrong, but they deferred to
19 the home region on crossover proposals, so they
20 deferred on 59.

21
22 So those are the two Regional Councils
23 that dealt with 59.

24
25 And then that moves you into the SRCs,
26 the Subsistence Resource Commissions. There were two
27 that took it up. I will deal with the Wrangell and Amy
28 will do Denali.

29
30 Wrangell-St. Elias took this up and
31 they support the proposal as written. Aligning State
32 and Federal seasons reduces confusion and Federal
33 seasons should not be more restrictive than State
34 seasons. Any harvest during the season extension is
35 anticipated to be quite limited, and such harvest is
36 not anticipated to result in a conservation concern.
37 So Wrangell SRC supports the proposal as written.

38
39 Amy will cover Denali.

40
41 MS. CRAVER: For the record is Amy
42 Craver with the Denali Subsistence Resource Commission.
43 Denali National Park Subsistence Resource Commission
44 unanimously supports the Staff analysis to oppose this
45 proposal. The Commission felt that there is no
46 subsistence reason to harvest wolves in Units 12, 20
47 and 25 during the month of May due to the fact that the
48 fur is not in its prime in May and harvesting wolves at
49 this time could decrease the likelihood of pup
50 survival.

1 Thanks.
2
3 CHAIRWOMAN ENTSMINGER: Any public
4 testimony.
5
6 (No comments)
7
8 CHAIRWOMAN ENTSMINGER: Now, we're into
9 deliberation.
10
11 Did you wan to talk or Virgil.
12
13 MR. CARROLL: Virgil can go first.
14
15 CHAIRWOMAN ENTSMINGER: Go ahead,
16 Virgil.
17
18 MR. UMPHENOUR: Okay, well this is our
19 proposal and I'm going to support our proposal.
20
21 CHAIRWOMAN ENTSMINGER: Okay. Go
22 ahead.
23
24 MR. CARROLL: Richard here. The way I
25 understand it, you know, in the old days the early
26 Native people that's when they would practice their
27 wolf control, is taking them out of the dens and take
28 the pups before they get too big.
29
30 CHAIRWOMAN ENTSMINGER: Nuisance
31 animals.
32
33 MR. CARROLL: Yeah, and this is a good
34 predator control method and I think it should be to
35 extend the wolf hunting season, it's something I'd go
36 along with. It think it's another means of predator
37 control and something I'd support.
38
39 CHAIRWOMAN ENTSMINGER: You might not
40 want to call it predator control right now.
41
42 (Laughter)
43
44 MR. CARROLL: Yeah, I'm sorry. I go
45 along with the proposal based on that and just from my
46 personal experience with wolves and seeing the
47 destruction that they're capable of.
48
49 CHAIRWOMAN ENTSMINGER: I have a
50 question. Would you see people utilize any of that

1 stuff when they harvest them like that. Do they
2 utilize those skins for any reason.

3

4 MR. CARROLL: Oh, yeah. Yeah. Yeah.
5 Regardless of how -- if they're shedding or whatever,
6 it -- no, I've never seen people that throw away their
7 hide, I mean they got a use for everything, you know.

8

9 CHAIRWOMAN ENTSMINGER: They make some
10 things out of them.

11

12 MR. CARROLL: Something. You could
13 trim the door with it if nothing else.

14

15 (Laughter)

16

17 CHAIRWOMAN ENTSMINGER: Keep the heat
18 from escaping.

19

20 (Laughter)

21

22 MR. CARROLL: Yeah.

23

24 CHAIRWOMAN ENTSMINGER: That's
25 important.

26

27 MR. UMPHENOUR: That fur would be soft.

28

29 CHAIRWOMAN ENTSMINGER: Oh, yeah, that
30 pup would be soft.

31

32 I would like to add just one more thing
33 unless there's any other Council members who would like
34 to speak to this -- you guys -- go ahead.

35

36 MR. WOODRUFF: Yeah, I've actually
37 crawled down in the den in the middle of May to look at
38 the pups, not necessarily to harass them or kill them
39 or -- but I know that the fur on pups is just the
40 softest thing you could imagine, it's almost like
41 Kiviut so I can see that it's this resource that can be
42 harvested and used, not to be thrown away. I don't
43 think anyone throws a nice hide away just like Richard
44 said.

45

46 Thank you.

47

48 CHAIRWOMAN ENTSMINGER: I don't think
49 that we're advocating that we're crawling down into the
50 dens.

1 (Laughter)
2
3 CHAIRWOMAN ENTSMINGER: I think what
4 we're saying is if you're out there hunting spring
5 bears or whatever and you see a wolf, that you now have
6 the opportunity to shoot that wolf. And maybe the
7 likelihood I would like to say -- the likelihood of you
8 walking up to a den.....
9
10 MR. WOODRUFF: It's minimal.
11
12 CHAIRWOMAN ENTSMINGER: Yeah, it's very
13 minimal. So I would have -- does the Council agree to
14 that.
15
16 (Council nods affirmatively)
17
18 MR. CARROLL: Yeah, oh, yeah.
19
20 CHAIRWOMAN ENTSMINGER: Okay. And then
21 I also want to say that it's important that we don't
22 have these seasons and bag limits being so different
23 from the State and this does give us more opportunities
24 when you're out there hunting other species if you
25 happen to walk upon a wolf you have that chance to take
26 that wolf and we will utilize that wolf, we are not the
27 kind of people to throw it away.
28
29 So is there any more comments.
30
31 (No comments)
32
33 CHAIRWOMAN ENTSMINGER: I think I heard
34 the call for the question.
35
36 MR. GLANZ: Question.
37
38 CHAIRWOMAN ENTSMINGER: Okay. Question
39 is called for. All those in favor of our proposal No.
40 59 say aye.
41
42 IN UNISON: Aye.
43
44 CHAIRWOMAN ENTSMINGER: Anyone opposed.
45
46 (No opposing votes)
47
48 CHAIRWOMAN ENTSMINGER: Okay.
49
50 MR. UMPHENOUR: Let's take a break.

1 CHAIRWOMAN ENTSMINGER: It passes
2 unanimously. Okay, let's just discuss what do you want
3 to do here. Do you want to break for the evening. Do
4 you want to continue. What's the wishes of the
5 Council.

6
7 I think Nathaniel mentioned to me that
8 he'd like to break.

9
10 MR. NATHANIEL: Yes.

11
12 CHAIRWOMAN ENTSMINGER: There's a yes
13 on this side. And when do you want to start.

14
15 MR. MATHEWS: Madame Chair. What we
16 were going to do is you have an open mic at 7:00,
17 that's when the fundraiser spaghetti deal is going to
18 happen and then people did want to discuss and testify
19 on the Doyon Land Exchange, so that's after the meal.

20
21 CHAIRWOMAN ENTSMINGER: Okay.

22
23 MR. MATHEWS: So that's at 7:00, I
24 talked to Marjorie on that, that would be at 7:00
25 o'clock.

26
27 CHAIRWOMAN ENTSMINGER: We will be
28 doing that formally, Vince, with the mics?

29
30 MR. MATHEWS: Well, the testimony part
31 we have to get formal.

32
33 CHAIRWOMAN ENTSMINGER: Okay.

34
35 MR. MATHEWS: But we don't have to have
36 the meal formal.

37
38 (Laughter)

39
40 CHAIRWOMAN ENTSMINGER: Okay. I just
41 wanted to mention one thing to those who might not have
42 heard earlier, Vince, didn't you put up that food, you
43 bought that with your own money, the stuff that was
44 brought in.

45
46 MR. MATHEWS: Well, some of it was
47 brought in by me and then the tribe brought in the
48 rest, so, yes.

49
50 CHAIRWOMAN ENTSMINGER: Okay. So any

1 contributions towards the meals, it was in the basket
2 up there, would help to defer the cost, so I just
3 wanted to remind you on that. So we will back here at
4 7:00. The meal starts when.

5
6 MR. MATHEWS: She said it'd be 7:00
7 o'clock and she's right behind you and she's smiling.

8
9 CHAIRWOMAN ENTSMINGER: Okay.

10
11 (Laughter)

12
13 CHAIRWOMAN ENTSMINGER: Okay. Sounds
14 good. So then after the meal we'll have the open mic.

15
16 MR. MATHEWS: Yeah, a little bit of
17 testimony because of the Doyon issue, one of your
18 members has been approached that people want to comment
19 on that Doyon Land Exchange.

20
21 CHAIRWOMAN ENTSMINGER: And then we'll
22 -- when do you want to start in the morning, do you
23 want to determine that tonight.

24
25 MR. MATHEWS: It's at your call. I
26 just put down there, I think, 9:00 o'clock, but it's
27 your call, it can be 7:00.....

28
29 CHAIRWOMAN ENTSMINGER: No, 9:00
30 o'clock sounds fine.

31
32 MR. MATHEWS:or it could be --
33 okay.

34
35 CHAIRWOMAN ENTSMINGER: All right, see
36 you at -- okay, one more thing.

37
38 MS. GIMMELL: I just wanted to say
39 thanks for the contribution and that's going towards
40 our spring carnival.

41
42 CHAIRWOMAN ENTSMINGER: You're welcome.

43
44 MS. GIMMELL: So thanks for it.

45
46 (Off record)

47
48 (On record)

49
50 CHAIRWOMAN ENTSMINGER: We're going to

1 do the open mic here pretty soon. Mathew's going to
2 speak to the Doyon Land Exchange so he's going to come
3 up.

4
5 (Pause)

6
7 MR. GILBERT: Hi, it's me again. Well,
8 first off I'd like to backtrack a little and kind of
9 reverse that statement I said about compromise, I don't
10 want to compromise, I want a full closure of the sheep
11 area there, that's all I wanted to say about it.

12
13 Okay.

14
15 About the land exchange. It seems to
16 violate every fundamental value that the U.S. Fish and
17 Wildlife has and it also violates the mission statement
18 of Doyon Corporation.

19
20 I have the Fish and Wildlife Land
21 Exchange Evaluation and Review and under the Doyon
22 Mission it says, I underlined it here, it says:

23
24 To strengthen our Native way of life
25 and to protect and enhance our land and
26 resources.

27
28 So what they're going to do in Fort
29 Yukon is completely destroy the subsistence areas of
30 the land above Fort Yukon and specifically Birch --
31 Beaver Creek which is the main corridor for moose. And
32 it's also protected the Wild Scenic Act and it's going
33 to violate that Act also if they turn that whole place
34 into an industrial complex.

35
36 So I want to know what kind of leverage
37 can the RACs have like against this land exchange.

38
39 CHAIRWOMAN ENTSMINGER: I cannot answer
40 that question so is there anyone here that can.

41
42 Okay.

43
44 MR. MATHEWS: Yes, the Regional
45 Councils -- I'll just go by memory, but it's in Title
46 VIII of ANILCA, can review under the annual report
47 part, can review plans and wildlife management actions.
48 So this would fall under an exchange of habitat which
49 would be part of wildlife management as well as a
50 planning part of the Refuge since the Refuge is

1 exchanging Refuge lands and the Refuge lands were set
2 aside as one of their mandates to allow subsistence
3 activities to continue.

4

5 MR. GILBERT: Weren't the Refuges made
6 under ANILCA for it to specifically protect wildlife
7 and natural resources. I mean hence the word, Refuge.

8

9 (Laughter)

10

11 MR. GILBERT: I mean how are they able
12 to like move forward with this plan, completely
13 subsidizing all those fundamental values of the U.S. Fish
14 and Wildlife and Doyon's Mission Statement.

15

16 CHAIRWOMAN ENTSMINGER: I apologize,
17 for me, personally, I'm not really up on this land
18 exchange and what it means and what's going on. I mean
19 do you know anything from Ft. Yukon. Because I
20 remember, Craig, whenever this -- this was brought up
21 at our Fairbanks meeting, gosh how long ago was that,
22 two years.

23

24 MR. MATHEWS: It was a little over a
25 year.

26

27 CHAIRWOMAN ENTSMINGER: Yeah. So --
28 and I remember Crag, he wanted it as part of a
29 discussion, and there wasn't -- I don't remember a lot
30 about it but I know it wasn't real -- you know a lot of
31 work on it and he leaned over to me and he said, I'm
32 against it but I don't know what we can do.

33

34 MR. GILBERT: Yeah.

35

36 CHAIRWOMAN ENTSMINGER: Yeah. So I
37 mean have you thought about that yourself of things, I
38 thought maybe it was a done deal, is it a done deal.

39

40 MR. CARROLL: No.

41

42 CHAIRWOMAN ENTSMINGER: Okay.

43

44 MR. CARROLL: No.

45

46 MR. GILBERT: Under NEPA they have to
47 conduct an EIS.

48

49 CHAIRWOMAN ENTSMINGER: Okay.

50

1 MR. GILBERT: So that's what they're
2 doing right now.

3
4 CHAIRWOMAN ENTSMINGER: Okay.

5
6 MR. GILBERT: But I'd like to encourage
7 the RAC to oppose the land exchange due to its adamant
8 and direct threat to the subsistence of Fort Yukon
9 Natives.

10
11 So that's my conclusion.

12
13 CHAIRWOMAN ENTSMINGER: Okay. Vince.

14
15 MR. MATHEWS: Yes, Madame Chair and
16 Mathew. We can give the Council a little bit more
17 background information on it. I mean he has the full
18 book there. Wennona, possibly can give just a
19 highlight of this land exchange, of it, so you at least
20 have it on the record of what the exchange is doing.
21 But it is in reference to gas development, there is gas
22 reserves underneath areas within the Yukon Flats area
23 that would be marketable. And that's part of it. But
24 then the other part is the exchange and what's required
25 for the exchange to happen. And I don't know if
26 Wennona's involved with the actual EIS that's ongoing.

27
28 CHAIRWOMAN ENTSMINGER: Okay.

29
30 MR. MATHEWS: And that's not to say
31 anything against Mathew, it's just to make sure that on
32 the record that you have information from the agency
33 that is directly working with it. And while she's
34 coming up, your avenues on this are several. You can
35 attach it to your annual report, but it would probably
36 be most likely -- whatever you want to do with it, it
37 would be to send a letter to the Refuge itself and to
38 Doyon if you decide to take a specific action.

39
40 CHAIRWOMAN ENTSMINGER: And then you're
41 saying our annual report, the one that goes to the
42 Secretary.

43
44 MR. MATHEWS: Well, it could be a
45 separate letter to them. Because I think basically the
46 Board's just going to defer it to them. So it would be
47 best to send it to Doyon as well as the Refuge since
48 this is in the NEPA process, which he's already said
49 and that's through the Refuge. NEPA is the National
50 Environmental Protection Act.

1 MS. BROWN: Policy.
2
3 MR. MATHEWS: It requires an
4 environmental impact statement.
5
6 MS. BROWN: It's National Environmental
7 Policy Act.
8
9 MR. MATHEWS: Policy Act.
10
11 CHAIRWOMAN ENTSMINGER: But doesn't
12 Mathew also bring out a point where -- or you had said,
13 as a RAC we can oppose a land exchange.
14
15 MR. MATHEWS: You can share your
16 comments to the agency on it.
17
18 CHAIRWOMAN ENTSMINGER: Oh.
19
20 MR. MATHEWS: With it. That's why
21 ANILCA had that clause in there.
22
23 CHAIRWOMAN ENTSMINGER: Okay. Okay,
24 that's different.
25
26 MR. MATHEWS: You're not going to have
27 the same standing as you have in front of the Federal
28 Board. If it's the same as if the village here got
29 together here and sent a letter. But, again, my
30 understanding of ANILCA you have that purview because
31 it is going to affect the subsistence use because it's
32 going to change possibly the habitat.
33
34 CHAIRWOMAN ENTSMINGER: I need to ask,
35 Richard, are you involved in this.
36
37 MR. CARROLL: To an extent.
38
39 CHAIRWOMAN ENTSMINGER: Okay.
40
41 MR. CARROLL: Just as -- nothing
42 official, no, but I've attended a few meetings down
43 there at the Fort and it's a big thing, I know it's
44 huge. It's so huge that -- and it's building momentum.
45 My understanding is the possible threat to subsistence
46 use. We're just not talking about the Ft. Yukon area,
47 we're talking about the entire Yukon River, from there
48 on down to the ocean is what we're talking about. I
49 mean the same thing was probably said about the
50 Pipeline crossing the Yukon River 30 years ago, too,

1 but the potential is there. I just think we should be
2 aware of it and express a concern that, you know, we'd
3 like to -- you know, I feel that this Advisory Council
4 should at least be kept abreast of the developments
5 that's going along and say there's a red flag, let's
6 whoa, you know, so we can voice concern, we have access
7 to the public, I mean I think we could be -- I think we
8 should be part of any decisions, myself.

9

10 CHAIRWOMAN ENTSMINGER: We'll have
11 Wennona whatever information she can give us here.
12 It's okay to stay Mathew.

13

14 MR. GILBERT: Okay.

15

16 CHAIRWOMAN ENTSMINGER: Did you have
17 something else.

18

19 MR. GILBERT: Yeah, I did.

20

21 CHAIRWOMAN ENTSMINGER: Different
22 than.....

23

24 MR. GILBERT: No.

25

26 CHAIRWOMAN ENTSMINGER: Go ahead.

27

28 MR. GILBERT: One more thing before I
29 leave, a couple of people that are in support of -- a
30 couple of Native people that are supportive of it in
31 Ft. Yukon, their main argument is that if we don't do
32 it, somebody else will and can the U.S. Fish and
33 Wildlife just like trade valuable wildlife and resource
34 lands just at a drop of a hat.

35

36 I mean isn't it the U.S. Fish and
37 Wildlife, you know, I mean isn't it your guy's mandate
38 to protect wildlife and natural resources and leave it
39 the way they are, its wildlife value.

40

41 Because it says here that on the Yukon
42 Flats, 20,000 lakes and wet lands, the basins drain and
43 periodically recharge by many meandering and braided
44 streams that flow into the Yukon River so like Richard
45 said it's going to be a direct threat, it's going to
46 drain a lot of toxics and different chemical material
47 into the Yukon and the Yukon is where the Gwich'in and
48 Ft. Yukon get all their salmon and also in Beaver, and
49 they also trade the salmon with Chalkytsik and Arctic
50 Village and Venetie so as Richard said it's a really

1 serious threat. It's a really big deal.

2

3 CHAIRWOMAN ENTSMINGER: We'll have
4 Wennona try to clarify some of these, but you're
5 welcome to stay.

6

7 MR. GILBERT: Thanks. No, that's all I
8 wanted to say. I just wanted to encourage you guys to
9 consider this information and oppose the land exchange.

10

11 CHAIRWOMAN ENTSMINGER: Thank you.

12

13 MS. BROWN: Thank you, Madame Chair.
14 Again, Wennona Brown for the Yukon Flats Refuge.

15

16 I must apologize a little bit, I mean
17 -- I'm working primarily from memory on the land
18 exchange. The proposal is Doyon wants 110,000 acres
19 south of Birch Creek and in exchange the Fish and
20 Wildlife Service would get 150,000 acres of Doyon land
21 that would then come under Refuge control. And it's an
22 approximation because the land appraisals are still
23 going on, it's to be an equal value exchange. Although
24 a new development is that Doyon has pledged that it
25 would be no less than 150,000 in order to let the --
26 for evaluation purposes, to let the environmental
27 impact statement proceed without the completion of the
28 land -- of the land appraisals.

29

30 We are in the process of preparing an
31 environmental impact statement and that we expect the
32 draft to be out sometime in the fall for public review.
33 And at that time, you know, we would have -- everybody
34 and everybody that wants a copy can have a copy and
35 information about it is also on the website of Enser,
36 who is the contractor that we have hired to prepare the
37 environmental impact statement. We also will be
38 holding public meetings in all the villages once the
39 draft is released.

40

41 We did hold a series of meetings in
42 each village about two years ago when the process first
43 started, and then we held another series of meetings
44 once the -- we had made the decision to prepare an
45 environmental impact statement and then we went back in
46 each village and held another meeting, you know, it was
47 a scoping meeting. Refuge Staff have also offered to
48 come out to any village that requests a government to
49 government tribal consultation and we have held one in
50 Ft. Yukon. Ted Heur and Anchorage Refuge Staff are

1 going to Circle tomorrow to hold another one. And like
2 I said, we have told all the villages, you know, if you
3 want a meeting, call us up and we'll arrange a date and
4 we'll come out to have the government to government
5 consultations.

6

7 I know they are planning, there will be
8 an .810 evaluation on the environmental impact
9 statement as part of that review process. And if it's
10 found that there would be significant impacts to
11 subsistence then there would be around of .810 hearings
12 in all the villages.

13

14 And I'm not sure -- I can try to answer
15 questions if you have any.

16

17 CHAIRWOMAN ENTSMINGER: Does everyone
18 understand what an .810 is.

19

20 (No comments)

21

22 CHAIRWOMAN ENTSMINGER: I don't. Go
23 ahead.

24

25 MS. BROWN: Under ANILCA, Section .810,
26 requires that any activity that could affect
27 subsistence has to have a review and evaluation
28 documenting those proposed impacts or affects. And
29 that goes everything from Refuge, special use permits
30 to, you know, any activities, compatibility
31 determinations, all that stuff have to have an .810
32 evaluation.

33

34 CHAIRWOMAN ENTSMINGER: Any other
35 questions of Wennona.

36

37 How about you Richard.

38

39 MR. CARROLL: No. Nope.

40

41 CHAIRWOMAN ENTSMINGER: No.

42

43 MR. CARROLL: No.

44

45 CHAIRWOMAN ENTSMINGER: So, okay, do
46 you guys want to do anything tonight on this, or do you
47 want to discuss it tomorrow and come up with something
48 from the RAC, I mean is it more appropriate to wait for
49 this EIS to come out.

50

1 MR. CARROLL: Madame Chair.
2
3 CHAIRWOMAN ENTSMINGER: Yes.
4
5 MR. CARROLL: If it's possible we could
6 -- I think we should ask for information, and ask for
7 some sort of involvement. I think it's within the
8 scope of this Council and the entire Federal
9 Subsistence Board should be. I'm surprised they --
10 I've never heard their name come up, I mean I'm just
11 surprised. I mean everybody's assuming that this is a
12 done deal, it's not a done deal.
13
14 CHAIRWOMAN ENTSMINGER: Uh-huh.
15
16 MR. CARROLL: They're playing
17 politicking and overlooking the impact, the impact
18 study that's going, it's just a front, I mean it's --
19 they're just going through the motions.
20
21 CHAIRWOMAN ENTSMINGER: Uh-huh.
22
23 MR. CARROLL: And, yet, if you talk to
24 anybody involved in the actual negotiations and -- that
25 want it, it's a done deal, you know, it just ain't
26 right and I feel if our responsibility is to see that
27 there's adequate conservation of natural resources for
28 subsistence uses, I think we should be involved
29 somehow.
30
31 CHAIRWOMAN ENTSMINGER: Okay.
32
33 MR. CARROLL: That's the way I feel.
34 And that's me, personally, if the rest of you don't
35 feel that way well that's the way it's going to be.
36
37 CHAIRWOMAN ENTSMINGER: I think we all
38 agree that we want to be involved, it's just exactly
39 where.
40
41 (Council nods affirmatively)
42
43 MR. CARROLL: Yeah.
44
45 CHAIRWOMAN ENTSMINGER: Yeah. Vince.
46
47 MR. MATHEWS: Let me ask, Wenona, you
48 know, generally this Council meets in October, this
49 could be an agenda item, but is the period of public
50 comment for the EIS going to be -- can they take

1 advantage of it or will it already be closed out.

2

3 MS. BROWN: Madame Chair. Vince. I'm
4 not sure because I don't know when the draft is
5 actually going to come out. And there will be -- I
6 mean by law they're required to have at least a 45 day
7 comment period, I suspect it will be longer than that,
8 at least, my recommendation has been that it should be
9 longer than that. And kind of going back to Councilman
10 Carroll's point, you know, in the past we have made
11 presentations to this Council. Because there wasn't
12 anything new from what we had reported at the fall
13 meeting, and usually it comes up in our agency reports,
14 but there wasn't really anything new to present at this
15 time. I think back when we were doing the scoping
16 meetings I did a brief presentation to the Council when
17 we met in Fairbanks about the status of the land
18 exchange at that time. You know, I do try to get --
19 you know, we do Refuge newsletters every couple --
20 about twice a year and do try to make sure that all the
21 Council members are on there to get a copy of our
22 Refuge newsletters and, you know, we do have brief
23 updates in there.

24

25 But also to address Mr. Carroll's
26 point, the Service has committed -- you know the
27 Service will not make a final decision on whether or
28 not to proceed with the exchange until we have
29 considered all comments, you know, once the draft is
30 published. So, you know, if it's the request of the
31 Council, I can make sure that at each future Council
32 meetings that we do have an update on the status of the
33 land exchange and invite any member of the Council any
34 time, you know, to call me or call the Refuge manager
35 and, you know, we can keep you in the loop. And if any
36 of the villages have not have government to government
37 consultations or request one, you know, please either
38 call me or the Refuge manager as well and we can try to
39 get that arranged.

40

41 CHAIRWOMAN ENTSMINGER: Yeah. I guess
42 one thing I'm thinking as I hear all this discussion is
43 us, as a Council, I don't know if we need to vote on it
44 or what, but I think we would want to be sure that we
45 have the opportunity to comment. If that EIS came out
46 and there was 45 days and our meeting hadn't taken
47 place and we haven't commented, then I would request
48 that we have the ability to comment somehow, I mean
49 we're -- if I -- I don't know.....

50

1 MR. CARROLL: Uh-huh.
2
3 CHAIRWOMAN ENTSMINGER:if you
4 were appointed as a contact in the event that we didn't
5 or I mean do you -- I mean I need some help from you
6 guys, how do you look at this, I would just want to
7 make sure that we have the ability to comment. I
8 wouldn't want to see something happen, I know the
9 government moves slow, but sometimes if a comment
10 period ends and you haven't had a chance to send in
11 your comments -- without us meeting then we haven't
12 really said anything but what we're talking about
13 tonight.
14
15 MR. CARROLL: If I may.
16
17 CHAIRWOMAN ENTSMINGER: Yes, go ahead,
18 Richard.
19
20 MR. CARROLL: I'm, you know, I'm still
21 trying to figure out what we're operating underneath
22 here, we have no bylaws, do we even have a mission
23 statement, I don't know, I haven't seen one, you know.
24 You know, I'm just assuming that we're for conservation
25 and.....
26
27 CHAIRWOMAN ENTSMINGER: Oh, yeah.
28
29 MR. CARROLL:preservation of
30 subsistence use.
31
32 CHAIRWOMAN ENTSMINGER: Right.
33
34 MR. CARROLL: Okay.
35
36 CHAIRWOMAN ENTSMINGER: We have a.....
37
38 MR. CARROLL: It just falls within.....
39
40 CHAIRWOMAN ENTSMINGER: Uh-huh.
41
42 MR. CARROLL:you know, our
43 involvement, I think is important.
44
45 CHAIRWOMAN ENTSMINGER: Right.
46
47 MR. CARROLL: And I think our concern
48 to the possibilities of disaster in the Yukon Flats, I
49 think we should state it.
50

1 CHAIRWOMAN ENTSMINGER: Would you like
2 a -- what I want to do is I want to make sure that
3 we're in the loop as far as if there's a comment period
4 that passes by and this Council only meets twice a year
5 and so, Vince, you got some.....

6
7 MR. CARROLL: Well, yeah, you could --
8 this is just a thought that came to mind, you could --
9 with Wennona's suggested involvement on this or
10 suggestions on this would be that you would submit a
11 letter saying that you would like the review process
12 involved with the EIS to place subsistence concerns
13 high on the list or the highest on the list, I don't
14 want to put what words you want, and that you want to
15 be informed and that you would request that the comment
16 period allow you to meet at your normal cycle on that.
17 Because Wennona doesn't know exactly when it's coming
18 out. It's probably going to be available at that time
19 but we can't say for sure. That way you're saying to
20 the powers that be, subsistence's got to be your top
21 thing and et cetera from there and that keeps you open
22 for it.

23
24 Now, you could also throw in there that
25 if this ends up closing before that, that you would
26 like the Council members to have the opportunity or
27 request another meeting, I don't know, that's another
28 option, but the -- yeah, that's all I can say. I just
29 didn't know if we had a timeline, they usually have a
30 timeline with these but.....

31
32 CHAIRWOMAN ENTSMINGER: What I'm
33 hearing then, Wennona, if we requested that the review
34 process include our October meeting, that's doable.

35
36 MS. BROWN: That would be doable if the
37 document comes out before the meeting.

38
39 CHAIRWOMAN ENTSMINGER: Oh, it could
40 come out after.

41
42 MS. BROWN: Yeah, like I said, I'm not
43 sure when it's going to come out, but, I mean if it
44 came out early and it looked like the comment period
45 was going to close before the meeting, you know,
46 anybody can request that the comment period be extended
47 and, you know, give their reasons. And like I said,
48 you know, I fully expect there are going to be -- based
49 on what happened with the draft when it -- or the
50 environmental evaluation document, when it came out,

1 that there was numerous requests that the comment
2 period be extended. So I'm just assuming that there's
3 probably going to be requests for the draft document
4 that those comment periods also be extended. And it's
5 possible if it comes out late enough in the fall, the
6 comment period may be extended beyond when the winter
7 meeting is next year.

8
9 You know, I can't say because I don't
10 know when it's going to come out, but, you know.....

11
12 CHAIRWOMAN ENTSMINGER: Well, it's
13 clear that we want to be in the loop.

14
15 (Council nods affirmatively)

16
17 CHAIRWOMAN ENTSMINGER:so do we
18 need to do anymore as far as this Council as far as in
19 letter format or.....

20
21 MS. BROWN: Madame Chair, yeah, I can
22 take the message back to our Refuge manager or if the
23 Council wanted to send a letter to him themselves, you
24 know, you'd say, you know, the Council would like to
25 stay in the loop and make sure that the Council has
26 opportunity to comment on the draft when it comes out,
27 you know, that would also be appropriate.

28
29 MR. MATHEWS: One last thing that this
30 Council hasn't done but I've just been informed that
31 Southeast has done, is we can have a meeting by
32 teleconference, but fully realize that's got to be duly
33 noticed and everybody's got to have a shot to get on
34 line so it's doable but it's not just you guys getting
35 on line, it's anybody anywhere on the EIS could log in
36 on it.

37
38 CHAIRWOMAN ENTSMINGER: So I think I
39 want to get a consensus from the Council, we just need
40 a letter to go out stating that we definitely need to
41 be in that review process.

42
43 (Council nods affirmatively)

44
45 CHAIRWOMAN ENTSMINGER: And if in the
46 event that we are not in the loop for some reason
47 because of our meeting cycle that we consider a
48 teleconference.

49
50 MR. CARROLL: Or request an extension.

1 REPORTER: Richard, your.....
2
3 MR. CARROLL: Yes. Or request an
4 extension to it.
5
6 CHAIRWOMAN ENTSMINGER: Or request an
7 extension, yes. Okay, do we have a.....
8
9 MR. GLANZ: Yeah, Madame Chair, we have
10 teleconferences all the time with the Fortymile Caribou
11 Herd and that seems to work real well so I can't see
12 why it wouldn't work for this EIS either.
13
14 CHAIRWOMAN ENTSMINGER: That sounds
15 good. Does anyone have anything else to add.
16
17 MR. WOODRUFF: I want to ask Richard
18 something.
19
20 CHAIRWOMAN ENTSMINGER: Go ahead.
21
22 MR. WOODRUFF: Hey, Richard, the way I
23 understand it is that Doyon wants to do this land
24 exchange whether the shareholders, which is a good
25 portion of Ft. Yukon wants to or not; is that correct?
26
27 MR. CARROLL: That's correct.
28
29 MR. WOODRUFF: So the shareholders of
30 Doyon, the corporation, don't necessarily go along with
31 what the corporation wants to do.
32
33 MR. CARROLL: No, run that by me one
34 more time.
35
36 MR. WOODRUFF: Well, as Doyon as a
37 corporation and you guys are the shareholders of that
38 corporation.....
39
40 MR. CARROLL: Right.
41
42 MR. WOODRUFF:then Doyon's going
43 to whatever they want to whether the shareholders like
44 it or not.
45
46 MR. CARROLL: We got, I think, about
47 16,000 shareholders and only about 2,000 come from the
48 Yukon Flats so we're totally outgunned. I've asked
49 other leaders from other villages to respect our
50 request, but whether they will or not, I don't know.

1 Thank you.

2

3 MR. WOODRUFF: Thank you.

4

5 CHAIRWOMAN ENTSMINGER: Thanks,
6 Wennona, if we have anymore we'll grab you.

7

8 MS. BROWN: Okay.

9

10 CHAIRWOMAN ENTSMINGER: Gideon.

11

12 MR. JAMES: First of all that area that
13 you're talking about, upper Beaver Creek, see I have a
14 family connection there because my dad came from Birch
15 Creek and so right now, you know, I don't have a voice
16 over there but I do have a family connection in that
17 area. The way I understand it from the beginning is
18 that a lot of politics played into this issue.
19 Somebody brought up shareholders and other, you know,
20 issue related to corporation, from the beginning Ted
21 Stevens was behind it. And a couple questions that I
22 got, you know, pertaining to that, first -- one of the
23 first things that he did was to appropriate like
24 \$750,000 to have that land exchange happen. And one of
25 the justifications for that money was when the land
26 exchange happened, some of these lands that exchanged
27 would be wet land, and they said that they would make
28 improvement on these wet lands, you know, Fish and
29 Wildlife would do that. But later on, when I asked the
30 question about some other things that they used that
31 money for, was to purchase Native allotments, and when
32 I asked that question that, you know, it was clear that
33 some of the money was being used to purchase Native
34 allotments.

35

36 You know, talking about Ted Stevens,
37 one of his techniques, from the very beginning, when he
38 wrote the Alaska Land Claim Bill, that he has backed
39 the corporation and he has backed up the non-profit
40 people like Tanana Chief, that's what he does, because
41 he wanted that Alaska Native Land Claim Bill to
42 succeed, so that's what he's been doing, he's been
43 doing that, you know, he never gave money to the tribe.
44 You read it in the news that, you know, Ted Stevens
45 never awarded any large sum of funds to the tribe. He
46 thinks it's a failure. Yeah, he said it himself.

47

48 So all this game about land trade, it
49 came from Ted Stevens. So today, you know, a done deal
50 thing, it's not done deal, it's all just one man's

1 game.

2

3

4 So I really think that Yukon Flats
5 people, especially from Ft. Yukon have a lot of family
6 ties in that area, and I know some of these big
7 families in Ft. Yukon raised their voice in opposition
8 to that, we need to listen to that and quit playing
9 political game with this thing and that's what Ted
10 Stevens been doing. Because I know what I'm talking
11 about, I've been around, I've been around 30 years and
12 I seen how these things played into ever since the Land
13 Claim Bill passed. So that's another game that he
14 played, you know, that he wants the corporation to
15 succeed in some way so this is what he did.

15

16

17 The question -- the clarification,
18 probably that you need to look for, again, where the
19 money came from purchasing allotments in that area.
20 And another area is that there was talk about, you
21 know, even though if Doyon back out somebody else will
22 drill. You know, that's all political games that they
23 play to, you know, to have their stake in there. So
24 there is also a lot of organizations that have been
25 established around Yukon Flats and along the Yukon and --
26 and we do -- ever since the environmental issue become
27 an issue there is a lot of villages that have been
28 aware of the contamination that's happened along the
29 Yukon and several different villages, so all that is,
30 you know, is need to be -- need to be pointed out.
31 Because it already -- you know there's already a lot of
32 spots that are not being claimed yet along the Yukon
33 and also out in the village. So it's not -- it's not
34 nothing new.

34

35

36 Like I said there is -- in Fort Yukon,
37 a big family, you know, several big families that have
38 ties over there, you know, that have a history, they
39 have allotments over there and they oppose it, they
40 oppose it strongly but, you know, there's one big
41 family, Alexander family, and they came forward and say
42 we're not starving, you know, we don't need, you know,
43 we need job, we can get jobs, we get jobs, you know,
44 our people can get jobs, that's out right, you know,
45 out right manipulating.

45

46

47 And another thing that I -- I brought
48 it up when they had the gathering down there, is that,
49 we are -- the State of Alaska is in a position to do
50 the right thing in building the gasline. And earlier
51 in the day that I talk to you about, you know, what

1 happened with our oil development, you know, over half
2 of it, Exxon, Mobil, and everybody else make -- make
3 big profits, but State of Alaska has made, you know,
4 they're just barely making their budget paid for. It's
5 a shame. We are a rich state in resource and we got
6 some stupid people running this State of Alaska, I'm
7 telling you. That's just one resources.

8

9 We have mineral.

10

11 We have fishery.

12

13 We have timber.

14

15 It just goes on.

16

17 And we can't -- we can't let people
18 come in and take our resource or take our -- you know,
19 take our stuff that we need for the next generation
20 and, you know, just leave us with less. And, again,
21 like Richard was saying about contamination, it's true,
22 we have -- we organize what they call the Yukon
23 Watershed Council, it's a big organization, you know,
24 it goes all the way to Canada and those are the people
25 we need to listen to.

26

27 So years back, the Yukon Flat people
28 and also the down river people realized that, you know,
29 if we don't do nothing about our water it's going to
30 get contaminated, you know, beyond -- beyond useable
31 stage so they formed this Council and now, you know,
32 now they have advances to the stage where they have a
33 lot of recognition, they get rewards. So there's other
34 ways that we can do this instead of -- instead of
35 trying to contaminate more lands or pollute more water.

36

37 So that's about all I got to say about
38 it.

39

40 But I'm telling you again, Ted Stevens
41 is kind of a, you know, people always scared of him,
42 you know, but things got to stop somewhere, things got
43 to -- somewhere we need to oppose it.

44

45 So I really think that instead of
46 trying to pursue this drilling, I think Doyon and their
47 shareholder needs to go support our Governor and pursue
48 a good, you know, in-state pipeline, so everybody will
49 get benefit, get a better education for our people and
50 stuff like that. So this is the chance that we can't

1 make anymore mistakes. They did that with the oil, you
2 know, so we can't do the same -- we can't go to the
3 same people and make the same mistake again, we can't
4 do that. We need to use our own in-state people to
5 build it, in-state people to benefit from it. That's
6 where Doyon need to put their foot in there and try to
7 get a fair share of the contract and stuff like that to
8 do it. That's what I think because it's a really big
9 gas -- gas pipeline is going to be a big project.

10

11 CHAIRWOMAN ENTSMINGER: Virgil has a
12 question of you.

13

14 MR. UMPHENOUR: Well, I just want to
15 comment just a second. We talked during one of the
16 breaks and what he's basically tired of is the Viking
17 mentality of rape and pillage and extraction of the
18 economy. I'm not trying to be funny it's just -- like
19 Doyon is a real good example, if you want to work for
20 one of Doyon's joint venture big money jobs, it's just
21 the way it used to be when I worked in construction,
22 you had to go to Texas and pre -- to Houston and
23 pretend to be a Texan to get a job at Prudhoe Bay or in
24 one of these big construction projects, you couldn't
25 let them know you even lived in Alaska because they
26 weren't going to hire you. You had to go to Texas to
27 get a job. So it's just the goat-ropers, the oakies,
28 and the coon asses that get to go to work, and that's
29 basically what it boils down to, and so he doesn't want
30 that to happen with the gas pipeline like it did with
31 the oil pipeline.

32

33 And like in 1985 all these idiots that
34 built all these strip malls and stuff around Fairbanks,
35 Alaska Housing Finance Corporation's loaning out
36 millions and millions of dollars to build houses and
37 everything and I said what a bunch of idiots. As soon
38 as that project labor agreement is over at Prudhoe Bay,
39 the only people that are going to get to work are the
40 coon asses, the goat-ropers and the oakies and that's
41 what happened. And then they were selling houses, two
42 years later, for 35 cents on the dollar.

43

44 That's it.

45

46 CHAIRWOMAN ENTSMINGER: Thank you, for
47 that opinion.

48

49 (Laughter)

50

1 CHAIRWOMAN ENTSMINGER: Tell us how you
2 really feel now.

3
4 (Laughter)

5
6 CHAIRWOMAN ENTSMINGER: Yeah, well, I
7 think we're getting beyond our scope by going that
8 direction. But we are here and we can talk about it
9 after we shut off these mics, so I'd like to find out
10 if anyone else would like to speak here tonight.

11
12 Your ready to push that button again.

13
14 MR. JAMES: One of the things that I
15 want to talk about later on is the wolf control.

16
17 CHAIRWOMAN ENTSMINGER: We still have
18 that on the agenda, right.

19
20 MR. MATHEWS: Well, it's coming up
21 under a proposal that's coming up tomorrow.

22
23 CHAIRWOMAN ENTSMINGER: Okay, we'll
24 talk about it then, Gideon, okay.

25
26 MR. JAMES: (Nods affirmatively)

27
28 CHAIRWOMAN ENTSMINGER: All right.

29
30 MS. GIMMELL: Well, I just wanted to
31 let people know here that when the EIS came up with
32 Fish and Wildlife about the land exchange we were kind
33 of hesitant because people tell us, you guys aren't
34 part of Doyon, you guys don't have no say in it so we
35 kind of waited and then -- but then a couple of
36 meetings ago with my Council we passed a resolution to
37 oppose the land exchange. So I just wanted to let you
38 guys know that and like I could go get copies of it
39 tomorrow and give it to you guys to -- to the Council
40 here and U.S. Fish and Wildlife. So just letting you
41 guys know.

42
43 CHAIRWOMAN ENTSMINGER: Thank you.
44 It's Marjorie, right.

45
46 MS. GIMMELL: Yeah.

47
48 CHAIRWOMAN ENTSMINGER: Okay.

49
50 MR. CARROLL: Question.

1 CHAIRWOMAN ENTSMINGER: Yes, go ahead.
2
3 MR. CARROLL: Marjorie, your opposition
4 is based on the threat to subsistence use and
5 environment impacts.
6
7 MS. GIMMELL: Uh-huh.
8
9 MR. CARROLL: It's not based on
10 economic -- it's got nothing to do with that, is that
11 my understanding.
12
13 MS. GIMMELL: Yeah. Yeah. They were
14 even trying to say, well, you guys aren't going to be
15 able to work and all this and that and -- but, you
16 know, I strongly oppose it, I believe in our
17 subsistence way of life, and I wouldn't want anything
18 to happen to the salmon or the land down there because
19 it's going to affect us too. So just letting you guys
20 know we're on top of that.
21
22 CHAIRWOMAN ENTSMINGER: All right.
23 That would be good to have copies of that.
24
25 MS. GIMMELL: Yeah.
26
27 CHAIRWOMAN ENTSMINGER: Okay.
28
29 MS. GIMMELL: Okay.
30
31 CHAIRWOMAN ENTSMINGER: Thank you.
32
33 MS. GIMMELL: Anything else.
34
35 MR. NATHANIEL: Thank you.
36
37 MS. GIMMELL: Um.
38
39 MR. NATHANIEL: Thank you.
40
41 CHAIRWOMAN ENTSMINGER: So is there
42 anyone else that would like to speak tonight with the
43 open mic.
44
45 MR. UMPHENOUR: Richard.
46
47 MR. CARROLL: I'd like to say
48 something.
49
50 CHAIRWOMAN ENTSMINGER: Absolutely.

1 MR. CARROLL: Richard Carroll from Ft.
2 Yukon. When I was introducing myself earlier I did
3 mention something about the corridor, the pipeline
4 corridor and the lack of law enforcement, that affects
5 this area, that affects all along -- all wild game.
6 And I don't know what's been done in the past, but I
7 just know about the bad guys they've caught, that's
8 all, and I'm just disgusted with the lack of
9 enforcement along the five mile corridor of the
10 Pipeline to hunters that -- after -- after they go five
11 miles and they got to pack out 1,200 pounds of meat,
12 you know, they give up, they just don't know what
13 they're getting into. It's, you know.....

14
15 CHAIRWOMAN ENTSMINGER: So it's waste.

16
17 MR. CARROLL: Yeah, there's a lot of
18 it.

19
20 CHAIRWOMAN ENTSMINGER: Yeah.

21
22 MR. CARROLL: And I'm just talking
23 about the guys they catch, there's got to be a lot more
24 people out there that's getting away with things and
25 I'd just like to see a little bit more law enforcement,
26 something done along that corridor. I know it's a
27 huge, you know, 500 miles of it or something but, you
28 know, how many miles of it are they actually hunting,
29 from the Yukon to the Atigun Pass maybe, you know,
30 maybe 300 miles, you know, it's just one of my concerns
31 because it's.....

32
33 MR. UMPHENOUR: Yeah, since we changed
34 Governors. We're -- I'm not sure, does anyone in the
35 room know whether they officially separated the
36 Troopers out again.

37
38 MR. WOODRUFF: They did.

39
40 MR. UMPHENOUR: I think they did.

41
42 MR. WOODRUFF: I got a letter from the
43 Commissioner.

44
45 MR. UMPHENOUR: But anyway, and it
46 seems to me like when we were at that meeting yesterday
47 they said Colonel Folger instead of Lt. Folger, did you
48 hear that.

49
50 CHAIRWOMAN ENTSMINGER: I didn't pick

1 up on it.

2

3 MR. UMPHENOUR: So maybe Gary Folger
4 from Tanana that was a Lt in Fairbanks might have got
5 promoted and maybe he's head of Fish and Wildlife
6 enforcement for the Troopers but I don't know that, but
7 I think it -- because I talked to him a couple weeks
8 ago and he was going to Anchorage and they were
9 discussing how they were going to switch the whole
10 works back over again, but I haven't talked to him
11 since.

12

13 So that might help enforcement. But
14 this has been a problem for years. We actually have
15 less Fish and Wildlife enforcement Troopers in the
16 state now than we did 25 years ago and I know that --
17 well, I know that five years ago we had less than we
18 did 20 years ago and I think we're in worse shape now
19 as far as game warden troopers go.

20

21 CHAIRWOMAN ENTSMINGER: Another problem
22 what they told us, Virgil, at these meetings, they
23 don't have the people that want to go through the
24 academy anymore like they used to. They have open
25 positions in fish and wildlife enforcement that they
26 cannot fill because people are not willing to sign up
27 and go through the academy anymore.

28

29 As far as the village is concerned, if
30 you know anybody that wants to have a future in
31 wildlife, that's a great one. I mean I'm amazed that
32 they don't have the people. And they've lowered their
33 scores. They said a five was possible and you had to
34 have four, and now it's down to two and a half to pass
35 for the academy.

36

37 I wanted to say something to Richard.
38 What you brought up brings up two things, more
39 enforcement, but it also brings up education. I'm a
40 firm believer that somewhere along the line we're
41 missing it on education. I was hunting up on the
42 Fortymile when the caribou was -- and I hate to pick on
43 the military, sorry here, but I saw some real abuse by
44 young military guys. I think what I was also told was
45 young military guys 30 years ago if they moved to
46 Alaska, they were given training and that doesn't exist
47 anymore for our game regulations and what was required
48 of them. I know young military men who are now
49 probably in their 50's told me when they came here 30
50 years ago their people trained them how to take care of

1 meat, all the regulations and to understand things and
2 that training doesn't exist anymore. So I think
3 education is another key that we need to be concerned
4 about. Anywhere that you guys see a possibility that
5 we can train people in our ranks, that's really
6 critical. Go ahead.

7

8 MR. CARROLL: Richard here again. I
9 did not realize that part of the pipeline corridor
10 actually borders the Game Unit 25A. It's just
11 interesting. BLM is actually the one's that's
12 monitoring. There's two stuck trucks out there in the
13 mud up to their axles. They patrol that pipeline every
14 12 hours. How can you miss two trucks wandering out
15 there, you know. Yet it sat there for two months
16 before they found them. It's just something else.

17

18 MR. GLANZ: They found them the same
19 day, Richard.

20

21 MR. CARROLL: Oh, same day? The way it
22 reads in the paper.....

23

24 MR. GLANZ: They caught them the same
25 day. They caught them when the second truck was going
26 in. That's when they spotted them. But they're still
27 there because they can't get them out. They've made
28 many attempts.

29

30 MR. UMPHENOUR: I've got to say
31 something to that.

32

33 CHAIRWOMAN ENTSMINGER: Well, do you
34 guys want to bat this around.

35

36 MR. UMPHENOUR: I just want to make a
37 comment. It might sound like a snide comment. They
38 were dumb ass Air Force guys from Eielson. That's the
39 fact.

40

41 MADAME CHAIR ENTSMINGER: Tell us how
42 you really feel.

43

44 MR. UMPHENOUR: No, that's really what
45 they were. They were Air Force guys with no actual
46 hard-core training of any type whatsoever. I'm not
47 trying to belittle Air Force, but it's just a fact.
48 And BLM had to be idiots to not require them to just go
49 out there and do it immediately because me being an
50 absolute expert at getting stuff really unstuck because

1 of my son when he was a teenager and his buddies with
2 my trucks, they're not that hard to get unstuck if you
3 know what you're doing. Those guys didn't do the right
4 thing.

5
6 CHAIRWOMAN ENTSMINGER: Yeah. Well, I
7 don't know. Sometimes when you talk like this you see
8 places you could encourage -- maybe we should send a
9 letter to the military saying, hey, you know, you
10 better go back to training your personnel about game
11 regs in Alaska and stuff like that. Vince is just
12 dying to talk to us.

13
14 MR. MATHEWS: Well, Western Interior,
15 this has been a major issue with them. They have
16 requested repeated letters for increased law
17 enforcement, increased education. So you have the same
18 avenue. They've had the lieutenant and his command on
19 down, Lt. Loring, come out and actually speak to the
20 Council about law enforcement issues.

21
22 Richard Carroll originally asked what
23 this Council can do. That would align exactly with
24 what Jack Reakoff, the present chair of Western
25 Interior, has been hammering on the table, that there's
26 not enough law enforcement within the corridor.
27 There's one BLM ranger for the whole third of the
28 state. So he's been screaming for law enforcement
29 increase in the corridor.

30
31 Going by memory now, the Western
32 Interior, I think it's in their annual report, is
33 asking for hunter education on the very issues you're
34 talking about, not just focusing on military. They did
35 not focus on that. So those are avenues if you want to
36 take them or I can inform you on what Western is doing
37 on it. This has been a long-term concern in the
38 corridor.

39
40 CHAIRWOMAN ENTSMINGER: So, on our
41 annual report we can actually make these kind of
42 statements that we request.

43
44 MR. MATHEWS: Yes, you could put it in
45 the annual report or directly to BLM and to whatever.

46
47 CHAIRWOMAN ENTSMINGER: Let's get these
48 ideas to you, Vince, and you can put them down so we
49 don't lose them. One is that we do want to contact our
50 military in Alaska to say that education needs to begin

1 again, education and know the game regs. Two would be
2 to the State or how on the law enforcement or just
3 request it?

4

5 MR. MATHEWS: You can request that law
6 enforcement be addressed by the State and the BLM. The
7 Bureau manages that corridor. I don't know the status
8 of their ranger situation out there.

9

10 CHAIRWOMAN ENTSMINGER: Okay.

11

12 MR. MATHEWS: You're answering to the
13 Federal side, which is BLM, and you're signaling also
14 to the troopers or whatever they're defined as now. I
15 don't know what they're defined as, the wardens or
16 whatever they've done with it since the new governor.

17

18 CHAIRWOMAN ENTSMINGER: Well, we count
19 on you channeling our comments in the right direction.
20 If we're doing it wrong, you need to let us know, okay.

21

22 MR. MATHEWS: Okay.

23

24 CHAIRWOMAN ENTSMINGER: It looks like
25 the annual report is the place to go on this. All
26 right. Do we have anything else tonight. We'll start
27 at 9:00 in the morning.

28

29 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 02 through 195 contain a full, true and correct Transcript of the EASTERN INTERIOR FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME I taken electronically by Computer Matrix Court Reporters on the 20th day of March 2007, beginning at the hour of 9:15 o'clock a.m. at Arctic Village, Alaska;

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

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

DATED at Anchorage, Alaska, this 29th day of March 2007.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08