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1 EASTERN INTERIOR SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL
3 PUBLIC MEETING

4
5 VOLUME I

6
7 March 25, 2003
8 9:00 a.m.
9 Nenana Community Hall
10 Nenana, Alaska

11
12
13 COUNCIL MEMBERS PRESENT:

14
15 Gerald Nicholia, Chair
16 Sue Entsminger
17 Allen J. Stevens
18 Jim Wilde
19 Virgil Umphenour
20 Larry Williams
21 Tricia Waggoner
22 Philip Titus
23
24 Regional Coordinator, Donald Mike

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P R O C E E D I N G S

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(Nenana, Alaska - 3/25/2003)

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(On record)

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CHAIRMAN NICHOLIA: Welcome you guys all here to Nenana. I'd like to call this meeting to order of Eastern Regional Advisory Council, and I'd like to go around the table first, and go around the audience and have everybody introduce themselves, starting with Larry over there.

MR. WILLIAMS: Yeah, my name is Larry Williams, I represent Upper Yukon Flats, Fort Yukon, Venetie, and Beaver and so forth, and it's good to be in Nenana.

MR. STEVENS: Allen Stevens, Stevens Village.

MR. UMPHENOUR: Virgil Umphenour, North Pole.

MS. WAGGONER: Tricia Waggoner, Tok.

CHAIRMAN NICHOLIA: Gerald Nicholia, Tanana.

MS. ENTSMINGER: Sue Entsminger, Mentasta Pass.

MR. WILDE: Jim Wilde, Central.

MR. MIKE: Donald Mike, Council coordinator.

MR. DEMATTEO: Pete DeMatteo, Office of Subsistence Management, regional wildlife biologist, Anchorage.

MR. RIVARD: Don Rivard Office of Subsistence Management, Anchorage.

MR. JOHN: Fred John, Jr., Southcentral Council, Mentasta Lake.

MR. VOSS: Greg Voss, Fish and Wildlife Service, Staff Committee member from Anchorage.

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1 MR. SMITH: Mike Smith, Tanana Chiefs
2 council.

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4 CHAIRMAN NICHOLIA: Hey, Michael.

5
6 MR. SMITH: Oh, sorry. I kind of lost
7 track of the sequence here.

8
9 MR. LEWIS: Steve Lewis, supervisor at
10 Fish and Wildlife Service, Fairbanks Fish and Wildlife
11 Office.

12
13 MR. WHITEHILL: Barry Whitehill of Yukon
14 Flats National Wildlife Refuge, Fish and Wildlife Service
15 out of Fairbanks.

16
17 MS. W. BROWN: Wennona Brown, subsistence
18 coordinator, U.S. Fish and Wildlife Service, Yukon Flats
19 Refuge.

20
21 MR. GARDNER: Craig Gardner, Fish and
22 Game, I guess now in Fairbanks. I was in Tok.

23
24 MR. ANDERSON: Fred Anderson, Park
25 Service, Fairbanks.

26
27 MR. HANDER: Ray Hander, Fish and
28 Wildlife Service, Fisheries, Subsistence Fishery
29 Management, Yukon River, Fairbanks.

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31 MR. SHLOSMAN: Joe Shlosman, fisheries
32 biologist for Council of Athabaskan Tribal
33 Governments.

34
35 MS. CELLARIUS: Barbara Cellarius,
36 Wrangell-St. Elias National Park, subsistence
37 coordinator.

38
39 MR. REID: Mason Reid, wildlife
40 biologist, Wrangell-St.
41 Elias National Park and Preserve.

42
43 MS. FRIEND: My name's Connie Friend,
44 Tetlin Wildlife refuge, Tok, Alaska.

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46 MR. DIPPEL: Chris Dippel, Fish and
47 Wildlife Service, Tetlin Refuge in Tok.

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49 MR. BERG: Jerry Berg, fisheries
50 biologist with the Office of Subsistence Management out

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1 of Anchorage.

2

3 MS. WHEELER: Polly Wheeler,
4 anthropologist with the Office of Subsistence Management,
5 Fisheries Information Services in Fairbanks.

6

7 MR. HAYNES: Terry Haynes, Department of
8 Fish and Game, Fairbanks.

9

10 MS. HILDEBRAND: Ida Hildebrand, Staff
11 Committee member, BIA.

12

13 MS. C. BROWN: Caroline Brown,
14 Subsistence Division in Fairbanks, Fish and Game.

15

16 MS. PETRIVELLI: Pat Petrivelli, Office
17 of Subsistence Management in Anchorage, and I'm an
18 anthropologist.

19

20 CHAIRMAN NICHOLIA: Thank you. And our
21 court reporter is?

22

23 MR. HILE: Nathan Hile.

24

25 (Off record)

26

27 (On record)

28

29 CHAIRMAN NICHOLIA: Patricia, do a roll
30 call. Oh, yeah, I recognized you. Philip Titus.

31

32 MR. TITUS: Thank you. Glad to be here.

33

34 MS. WAGGONER: Okay. Philip Titus.

35

36 MR. TITUS: Present.

37

38 MS. WAGGONER: Andrew Bassich.

39

40 CHAIRMAN NICHOLIA: He's absent.

41

42 MS. WAGGONER: Allen Stevens.

43

44 MR. STEVENS: Here.

45

46 MS. WAGGONER: Sue Entsminger.

47

48 MS. ENTSMINGER: Here.

49

50 MS. WAGGONER: Jim Wilde.

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1 MR. WILDE: Here.

2

3 MS. WAGGONER: Gerald Nicholia.

4

5 CHAIRMAN NICHOLIA: Here.

6

7 MS. WAGGONER: Larry Williams.

8

9 MR. WILLIAMS: Here.

10

11 MS. WAGGONER: Virgil Umphenour.

12

13 MR. UMPHENOUR: Here.

14

15 CHAIRMAN NICHOLIA: And at this time I'd
16 like to ask this Board, or this Council if you wanted to
17 appoint a vice chair. It just could be anybody I guess.

18

19 MR. UMPHENOUR: I move to nominate Sue

20 Entsminger.

21

22 MR. STEVENS: I'll second it.

23

24 CHAIRMAN NICHOLIA: There's a second.

25

26 MR. TITUS: Question.

27

28 CHAIRMAN NICHOLIA: There's a second --
29 first and second. The question was called. Sue
30 Entsminger be appointed the vice chair of Eastern
31 Interior. All those in favor signify by saying aye.

32

33 IN UNISON: Aye.

34

35 CHAIRMAN NICHOLIA: All those opposed,

36 same sign.

37

38 (No opposing votes.)

39

40 CHAIRMAN NICHOLIA: Okay. Motion
41 carried. We already did introduction of agency staff and
42 honored guests. Okay. Regional Council members concerns
43 and topics.

44

45 My report would be that there's a lot
46 that went down this past year that concerns Eastern
47 Interior Region. My most concern is that -- would be the
48 fisheries topics. And my biggest concern is that we
49 allowed a change at Toklat from optimum to a biological
50 to allow people up in the Upper Yukon area to be -- fish,

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1 escapement on our spawning grounds.

2

3 The second one is equal reasonable
4 opportunity for upriver users.

5

6 And the third one is the competition for
7 food in the marine environment between wild stocks and
8 hatchery stocks.

9

10 These all go back to one problem. And
11 that problem is lack of leadership in the Department of
12 Fish and Game by the State, and also in the Federal
13 Subsistence Board. And I specifically speak to the
14 leadership trait called moral courage. It's a leadership
15 trait I learned as a noncommissioned officer in the
16 Marine Corps, and as a commissioned officer in the Army.
17 All it is, is having the courage, the backbone or
18 whatever you want to call it, to stand up for what your
19 oath of office is, and what your moral duty is regardless
20 of the criticism that you'll get for doing your job.

21

22 On the Yukon river, in Canada, we've only
23 met escapement one time out of the last five years, and
24 that was in 2001. I don't want to see any more headlines
25 like the one I've got here from July of the year 2000. I
26 don't want to see any more of this where the lower
27 fishery or an intercept fishery, an intercept fisheries
28 throughout the State this happens, where the manager is
29 not held accountable for not making escapement, and so
30 therefore he does not have the moral courage to say no to
31 the commercial fishermen that want to fish and make
32 money. They allow them to fish when they know they
33 shouldn't.

34

35 And then we have what we call reason --
36 that ties into not making escapement, and then
37 restrictions on the upriver users. In the year 2000
38 there was no commercial fishery upriver and the
39 subsistence users were restricted.

40

41 The Department and the leadership has
42 what I call the ostrich syndrome. They stick their head
43 in the sand and ignore valid scientific data from world
44 renowned scientists.

45

46 So we come to the hatchery problem. The
47 State of Alaska dumps 1.6 billion, not million, billion
48 smolts into the marine environment every year. There's
49 been a number of scientific studies, and I brought some
50 of those with me to the meeting, that indicate that chum

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1 and pink salmon from these hatcheries are contributing to
2 lower productivity in the marine environment. And they
3 have found hatchery chum salmon from the hatchery in
4 Juneau, the DiPak (ph) hatchery, in the trawl by-catch in
5 the Bering Sea where all the fish from western Alaska
6 feed in the marine environment.

7

8 But anyway, those are the issues I would
9 like to address tomorrow when we address fisheries.
10 Thank you, Mr. Chair.

11

12 CHAIRMAN NICHOLIA: Thank you, Virgil.
13 Is there anybody else? Patricia.

14

15 MS. WAGGONER: I just wanted to address
16 two issues that I didn't see on the agenda, and that were
17 brought up at the last meeting. Well, just one issue.

18

19 Craig Gardner mentioned the woodland
20 caribou herd around Chisana, and at some point in time
21 maybe we can address that when we talk to the
22 Wrangell-St. Elias Park, but I just wanted to bring that
23 up as a Council to see that, you know, we can insure that
24 somehow if there's any way we can help to keep that herd
25 alive, that we do. And keep that unique diversity in the
26 wildlife population there.

27

28 CHAIRMAN NICHOLIA: Is there anybody else
29 that want to have Council concerns topics, anything?
30 Larry.

31

32 MR. WILLIAMS: Yeah, one of the concerns
33 that I have on the upper Yukon Flats, which I'm
34 representing, is the Chair mentioned it in passing, that
35 with the low moose population. It seems like we've been
36 talking about this low moose population for years and
37 years. I'm the vice chairman of the Yukon Flats Advisory
38 Council, and we're supposed to have a meeting on the
39 27th, this coming Thursday, and I plan to be there.

40

41 Anyway, every time we go to a meeting, we
42 talk about our problems and wring our hands, and say when
43 are we going to do something about this, and our moose
44 are getting lower every year. In fact the Village of
45 Venetie, where I have my home, I can count on one hand
46 the total number of moose that we got this fall, which is
47 a total of four.

48

49 And I was just wondering, every time I go
50 to a meeting, we say we have this problem, and when is

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1 somebody going to do something about it? I mean, that's
2 my concern. And I'm sure it will be brought up again
3 this coming Thursday when we have our Yukon Flats
4 Advisory Council meeting. And I hope I get some answers.
5 There's a lot of people in here that's more educated than
6 I am, got the plaques on the wall which I don't have.
7 And I hope they come up with some answers.

8

9 And another thing is predator control.
10 That's a hot political issue right now. And nobody wants
11 to -- nobody wants to hang onto the ball. They're just
12 passing it from one department to another.

13

14 We have a lot of bears up there, and we
15 -- and according the scientists, all the black bears and
16 brown bears are taking the calves when they're first
17 brown in the spring time. And it's against our culture.
18 They asked me this, okay, you guys can go shoot more
19 bears, and I keep repeating myself over and over again in
20 different meetings that we have. I was on the Yukon
21 Flats Moose Planning Committee, too, for about a year.
22 And I keep repeating myself, that as native people, we do
23 not shoot anything that we don't need, and it's against
24 -- it goes against our culture to shoot something that,
25 you know, we're going to leave behind. And they keep
26 encouraging us to shoot black bears and brown bears. And
27 we say we can't do that unless we need it.

28

29 And another concern of mine is that we do
30 not have enough harvest reporting in the different
31 villages on the Yukon Flats, like Fort Yukon,
32 Chalkyitsik, Circle or Beaver. we should have a
33 centralized office where all our harvest -- supposedly
34 they should be doing that now, but I haven't seen no
35 report. I haven't seen -- I have no idea how many moose
36 were taken on the Yukon Flats here in the last year
37 during the fall hunting season.

38

39 So thank you for your time, and that's --
40 maybe I'll have more concerns after I get more familiar
41 with what this committee's trying to do. Thank you very
42 much.

43

44 CHAIRMAN NICHOLIA: Thank you, Larry. Anybody
45 else?

46

47 MR. MIKE: Mr. Chair, thank you. Donald
48 Mike, Council coordinator. If you haven't done so,
49 please sign in. There's a sign-in sheet at the front
50 door. And if you wish to testify on a particular

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1 proposal, please fill out a council sheet or see me and
2 I'll forward the proposal form to the Chair.

3

4 There's a coffee and hot water in that
5 corner, and the bathrooms are located just to the left on
6 this double door, and both women and men's bathroom.
7 Thank you, Mr. Chair.

8

9 CHAIRMAN NICHOLIA: Since there's no more
10 concerns and topics, you know, since people always travel
11 in and out of our meetings, we'll kind of stick to our
12 agenda, but I'd like to have it more of a floating
13 agenda, because most of the times we always have people
14 coming in here -- that are only allowed so many time, so
15 we'll let them cut in. And if we could agree to that, it
16 would be all right to have a -- we'll stick to our
17 agenda, but it will be a floating agenda. It will be
18 more -- it will appease or guests or presenters more, if
19 you guys would agree to that.

20

21 MS. WAGGONER: I move we adopt the agenda
22 while keeping it a floating agenda for public testimony
23 for those people traveling in and out.

24

25 MR. STEVENS: I'll second.

26

27 CHAIRMAN NICHOLIA: It's been moved and
28 seconded to keep our agenda, but keep it floating. Any
29 questions?

30

31 MR. TITUS: Question.

32

33 CHAIRMAN NICHOLIA: Did you call for
34 question? Okay. All those in favor of having our --
35 keeping our agenda as it as a floating agenda, signify by
36 saying aye.

37

38 IN UNISON: Aye.

39

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

42

43 (No opposing votes.)

44

45 CHAIRMAN NICHOLIA: Okay. We've got our
46 agenda.

47

48 Did everybody read the minutes from our
49 last meeting in Fairbanks?

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1 Yeah, Donald, I think the only thing that
2 Tricia brought up right now is that we -- it seems like
3 we're always -- the Eastern Interior's always agreeing to
4 have their meetings in Fairbanks all the time, and that
5 we promised like Beaver, and we promised another village
6 that we'd have a meeting in a village. And I'd like to
7 see it mentioned in here somewhere that that was our --
8 that was this Council's wishes, because most of our
9 subsistence users we represent don't live in Fairbanks.
10 And they live in Beaver, the live in Tanana, they live in
11 Fort Yukon. They live outside of the hub city, and
12 that's one of my biggest pushes to have the meeting in
13 the villages. It's more -- it feels like -- I feel like
14 we're having more representative than seeing a person
15 come off the street down in Fairbanks try to attend our
16 meetings.

17

18 MR. MIKE: Thank you, Mr. Chair. Yes, if
19 you look at the draft minutes, at our last meeting the
20 Council agreed to have a meeting in Beaver, and the
21 winter meeting will -- or the alternate location will be
22 in Tanana. Thank you, Mr. Chair.

23

24 MS. WAGGONER: Donald, under the meeting
25 locations, after Mr. Rivard made his presentation, it was
26 stipulated by this Council that we wanted to continue to
27 have meetings in the villages, and I think that should be
28 reflected in the minutes.

29

30 MR. MIKE: So noted.

31

32 MS. WAGGONER: It's on page 25 at the top
33 of the page, meeting locations.

34

35 MR. MIKE: Mr. Chair, it's noted.

36 Thanks.

37

38 CHAIRMAN NICHOLIA: Is there any more
39 corrections or additions to our meeting minutes from last
40 fall? Okay. I'll give you a little more time to go over
41 it.

42

43 (Pause)

44

45 MS. ENTSMINGER: Trish, I have a question
46 of you on that. On page 23. (Indiscernible) moose.

47

48 MS. WAGGONER: Yeah.

49

50 MS. ENTSMINGER: It might not be

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1 important, but the 20(E) moose did not have a C& -- or
2 that moose season, was it the moose (indiscernible).
3 Remember, when we were aligning the seasons, it was for
4 the whole unit, wasn't it, not just (indiscernible).

5
6 MS. WAGGONER: But all it was doing by
7 deleting that -- because they've got the two separate
8 areas.....

9
10 MS. ENTSMINGER: Yeah, but I thought it
11 was for the whole unit. That was our intention.

12
13 MS. WAGGONER: Well, maybe.....

14
15 MS. ENTSMINGER: But it didn't get
16 written that way.

17
18 MS. WAGGONER: No, deleting that bottom
19 part makes it the whole unit the same.

20
21 MS. ENTSMINGER: That's not how the
22 proposal got written.

23
24 MS. WAGGONER: No, they just deleted it
25 on the second half.

26
27 MS. ENTSMINGER: I know. But do we want
28 to do that in the minutes or just deal with it when we
29 take it up?

30
31 MS. WAGGONER: When we take it up.

32
33 MS. ENTSMINGER: Yeah.

34
35 MR. MIKE: So I don't have to add it?

36
37 MS. ENTSMINGER: That's correct, sir.

38
39 CHAIRMAN NICHOLIA: It looks good.

40
41 MS. WAGGONER: I move we adopt -- or
42 approve the minutes of the October 8th and 9th 2002
43 meeting as amended.

44
45 CHAIRMAN NICHOLIA: It's been moved. Is
46 there a second?

47
48 MR. WILDE: Second.

49
50 CHAIRMAN NICHOLIA: Second by Jim.

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1 Discussion or anything.

2

3 (No discussion)

4

5 CHAIRMAN NICHOLIA: It's been moved and
6 second to adopt the agenda (sic) of October 8th, 9th 2002
7 with amendment. All those in favor of adopting the
8 agenda signify by saying aye.

9

10 IN UNISON: Aye.

11

12 CHAIRMAN NICHOLIA: Those opposed, same
13 sign.

14

15 (No opposing votes.)

16

17 CHAIRMAN NICHOLIA: Motion carries with
18 the amendment.

19

20 Donald, do you want to say anything
21 before we go on to the wildlife regulatory proposal
22 review and recommendations?

23

24 MR. MIKE: Yes, Mr. Chair. Thank you.

25

26 If we can follow the proposal review
27 procedure, I think it will help things move along. If
28 you look at the -- under Page 1, we have proposal review
29 procedure. Introduction of proposal. The Chair can do
30 the introduction, or I can do it if you wish me to, so --
31 biological/sociological-cultural staff analysis
32 presentation. Agency comments includes Federal, State
33 and private. And open the floor for public comments
34 specific to the proposal. And summary of written
35 comments, and I'll go ahead and read that to the record.
36 And finally Regional Council deliberation and
37 recommendation and justification.

38

39 If we could follow that procedure, I
40 think it will help move things smoothly.

41

42 Thank you, Mr. Chair.

43

44 CHAIRMAN NICHOLIA: Yeah, I'd like to do
45 this in more like a more fashionable way where we move to
46 adopt a proposal and then second it, and then before we
47 call question or anything, I'd like to have a discussion
48 where -- well, like before we introduce a proposal we
49 have to move and adopt, and then when we get down to
50 Regional Council deliberation and recommendation,

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1 justification, well, that's when we call the question and
2 -- or for discussion. It will make it a little bit more
3 easier for me.

4

5 MR. MIKE: Mr. Chair, do you want me to
6 go ahead and introduce the proposal, and I can present
7 the -- I can introduce the staff personnel that will be
8 doing the analysis?

9

10 CHAIRMAN NICHOLIA: I'd like one of the
11 -- propose -- like when we first started out before I
12 became the chairman, is that we -- like I said, I move to
13 adopt Proposal, Wildlife Proposal 03-01, executive
14 summary, or something like that, and then it will be
15 second, then we go through it.

16

17 MS. WAGGONER: I move to adopt Proposal
18 WP03-01.

19

20 MR. UMPHENOUR: Second.

21

22 MR. MIKE: Mr. Chair, Proposal 1 is a
23 proposal that would adopt a statewide provision allowing
24 the taking of wildlife for use traditional funerary or
25 mortuary ceremonies. The proposed regulations would
26 simplify and standardize existing regulations, and
27 provide opportunity to all Federally-qualified
28 subsistence users. And Pat Petrivelli, the OSM
29 anthropologist will do the staff analysis.

30

31 Thank you.

32

33 MS. PETRIVELLI: Mr. Chairman, I'm
34 Patricia Petrivelli with the Office of Subsistence
35 Management. 03-01 was submitted by the Office of
36 Subsistence Management, and it requests -- oh, the
37 analysis begins on Page 34 of Tab B of your meeting book.

38

39 This proposal requests that the Federal
40 Subsistence Board establish a statewide Federal
41 regulation allowing the taking of wildlife for religious
42 and ceremonial potlatch purposes. Currently the
43 regulations have unit-specific provisions on the basis,
44 and this would make it statewide.

45

46 Adoption of the proposal would
47 standardize and simplify Federal subsistence wildlife
48 regulations and extend an opportunity to all
49 Federally-qualified subsistence users to harvest wildlife
50 for use in traditional religious and ceremonial

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1 potlatches.

2

3

4 The proposed regulations require that
5 harvesting does not violate recognized principles of fish
6 and wildlife conservation and prior notice just be given
7 to the delegated local manager.

7

8

9 There is another proposal that you'll be
10 looking at, and it's Proposal 12. So if Proposal 1
11 doesn't get adopted for the statewide provisions, we'd
12 like your recommendation on 12 which would adopt another
13 unit-specific provisions. But we'll deal with that later
14 I guess.

14

15

16 Existing regulations for religious and
17 ceremonial purposes are in Appendix A, on Page 41. And
18 the main points of the proposed regulation though is that
19 you can take wildlife outside of the season or harvest
20 limits for traditional religious ceremony for funerals
21 or mortuary ceremonies.

21

22

23 The person organizing the ceremony must
24 contact the Federal land management agency with
25 information about the species and location that it will
26 be taken. There can't be any violations of principles of
27 fish and wildlife conservation. A report must be filed
28 with the Federal land management agency within 15 days
29 after the harvest. No permit or harvest ticket is
30 required, but the harvester must be an Alaskan resident
31 with C&T for the resource in this area.

31

32

33 With those existing regulations, we have
34 provisions in 13 of 26 wildlife management units. And
35 even though there's variation between those unit-specific
36 regulations, the main requirements are that -- those that
37 I outlined with not violating the recognized principles,
38 information about the -- and providing information about
39 the activity, and in the case of funerary/mortuary
40 ceremonies, the name or names of the decedent, and
41 reporting requirements, and the name and address of the
42 harvester.

42

43

44 With the State regulations, those are
45 listed on Page 35 of the book, and when we made this
46 proposal, the State was in the process of changing their
47 regulations, and so -- and Terry Haynes will be bringing
48 that modified language, and I guess eventually -- usually
49 the intent is to try to modify the language to be
50 consistent with State regulations so that there would be
51 less confusion, but -- and I think we've listed the major

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1 changes they've made on Page 36, but he'd better address
2 that.

3

4 The proposed language that we have for
5 the preliminary conclusion we have is on Page 38, and you
6 can see we've tried to change the proposed language a
7 little bit to try to adjust it to the State language.
8 But what this language says, and I think there's been
9 some feedback, but anyway it just has some of the
10 languages or some of the wording changes we've modified
11 from our own proposal. And then it also shows how with
12 the existing regulations the ones that we would revoke,
13 and so we'd revoke certain ones, because they would be
14 accommodated by the new changes, and then we'd keep other
15 ones, because they're unit-specific and they're not
16 covered by funerary or mortuary. So those are listed on
17 page 39 and it goes to 40, the ones that we'd remove and
18 keep that are unit specific.

19

20 And I guess -- oh. At the time this
21 analysis was written, it was felt even though -- with the
22 prior notifications -- oh, for Units 21 and 24, since we
23 say person or tribal government organizing the ceremony,
24 that it would just leave the responsibility to the tribal
25 government.

26

27 With the justification, that's on page
28 40, we'd just -- adoption of the proposal would recognize
29 the importance of wildlife in Alaska native ceremonial
30 and religious activities statewide. The modified
31 proposed regulation is a product of combining portions of
32 the various unit specific regulations and the newly
33 adopted fish regulations, because we went through this
34 process for the statewide ceremonial use of fish.

35

36 And goals of the proposal include
37 standardizing the regulations, and, more importantly,
38 extending equal opportunity to all Federally-qualified
39 subsistence uses. The regulatory change would not impose
40 additional requirements in most units, except for Units
41 21 and 24 where you would have the prior notification.
42 However, the modified proposed regulatory language would
43 allow the person, designees or tribal government official
44 organizing this ceremony to contact the appropriate land
45 manager. This flexibility removes the burden from the
46 hunter and provides protection from undue harassment by
47 law enforcement personnel. The potential for such
48 occurrences have increased with recent changes to State
49 of Alaska hunting regulations.

50

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1 The regulatory language provides for the
2 conservation of wildlife populations, however, little
3 additional harvest is anticipated as the practices have
4 been ongoing under the State of Alaska and in some cases
5 Federal provisions. Those unit regulations that are
6 species specific, ceremonial specific, or those with
7 special provisions would not be changed.

8

9 And that concludes my analysis.

10

11 CHAIRMAN NICHOLIA: Yeah, Pat I had a
12 little question or concern. Harvest up to three moose
13 for the Nuchalawoyya potlatch, you know, Tanana in and
14 Unit 21, we're mostly in Unit 20, and I don't think we'd
15 like to go around Ruby, but this -- I just want to see if
16 that's a clarification there, because Nuchalawoyya does
17 happen in Tanana.

18

19 MR. UMPHENOUR: I'd like to ask, on Page
20 38, at the bottom, paragraph 3, it says each person who
21 harvests wildlife under this section, and then it goes
22 through the reporting requirements. My question is this,
23 in paragraph 1 it says prior to taking the wildlife, the
24 person and then they put or designee or tribal government
25 organizing the ceremony, contacts appropriate federal
26 land management, or manager. Why is it that the person
27 that makes the contact prior is not the same person that
28 is going to make the post report?

29

30 MS. PETRIVELLI: I'm going to do --
31 first, I'm going to with Gerald's question about the
32 unit-specific and then I'll come to your question, okay?

33

34 With -- on page 44 we do allow -- we do
35 recognize Nuchalawoyya in Unit 20, and it's just when we
36 summarized it, we left it off, so it is in our actual
37 written regulations. Nuchalawoyya is recognized. And so
38 I guess we would retain it in 20 since it's existing
39 there, so that was just a clerical mistake, because in
40 the actual regulations it's allowed.

41

42 Okay. Now, with the idea of -- with
43 Virgil's question, the prior notification is meant
44 because we're wrestling with the fact that some people
45 find it question -- wrong to announce that they're
46 hunting, and to be culturally sensitive. But what we
47 want to do is have another person if -- to accommodate
48 that cultural sensitivity, notify the agency so that
49 enforcement people could be told that they'd be out
50 hunting out of season. So that's the reason it could be

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1 different. But the person who actually harvests the
2 moose always has the responsibility to report the
3 harvest, but they don't have to notify, the person, to
4 take into account cultural sensitivities.

5

6 CHAIRMAN NICHOLIA: Pat, I still think it
7 should be written the other way, because that just goes
8 -- that just goes against my nature. I mean, that that
9 goes against my cultural beliefs that prior to the taking
10 of wildlife, it should be prior to the notice of death
11 that this community or thing or somebody will -- just a
12 notification that a tribal person died. We don't talk
13 about how we're going to go out there and catch moose or
14 catch fish or something for this potlatch. It's just
15 totally against my cultural beliefs around Tanana.

16

17 I'd like to support this idea, but I
18 don't think we should have that prior to, the person or
19 tribal government. Maybe the tribal government organizes
20 the ceremony, but the tribal government hardly organizes
21 the ceremony. Where I come from, it's mostly the family
22 and the relatives involved. I mean, just by noticing
23 that like somebody passed away in Tanana, everybody will
24 know that, and then after they get the moose, maybe the
25 moose or caribou or whatever, is that they could I mean
26 notify you who got it at 15 days, but I don't think it
27 will -- I don't think I'll garner no support from the
28 people who I represent if prior to taking of wildlife the
29 person -- that should just be scratched out of there, or
30 designee or tribal government organize the ceremony. It
31 says prior to the taking of wildlife, the family, maybe
32 one of the family members could go up there and say
33 something that they're going to get it.

34

35 But all you managers and all you State
36 and Federal people know how we put on potlatches for our
37 people. I think most of you guys know in here how we do
38 it, and we don't have to be so, what you call it,
39 micro-managed in this fashion against my cultural
40 beliefs. I don't think it's right for the Federal agency
41 or Federal Government to go in that direction.

42

43 If there's anybody else that could speak
44 up to that, speak now,

45

46 MS. ENTSMINGER: Yes, thank you, Mr.
47 Chair. I'm trying to understand everything here.
48 Currently potlatch moose is all under the State, and no
49 Federal permits are required?

50

00019

1 MS. PETRIVELLI: Currently there are
2 State provisions, and there are unit-specific provisions
3 that are outlined here, and so people can do the
4 mortuary/funerary potlatches under the State provisions.
5 There are some instances, like if this regulation doesn't
6 pass, like on certain park lands where the State
7 regulations wouldn't apply I think. But pretty much it
8 -- State regulations would cover all the funerary
9 potlatches.

10

11 MS. ENTSMINGER: So except for park
12 preserve and park.....

13

14 MS. PETRIVELLI: I think this.....

15

16 MS. ENTSMINGER:or just park?

17

18 MS. PETRIVELLI: Park. Yeah. Not the
19 preserve, but just the park.

20

21 MS. ENTSMINGER: In my mind, it's best to
22 keep everything simple, and this seems like we're making
23 things a lot more harder for people to do something.

24

25 MS. PETRIVELLI: And I guess it -- well,
26 you could say either that, oh, because we have such a
27 patchwork of like unit-specific provisions, if we just
28 consistently followed the State so that we would just
29 parallel the State provisions so someone would know that,
30 and I that would be the eventual goal. But they just
31 happened to change their regulations right as we were
32 circulating our proposal. But I think our original goal
33 was to mirror the State regulations so that a user would
34 be following both State and Federal regulations, because
35 they would be exactly the same. And so as soon as Terry
36 comes up, and then he would testify and say what the
37 State regulations are, but ideally -- and that way no one
38 would just be following State or Federal, no matter what
39 lands they were on.

40

41 CHAIRMAN NICHOLIA: Yeah, I read this
42 thing from the start from one of these, and then when you
43 get down to part 3, it's like a totally different thing.
44 If I was going to be doing something for my family, like
45 doing something like this, I'd be confused, and I'd be
46 more reluctant to go by this right here, than just do a
47 simple report to the agency persons than trying to figure
48 out -- do all kinds of paperwork and stuff where most
49 people that do get confronted with paperwork anytime in
50 my region, I know that they're just going to avoid it.

00020

1 So do you guys take that into consideration at any point
2 in time on this deal?

3

4 MS. PETRIVELLI: I think we try to when
5 we were doing the proposed language, and I think we're
6 trying to mirror what the State had done in the past, and
7 then also what we had done with the fish, because we'd
8 just done the round of fish ceremonial regulations, so we
9 were trying to consistent -- be consistent and trying to
10 make it easier on the user. But if you have suggestions,
11 we'd certainly appreciate it.

12

13 CHAIRMAN NICHOLIA: I know I'm not going
14 to support this on this Page 38, because it's just too
15 cumbersome for a person that's going out and do something
16 for their family to bury somebody or have a memorial
17 potlatch, it's just -- it's just -- you don't imagine,
18 sometimes it's one family member doing everything, or
19 sometimes it's three and four. You don't imagine how
20 hard it is for them to put on this thing, and they're
21 going to have to take the time to do all this paperwork
22 and stuff, I don't think that's going to fly.

23

24 And if I had a suggestion, I'm -- prior
25 to taking of wildlife, that should just -- prior -- it
26 says prior -- it should just say prior to -- I don't even
27 think that should even be there. That should say
28 something like when, to a death of a family member, that
29 they're to -- Government organization or the family shall
30 notify the Federal land manager.

31

32 Then another thing about this, that it
33 doesn't explain anything too much, is that these -- this
34 regulation ain't going to apply on State lands, right?

35

36 MS. PETRIVELLI: Our regulations only
37 apply on Federal lands.

38

39 CHAIRMAN NICHOLIA: Okay. It should be
40 mentioned here at some point -- somewhere in time (ph)
41 that these regulations only apply on Federal lands, so
42 that -- and in the Eastern Interior Region, that will
43 only be the Yukon Flats area, maybe by Denali, maybe in
44 the upper end of this Tanana River. Yukon Charley, and
45 where Jim Wilde is at, but there's a big difference in
46 this region where some members in this region
47 Federally-qualified subsistence users don't practice the
48 same as Tanana or Eagle. There's a big difference in
49 there, so I don't think Unit 25 will be the same as Unit
50 20. So it's going to have to be Unit specific. That's

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1 what I was -- so I'm just trying to hit that. Virg.

2

3 MR. UMPHENOUR: Okay. My question is
4 this, on page 36 down near the bottom, it starts out
5 saying, additionally. And then it talks about the Alaska
6 Board of Game adopted regulations exempting the Koyukon
7 from prior notification, because of religious customs,
8 and did not modify its regulations providing for the Unit
9 21 recurring Koyukon potlatch. And it goes on to talk
10 about the potlatch at Tanana and then the one that's
11 either at Nulato or Kaltag. And so this is not reflected
12 in this proposal, is it?

13

14 MS. PETRIVELLI: Oh, the exemption?
15 Well, the proposed language we have, the unit-specific
16 provisions that would be exempted are under -- for the
17 Nuchalawoyya potlatch in 20 and 21, and in the
18 Kaltag/Nulato Stickdance in Unit 21. So those are
19 exempted. Those -- or they would remain the same as
20 existing in the provisions. So whatever provisions are
21 in there would remain the same, so for like.....

22

23 What might be confusing is because we say
24 they could take up to three moose per regulatory year,
25 and that unit-specific regulations doesn't mention the
26 prior notification. But if we would standardize our
27 language exactly like what the State did, then it would
28 have those provisions.

29

30 CHAIRMAN NICHOLIA: Maybe Terry could
31 shed some light on this.

32

33 MR. HAYNES: Thank you, Mr. Chairman.
34 Terry Haynes, Department of Fish and Game. I'm the
35 Department's liaison to the Federal Subsistence Board on
36 wildlife issues.

37

38 Let me just start by describing generally
39 the new State ceremonial harvest regulation, which takes
40 effect July 1st of this year.

41

42 Last year Will Mayo spent a fair amount
43 of time talking to various communities, especially in the
44 Interior, discussing the existing ceremonial harvest
45 regulation. It wasn't working very well. And so he went
46 out and visited communities, talked to tribal governments
47 about making some revisions to it.

48

49 And what the Board of Game adopted based
50 on input that Mr. Mayo provided was a two-part ceremonial

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1 harvest regulation. The first part is similar to what is
2 proposed here in the Federal regulation, that there is a
3 prior reporting requirement if there is a need to go out
4 and harvest wildlife for ceremonial purposes. There are
5 options as to who can go in and put in that request to
6 the Department. And then a reporting requirement after
7 the harvest.

8

9 Exempt from that prior reporting
10 requirement is the Koyukon potlatch ceremony. So that
11 would cover your concerns, Gerald, about your area. So
12 there is no prior reporting requirement in the new State
13 ceremonial harvest regulation for the Koyukon potlatch
14 ceremony.

15

16 Excluded from this regulation is the
17 Nuchalawoyya potlatch and the Stickdance. Those have --
18 those are separate State regulations, and you're familiar
19 with those, Gerald, because they affect your area.

20

21 So that generally tells you what the new
22 State regulation looks like. I don't know if you have
23 questions or want more detail.

24

25 CHAIRMAN NICHOLIA: So you're saying --
26 so this, just reading on Page 38, would exempt the
27 Koyukon potlatch ceremony, which -- the funerary and the
28 memorial thing?

29

30 MR. HAYNES: Mr. Chairman.....

31

32 CHAIRMAN NICHOLIA: Well, I'll be in
33 support of that, but I wouldn't be in support of prior,
34 because that will just go against my cultural beliefs.

35

36 MR. HAYNES: Mr. Chairman, the -- this on
37 page 38 and 39, the preliminary conclusion, this does not
38 exempt the Koyukon potlatch ceremony as I read it.

39

40 UNIDENTIFIED VOICE: It does, because
41 it's retaining these regulations, which include
42 Nuchalawoyya and potlatches. Or whatever provisions are
43 in for the Nuchalawoyya.....

44

45 (Whispered conversation)

46

47 CHAIRMAN NICHOLIA: Go ahead, Pete.

48

49 MR. TITUS: Why can't we just make the
50 proposal after the fact, after the game is dead, after

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1 everything is over, that whatever happened is reported,
2 and leave it at that?

3

4 MR. HAYNES: Mr. Chairman, I think -- I
5 wasn't at the Board of Game meeting where Will Mayo
6 presented this, the proposal that became the new State
7 regulation. But there has been concern about people
8 going out and taking moose for use for ceremonial
9 potlatch, but enforcement officers not being aware that
10 that was the purpose of the hunting activity, and people
11 were subject to enforcement. And there's a desire to
12 eliminate that problem for people.

13

14 MR. TITUS: Can't the enforcement guy
15 just take it upon himself to decide right then and there
16 whether to pursue or not? He should be smart enough to
17 figure it out.

18

19 CHAIRMAN NICHOLIA: (Indiscernible)

20

21 MR. HAYNES: Well, Mr. Chairman, there
22 are instances in which enforcement officers may not be
23 aware that there was a death in the community and that
24 there was going to be a potlatch ceremony and a need for
25 wildlife.

26

27 MR. TITUS: There's very few people
28 (indiscernible, microphone not on)

29

30 CHAIRMAN NICHOLIA: Hold on. Before we
31 go any further on this, I don't want to get this out --
32 let's get on here, and I'd like to hear from Mike, maybe
33 you could address what Will Mayo is talking about. Just
34 be a little bit cool here now.

35

36 MR. SMITH: Thank you, Mr. Chairman.

37

38 Yeah, I was at that Board of Game meeting
39 last fall, and we spent -- went round and round for days
40 with enforcement on this issue. And we came up with the
41 provision that was just recently passed out to you. That
42 is the Koyukon language that is going to be incorporated
43 in the State statutes here, and it's just kind of -- I
44 feel a little sad that the Federal Government who was
45 intended to protect these activities, our subsistence
46 activities and stuff, failed to incorporate this very
47 hard section that we worked out with the State
48 Government. I mean, certainly I thought that the Federal
49 effort would be a lot easier than the State's. But we
50 went round and round, and the Board adopted this

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1 provision and Enforcement approved of it, and that's
2 going to be the current State statute in July. And we
3 would support inclusion of this section into the Federal
4 proposal.

5

6

7 CHAIRMAN NICHOLIA: So, Mike, you're
8 talking to this handout that we just got right here,
9 Proposal 21(D)?

10

11 MR. SMITH: Yes, sir. That's the final
12 language that we negotiated with the State and Enforcement
13 for acceptance by the Board of Game.

14

15 CHAIRMAN NICHOLIA: Yeah, it looks way
16 better than what the Federal Government has. I think we
17 should go along with something like this, 'cause it
18 clearly mirrors what we're trying to -- what I'm trying
19 to do is respect my elders and their cultural beliefs and
20 I'm trying to follow along in their cultural beliefs, so
21 if I'm going to represent them, I have to go along with
22 their ideas.

23

24 MR. SMITH: Mr. Chairman, we agree, and
25 we had sought to seek this same type of provision in the
26 ceremonial taking of fish last year in front of the
27 Subsistence Board. We were defeated at that time as
28 well. But -- which was kind of ironic in the sense that
29 we were able to negotiate something with the State of
30 Alaska, but we were not able to come together with the
31 Feds on this, but we take the position that this should
32 apply to fisheries as well, the ceremonial taking of
33 fisheries proposal that was adopted last year as well,
34 and I'll talk on other proposals issues, too, but thank
35 you, Mr. Chairman.

36

37 CHAIRMAN NICHOLIA: Hold on.

38

39 MS. ENTSMINGER: Okay. I'm trying to
40 understand everything. This was just specific to
41 Koyukon, correct?

42

43 MR. SMITH: Yes, ma'am.

44

45 MS. ENTSMINGER: And then in.....

46

47 MR. SMITH: Yeah. Yes, ma'am, I'm sorry,
48 Sue.

49

50 MS. ENTSMINGER: So are you saying that

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1 this language you want statewide?

2

3 MR. SMITH: No, ma'am. This language,
4 the regulation on prior notice, the Koyukon people were
5 the only people who came in in opposition to that. So
6 what the Board did was adopt the prior notification
7 provision for the State except for this -- and exempted
8 the Koyukon people, and they fall under this provision.
9 So the general prior notification applies to the rest of
10 the State, and this only applies to the Koyukon people.

11

12 MS. ENTSMINGER: Thank you.

13

14 CHAIRMAN NICHOLIA: Larry.

15

16 MR. WILLIAMS: Yeah. I'm not quite
17 following this. Maybe I'm kind of dense here but in my
18 culture about the same way, we don't brag about what
19 we're going to do out in the woods. If we're lucky, we
20 can shoot a moose. We don't say that. We don't -- you
21 know, we're the same way as the Tanana people. and I
22 don't see why this provision doesn't apply to upper Yukon
23 Athabaskan Indians also. Venetie, Fort Yukon and so
24 forth.

25

26 And I'm trying to get this how the final
27 proposal will be written since there's some opposition to
28 it and there's some support on this Proposal 21(D). I
29 don't know, we can go round and round on this, but I'd
30 like to, you know, I -- I'm not going to support it the
31 way it's written right now according to my cultural
32 beliefs and what the people, the elders tell me. So I'm
33 going to have to get those things clarified here.

34

35 Thank you.

36

37 CHAIRMAN NICHOLIA: Larry, what you're
38 talking about, you're not going to support the Federal
39 proposal, or you're going to support this paper?

40

41 MR. WILLIAMS: I can support this, yeah.

42

43 CHAIRMAN NICHOLIA: Uh-huh. Okay.

44

45 MR. WILLIAMS: But I can't support the
46 way that this one (indiscernible, microphone not on).

47

48 CHAIRMAN NICHOLIA: Yeah, me neither.
49 You got something there, Virg?

50

00026

1 MR. UMPHENOUR: Yes, I'd like
2 clarification on this RC-36 that came from the Board of
3 Game, and I don't know who would be appropriate to answer
4 my question, but my question is, it says in here under
5 (a) Koyukon potlatch, and so my question is this: How is
6 the Koyukon potlatch -- it doesn't say in here anything
7 -- any reference other than Koyukon. It doesn't say Game
8 Management Unit or anything else, and so how is that
9 interpreted as -- or going to be interpreted by the
10 State? Is there some kind of boundary or something, or
11 do you have to be Koyukon ancestry, or how is that going
12 to be interpreted by the enforcement people?

13

14 MR. SMITH: Mr. Chairman, in regards to
15 the Koyukon, the specific language regarding the Koyukon,
16 at that time the Board of Game was looking at this, we
17 had received -- there was numerous comments submitted for
18 it and testimony. However, we were the only native group
19 or organization at the Board of Game meeting, Tanana
20 Chiefs that is. And the Koyukon provision was the
21 language that was forwarded by Will Mayo through the
22 Governor's Office, and he felt that that was sufficient
23 to designate the area that this would be applicable to.
24 Clarification like that should probably considered
25 because -- for future deliberation, but the general
26 provisions, no prior notifications we support.

27

28 But we agree that the language as to
29 exactly where this would apply should be hammered out a
30 little bit.

31

32 MR. UMPHENOUR: I believe we have someone
33 else that wants to speak on this.

34

35 MR. HAYNES: Mr. Chairman, Virgil, I
36 would agree with Mike on that, and there could be game
37 management unit and sub unit language added that would
38 cover the communities that are predominantly inhabited by
39 Koyukon Athabaskan people, and that would be Unit 24,
40 some sub units in Unit 21 and a small portion of Unit 20.

41

42 CHAIRMAN NICHOLIA: Just for -- just to
43 -- let me see, try to put it this way, this proposal,
44 make it Eastern Interior specific, because most of the
45 Gwich'ins, the Koyukons that inhabits this area that
46 we're representing and most of the people I think along
47 the highway, whatever that goes on to Tok or whatever
48 would be in agreement, and it says to add a new section,
49 this whole justification on Page 38 or whatever. It
50 could just be -- we could just adopt this paper right

00027

1 here and say in the Eastern Interior Region the taking of
2 big game for food. That will cover our whole region that
3 we represent.

4

5 But first, before we go there, I'd like
6 to welcome -- but first before we got to Council
7 deliberations here, I'd like to hear from Fred John, do
8 you want to address this a little bit? But you might
9 want to come back up here later, too, Terry, just.....

10

11 MR. JOHN: Thank you, Mr. Chairman and
12 Council members for letting me speak. This is -- I'm
13 just going to go over what we were -- again just we were
14 not for the statewide proposal. We thought that each
15 region could make up their own, 'cause we're a pretty
16 diverse group up here, and each have their own custom and
17 traditional way of hunting and fishing and doing their
18 memorial potlatch. And we were against that.

19

20 And another thing is the tribal
21 government in our community, they're not the real tribal
22 leaders really. They just deal with State and Federal,
23 and out -- mostly it's our clan members and clan leaders
24 that deal with potlatches, and family.

25

26 And another one, like you just a while
27 ago, we did didn't want any prior reporting, because we
28 don't -- and I think throughout this area, too, that
29 saying that we'll go out and kill a moose, it's just like
30 bragging about it, which we don't do. And mostly it's,
31 you know, go out there, we're just going to go out and
32 look around. So we're kind of against tribal reporting.
33 I mean, reporting prior to taking of game on memorial
34 potlatch.

35

36 I'd just like to -- that's about all I'd
37 like to say. I don't have the written -- the Staff
38 written out what we did down at Council, but that's what
39 we -- I know -- I remember coming up with so far.

40

41 Another thing is I just want to thank you
42 for listening to me. And I want to thank Sue Entsminger,
43 she's from our area, and she's been living here for the
44 last 50 years I guess. How many years? 25 years?

45

46 UNIDENTIFIED VOICE: 29 years.

47

48 MR. JOHN: And she's been in a lot of our
49 potlatch, and she's -- we consider her a member of our
50 village and appreciate her being on the Board.

00028

1 I've been on the Southcentral Council
2 since the beginning, and we go through all these, and a
3 lot of time we have proposal that we make and change and
4 amend, and when it comes out in writing, it looks
5 different than what we said, so you kind of watch that.

6
7 Thank you. Any question?

8
9 MS. ENTSMINGER: Thank you, Mr. Chairman.
10 Thank you, Fred. I guess, you know, after being there
11 for the past 29 years, I'm, you know, watching how things
12 go. It just seems like it's simple, and it doesn't have
13 to be hard. So, I mean, is there a copy of the language
14 that they adopted here?

15
16 MR. MIKE: Mr. Chairman, I don't have the
17 exact language that Southcentral Region developed, but
18 maybe Ms. Petrivelli might have some information.

19
20 MS. PETRIVELLI: I think I brought it,
21 but what the Southcentral Council did was they opposed
22 this proposal for one and then they modified the language
23 for 12, Proposal 12, which deals with unit-specific
24 regulations for 11, 12, and 13(D). And I'll find that --
25 I'll find the recommendations, but I think it was along
26 with what Fred had said about instead of having -- it was
27 adding clan to the beginning, and I think it took -- and
28 it took away -- but I think they left in, but I can't
29 remember. Oh, 'cause it did leave in the prior
30 notification because they added clan. But I know I have
31 it, and I'll find the piece of paper and.....

32
33 CHAIRMAN NICHOLIA: Excuse me here for a
34 moment here. I think we're trying to go into Southeast,
35 Southcentral area, and we don't -- we hardly represent --
36 most every thing we do with the Southcentral we defer
37 back to home region. I'd just like to stay in the
38 Eastern Interior Region where we'll be most effective,
39 and I'm going to go on this route. I'm not going to --
40 on this page, what, 38 on the bottom of it. I'd like it
41 to very much mirror this paper I've got in this hand,
42 everything that's under deciding (ph), instead of having
43 the Koyukon potlatch ceremony, we could like say in the
44 Eastern Interior Region, the taking of big game for food
45 outside the seasons and bag limits for the traditional
46 Eastern Interior funereal and mortuary ceremonies is
47 authorized if consistent with sustained yield principles,
48 and is written -- everything down there on this piece of
49 paper I agree with, because it pretty much follows my
50 cultural beliefs that is passed on from my elders.

00029

1 Is there anybody that would like to
2 address this or amend this one paper to where it won't be
3 so -- what the heck do you call that? Overburdened with
4 regulations for instance.

5
6 MR. UMPHENOUR: Mr. Chair? Mr. Chair,
7 maybe we could ask the Staff to get their wordsmith --
8 maybe we could take a break and have the Staff wordsmith
9 this thing to get the intent that you just spoke to

10
11 MR. MIKE: Mr. Chair?

12
13 CHAIRMAN NICHOLIA: Go ahead.

14
15 MR. MIKE: Thank you, Mr. Chair. Just to
16 keep the Council on track, we still haven't gone through
17 agency comments yet, so -- and then later on we can
18 discuss the -- under deliberation on how we want to
19 approach this proposal. So we have agency comments, both
20 Federal, State, and we can open the floor to public
21 comments. And if it's the wishes of the Council I can
22 read into the record what the other Councils on the
23 proposal, Statewide Proposal No. 1.

24
25 Thank you, Mr. Chair.

26
27 MR. TITUS: Mr. Chairman.

28
29 CHAIRMAN NICHOLIA: You had something?

30
31 MR. TITUS: Well, just for the wordsmith,
32 that delete prior like -- just the wordsmith, to delete
33 prior reporting, because we don't say we're going to go
34 hunting. We're going to go look around, whatever, later.

35
36 CHAIRMAN NICHOLIA: Okay. Donald, we'll
37 go through those written public comments.

38
39 MR. MIKE: Thank you, Mr. Chair. I
40 believe we still have to hear from the State comments and
41 other agencies.

42
43 MR. HAYNES: Thank you, Mr. Chairman.
44 The Department of Fish and Game comments on the original
45 proposal are on page 35 of your meeting book.

46
47 We support a Federal ceremonial harvest
48 regulation that is consistent with the new State
49 regulation. We're very concerned about confusion that's
50 going to result if there are different regulations with

00030

1 the State regulation that was adopted by the Board of
2 Game. That can apply everywhere in the State. In our
3 opinion, there isn't a need for a separate Federal
4 regulation, especially if it's going to be different and
5 apply only to Federal public lands.

6
7 There's another difference, too. The
8 proposed Federal regulation applies to wildlife, the
9 State regulation applies to big game only, so the Federal
10 regulation covers a lot more species.

11
12 And we believe with the Koyukon potlatch
13 ceremony being exempted from the prior reporting
14 requirement that -- you know, that's a difference between
15 the State regulation and what is proposed in the
16 preliminary conclusion on Page 38 right now. And I
17 realize you're talking about amendments, but at the end
18 of the day, it would be useful if you support doing
19 something different in the Federal Regulations, and that
20 would result in the State and Federal regulations being
21 different. We really have to figure out a way to have
22 reporting, so there isn't confusion for the hunters, that
23 people aren't being harassed by enforcement personnel
24 when they thought they were doing the right thing. But
25 if the regulations are going to be different, which we
26 don't support, we have to figure out a way to minimize
27 problems for the hunters and for enforcement officers.

28
29 A lot of time and effort went into
30 modifying the existing -- the former State regulation,
31 and I know Will Mayo spent a lot of time and effort
32 trying to get input from affected communities, and to
33 come up with something that was acceptable. And as Mike
34 Smith mentioned, the Board of Game spent a lot of time
35 discussing that proposal, and finally worked out
36 something that people could live with.

37
38 So in the end, we'd support a federal
39 regulation that's consistence with the new State
40 regulation.

41
42 Thank you.

43
44 CHAIRMAN NICHOLIA: It's my understanding
45 on this new regulation that the State has is on this page
46 35 here?

47
48 MR. HAYNES: Mr. Chairman, I believe you
49 have the part that applies to the Koyukon potlatch
50 ceremony. I don't know if you have the entire regulation

00031

1 or not. If you don't, I have it. I don't have copies.
2 If a Xerox machine is available, we could certainly get
3 you copies of the entire State regulation. The new State
4 regulation is broken into two pieces, and there's the
5 general provision that applies everywhere except for the
6 Koyukon potlatch ceremony, and the Koyukon potlatch
7 ceremony is a separate piece. So I'm not sure what you
8 have in front of you. Okay. So you have half the new
9 regulation. I have the entire one here, I don't have --
10 if there is a Xerox machine.....

11

12 UNIDENTIFIED VOICE: Next door.

13

14 MR. HAYNES: We can get copies made.

15

16 CHAIRMAN NICHOLIA: You know, I sure hate
17 to put something down where I'm not going to -- where I'm
18 not going to gain support back home, and say where you
19 messed up, Gerald. I don't like that, you know, and this
20 is so confusing here, and it's where it looks like the
21 Federal agency is trying to micromanage, and where the
22 State agency is not -- is trying to stay away from
23 micromanagement. I wish the Federal agencies understand
24 that, man.

25

26 As a harvester, when I was a kid, I
27 didn't like to do nothing with regulations. Nothing. But
28 I figured out after time you have to. You have to have
29 regulations, and this is -- when you put this book
30 together, I wish it would be more -- not so much in numbers
31 and stuff, but more explaining, because I read it over
32 the last two days, last three days, and I thought we
33 could pretty much go through it. But looks like we're
34 going to be bumbling around here all day on this one. So
35 I would like to take a break and have the right agency
36 people come up here.

37

38 Ida, do you want to say something?

39

40 MS. HILDEBRAND: Thank you, Mr. Chairman.
41 Ida Hildebrand, BIA Staff Committee member. I want to
42 make three points.

43

44 On the Koyukon language that -- when it
45 was first discussed was referring only to Unit 20 and 21,
46 and I agree with Mr. Umphenour's statement that a break
47 and wordsmithing would tremendously help and expedite the
48 decision of the council.

49

50 And the third point is that most of the

00032

1 other Councils opposed this proposal because it's a
2 statewide proposal. Most of them believe that it should
3 have come from the regions, and been unit-specific to the
4 regions that were involved. And they struggled with it,
5 because they're trying to apply one concept across the
6 State as opposed to the variations that go in with the
7 units. And the State laws apply whether you're aware of
8 them or not, and so the reporting requirements would
9 apply whether you agree with them or not. But if you
10 want to wordsmith that, that's certainly something you
11 could do on your break. That's all I had, Mr. Chairman.

12

13 CHAIRMAN NICHOLIA: Yeah, I'd like to
14 have a work group, and take a little break and work on
15 it, because if we oppose it, then it's just going to come
16 around next year again. It's going to be like customary
17 trade. We're going to have to deal with the deal again,
18 and I'd rather just deal with it right now. So let's
19 take a break and recognize the people who are going to
20 work on this thing.

21

22 (Off record)

23

24 (On record)

25

26 CHAIRMAN NICHOLIA: Yeah, Donald, we'll
27 go written public comments. I think we already took
28 public comments from two testifiers. Go through the
29 written public comments, and then we'll go to the
30 Regional Council deliberations, so.....

31

32 MR. MIKE: Thank you, Mr. Chair.

33

34 Do you wish to hear the -- what the other
35 Regional Advisory Councils did on Proposal 1? I can read
36 it into the record so I can go ahead with the public
37 comments. What is the wish of the Council? Okay.

38

39 The Seward Peninsula Regional Advisory
40 Council support Proposal 1 with a modification, and that
41 the Council expects limited use of this provision in the
42 region. The modification to the proposal would eliminate
43 the requirement to report the names of the decedent. The
44 proposal as modified would standardize and simplify
45 regulations while providing for this opportunity
46 statewide. Minimal impacts to wildlife resources are
47 expected.

48

49 The Western Interior Regional Advisory
50 Council support with modifications. The Regional Council

00033

1 requested two modifications. One, adopt the existing
2 State regulations for religious ceremonies; two, excuse
3 the requirement to provide the name of the decedents.
4 The Alaska Board of Game has gone through a lengthy
5 process to develop existing State regulations, and these
6 modifications will benefit the subsistence user by
7 providing as close an alignment between State and Federal
8 regulations as possible, reducing the potential for
9 confusion. There is no need to name the decedent on the
10 permit.

11

12 The Yukon-Kuskokwim Delta Regional
13 Advisory Council Proposal 1. Their recommendation was
14 adopt the proposal as modified to allow -- I'm sorry.
15 Statewide proposal. That's 03-01, their recommendation
16 is adopt proposal as modified to allow one moose of
17 either sex and to delete name of decedents, and to change
18 that to a local tribal office to submit a report on -- of
19 the harvest, not individual hunter. There is no need to
20 name the decedent since this is private information and
21 suggests that they are not trusted. You need to allow
22 other sex because sometimes it is not possible to find
23 certain sex, and it is meant to allow traditional
24 practices.

25

26 The North Slope Regional Advisory Council
27 support with modification. Oops, I'm sorry. That's the
28 end of it.

29

30 Written public comments. there was four
31 written public comments received. Alaska Native
32 Brotherhood, Alfred McKinley, Sr., on behalf of the
33 Alaska Native Brotherhood, wrote that all native
34 residents should be included making regulations for the
35 taking of fish and game for or as part of the funerary
36 and mortuary cycle, including the 40-day arty and the
37 pay-off potlatch.

38

39 Mike Moses on behalf of the
40 Asa'carsarmiut Tribe of Alaska wrote that this
41 regulation would be reserved only for Alaska natives, if
42 possible, since Alaska natives are the ones that have
43 been doing this for generations.

44

45 The Denali Subsistence Resource
46 Commission unanimously supports Proposal 1 to establish a
47 statewide regulation allowing the taking of wildlife for
48 religious and ceremonial/potlatch purposes for the
49 reasons stated in the justification.

50

00034

1 The Wrangell-St. Elias National Park
2 Subsistence Resource Commission supports this proposal as
3 written.

4
5 That concludes the written public
6 comments, Mr. Chair.

7
8 Thank you.

9
10 CHAIRMAN NICHOLIA: Okay. On this, I
11 talked to Jay, but I didn't really talk to Larry, is that
12 I would support the Federal deal with the inclusion of
13 this Koyukon potlatch ceremony exemption from prior
14 notification. But on this Koyukon potlatch I would like
15 to put Koyukon/Gwich'in potlatch ceremony, and then on
16 (a) the taking of big game, I'd like to amend that to
17 taking of wildlife for food outside the season and bag
18 limit for the traditional Koyukon/Gwich'in potlatch
19 funerary/mortuary ceremony is authorized consistent with
20 the sustained yield. I'd like to have this Koyukon
21 potlatch ceremony thing, Koyukon//Gwich'in potlatch
22 ceremony thing included with the Federal thing on page 38
23 with the amendment to wildlife and that way the Gwich'in
24 and the Koyukon people in the Eastern Interior wouldn't
25 have to do any prior reporting, which against our
26 cultural beliefs. Do you understand that, Larry?
27 Everybody understand? Donald.

28
29 MR. MIKE: Mr. Chair, just for
30 clarification, you're discussing Proposal 1 on Page 38,
31 and you're offering an amendment to the Council, is that
32 correct?

33
34 CHAIRMAN NICHOLIA: Yes, I'd like to
35 offer this on this one part right here, on this one first
36 page that says Page 4 of the State thing, the
37 Koyukon/Gwich'in potlatch ceremony. I'd like to include
38 Gwich'in sine most of the people that do it, this Federal
39 Regulation is going to affect is the Gwich'in people in
40 Eastern Interior. And another amendment to taking -- the
41 taking of wildlife instead of big game for food. And
42 then just another on the back there, just slash-Gwich'in.
43 So that way we wouldn't have to do no prior reporting in
44 our region when we bury one of our tribal members or
45 something.

46
47 Does the Council understand that?

48
49 MS. ENTSMINGER: I'd like to make a
50 motion to amend Proposal 1 to add the language that was

00035

1 put before us on the Koyukon potlatch ceremony, it was
2 actually Proposal 21(D) and -- from the State I guess, it
3 says at the top of this one. And in that amendment we
4 will add Gwich'in to Koyukon, so it will read
5 Koyukon/Gwich'in potlatch ceremony. And we're changing
6 big game to wildlife in section (a), and we're adding
7 Gwich'in in section (a) also to the Koyukon/Gwich'in
8 potlatch funeral or mortuary ceremony. So that.....

9

10 MR. TITUS: Second, Mr. Chairman.

11

12 MS. ENTSMINGER: Yeah.

13

14 MR. TITUS: Second.

15

16 CHAIRMAN NICHOLIA: It's been moved and
17 second. Discussion.

18

19 MS. WAGGONER: The only thing I would
20 like, and I don't know how to do this. The original
21 motion was for Proposal 01, but actually the language
22 that we're looking at on Page 38. So do we need to move
23 to actually adopt the language on 38.....

24

25 MS. ENTSMINGER: No.

26

27 MS. WAGGONER:versus on 29?

28

29 CHAIRMAN NICHOLIA: I don't think so.

30

31 MS. ENTSMINGER: No, it's my
32 understanding we have this motion on the floor to adopt 1
33 as written. And that is, right, in Page 38. The
34 language in Page 38.

35

36 MS. WAGGONER: Okay.

37

38 MS. ENTSMINGER: And then adding this.

39

40 CHAIRMAN NICHOLIA: I think we had a
41 motion to adopt language but I think this next motion is
42 amendment to the whole proposal, right?

43

44 MR. MIKE: Yes, Mr. Chair, you offered an
45 amendment. We can -- the Council can vote on the
46 amendment, and then vote on the proposal with the
47 amendments.

48

49 CHAIRMAN NICHOLIA: Okay. virgil.

50

00036

1 MR. UMPHENOUR: It seems to me like it
2 would be more appropriate to substitute the State's
3 language for the language found on Page 38, otherwise
4 it's going to be kind of confusing. Maybe we should ask
5 the Staff if they have any kind of recommendation, if
6 this is what we want to do.

7
8 CHAIRMAN NICHOLIA: Ida.

9
10 MS. HILDEBRAND: Thank you, Mr. Chairman.
11 Ida Hildebrand, BIA Staff Committee member.

12
13 The original motion was to adopt Proposal
14 03-01. It didn't make any reference to any page or any
15 numbers or anything. The amendment by Sue is the new
16 language that would -- it would now be -- if you adopted
17 the amendment, it would be Sue's language, and then when
18 you vote on the main motion, it would be Proposal 03-01
19 with the language that Sue recommended.

20
21 CHAIRMAN NICHOLIA: Okay. Thank you.
22 Even if we did go to State or Federal language, we would
23 still have to vote on the amendment first, right?

24
25 MS. HILDEBRAND: When you have a motion
26 on the table and somebody moves to amend it, you have to
27 vote on the amendment and then after you vote the
28 amendment up or down, then you go back to the main motion
29 as amended.

30
31 CHAIRMAN NICHOLIA: Okay. So it's been
32 moved, been seconded. There's been discussion. Virgil.

33
34 MR. UMPHENOUR: So let me -- so that it's
35 clear in my mind to know exactly what we would end up
36 with, if we pass the amendment, then we vote on the final
37 motion, but when we vote on the final motion, what we in
38 effect have done is replaced this language found on page
39 38 and 39 with our amendment, is that not true?

40
41 MS. HILDEBRAND: Yes, that's correct.

42
43 MR. UMPHENOUR: Thank you, Mr. Chair.

44
45 CHAIRMAN NICHOLIA: The amendment has
46 been moved, seconded. Discussion.

47
48 (No discussion)

49
50 CHAIRMAN NICHOLIA: Is there a question.

00037

1 MR. UMPHENOUR: Question.

2

3 CHAIRMAN NICHOLIA: The question has been
4 called. All those in favor of Sue's amendment to include
5 Koyukon/Gwich'in potlatch, with the amendment of wildlife
6 in there, signify by saying aye.

7

8 IN UNISON: Aye.

9

10 CHAIRMAN NICHOLIA: All those opposed,
11 same sign.

12

13 (No opposing votes.)

14

15 CHAIRMAN NICHOLIA: Okay. Then the
16 motion to the amendment carries. And we will take on the
17 original proposal. Do we have discussion?

18

19 (No discussion)

20

21 MR. UMPHENOUR: Question.

22

23 CHAIRMAN NICHOLIA: It's been moved,
24 second, discussion, the question was called. All those
25 in favor of the main -- the Proposal WP03-01 with
26 amendments, signify by saying aye.

27

28 IN UNISON: Aye.

29

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

32

33 (No opposing votes.)

34

35 CHAIRMAN NICHOLIA: Motion carries.

36 Okay. Move on to the next proposal.

37

38 MR. MIKE: Mr. Chairman, Proposal WP03-02
39 would change the general provisions for all units to
40 standardize the designated hunter regulations for
41 ungulates in order to provide a uniform opportunity in
42 all areas of the State. And the analysis starts on Page
43 52. Pat Petrivelli will do the Staff analysis.

44

45 MS. PETRIVELLI: Mr. Chairman, my name is
46 Pat Petrivelli, and actually it starts on 54, but --
47 well, the actual text of the analysis.

48

49 Proposal WP03-02 was also submitted by
50 the Office of Subsistence Management, and it was to

00038

1 change the general provisions for units to standardize
2 the designated hunter regulations. Currently designated
3 hunter provisions are allowed on a unit-specific basis,
4 causing an inconsistency in how regulations address the
5 designated hunter system. The standardization would
6 provide a uniform opportunity for subsistence users to
7 harvest or benefit from the harvest of ungulates in all
8 areas of the State.

9

10 The existing designated hunters, unit --
11 we have a designated hunter program, and it allows
12 designated hunting on unit-specific basis. So -- and
13 those are listed in Appendix A, which begins on Page 64.
14 All of the designated hunter provisions, or most of them,
15 have -- the provisions of the designated hunter program
16 is any Federally-qualified subsistence user, the
17 recipient, may designate another Federally-qualified user
18 to take wildlife on his or her behalf. the designated
19 hunter must obtain the designated hunter permit. The
20 designated hunter may hunt for any number of recipients,
21 and may not have more than two harvest limits in his or
22 her possession at one time, except for a few instances
23 that I'll discuss later.

24

25 The designated hunter may not charge the
26 recipient for his or her services in the taking of
27 wildlife for meat. For -- or for meat and -- or any part
28 of the harvested wildlife.

29

30 The proposal would allow designated
31 hunting of ungulates on a statewide basis with the option
32 of unit-specific exemptions to these -- exceptions to
33 these provisions. In the Federal Subsistence Management
34 Program, ungulate means any species of hoofed mammal,
35 including deer, elk, caribou, moose, mountain goat, dall
36 sheep and musk oxen.

37

38 And there were other proposals, but not
39 in this region that would be affected by this propos --
40 this -- but other Councils dealt with those.

41

42 The designated hunter program was first
43 implemented in -- at the Federal Board meeting in '95,
44 and they adopted provisions for moose and deer in Units 1
45 through 5, and deer in Unit 8. And at that time, that's
46 when they adopted the basic provisions of the system and
47 they agreed to adopt those provisions on a trial basis,
48 and seeing how it would work out, and eventually they've
49 been adopted in 17 units and 21 hunts. And the different
50 proposal histories is on Page -- listed on Page 57.

00039

1 There's only one place where it's been prohibit, or a
2 provision was adopted to prohibit designating hunting,
3 and that was for Unit 11 sheep hunt, and it was a special
4 elder hunt where they recognized that the elder had to be
5 the one to do the hunting, because he was teaching the
6 others, so they -- when they adopted that special hunt,
7 they set the provision that there would be no designated
8 hunting for that sheep for that.

9

10 Part -- one reason this proposal came
11 about was for -- because of Unit 6(C) moose. We just
12 recently had a Federal hunt for that and it's a drawing
13 permit hunt and permits were issued to elderly
14 individuals, and they were able to obtain proxy hunting
15 permits under the State system, but we had no provision
16 in the Federal system, so then the Board issued a special
17 action to allow that. And then they realized that maybe
18 we should -- there's been enough history with the program
19 to try it on a statewide basis.

20

21 To go back to the 1995 when the program
22 was adopted in 1995 for those five units, well, Units 1
23 through 5 in Southeast, and then Unit 8 for deer, and
24 that's Kodiak Island, there was concern about the number
25 of permits that would be issued, and so our office
26 printed up 18,000 designated hunting permits, and we
27 issued 183.

28

29 But to go over it with the Department of
30 Fish and Game regulations, they have a statewide
31 application for their proxy hunting, but their proxy
32 hunting regulations apply only to caribou, deer and
33 moose, they're only available to residents that are
34 blind, 70 percent disabled or 65 years of age or order,
35 and either the recipient or the hunter may apply for the
36 proxy hunt. And no person may be a proxy hunter for more
37 than one recipient at a time.

38

39 With the Federal program, the -- on Table
40 2, Page 58, there's the history of all the permits of the
41 program. And since 1995, we've issued a total of 2,106
42 permits, and the hunters have harvested 1,902 animals.
43 And that's just for the whole history, and it lists all
44 the hunts, the years authorized, and it just goes
45 through. But there are some permits or some hunts that
46 have been authorized that people have requested, but
47 they've never issued permits. So that's why you'll see
48 some units on here, but -- or they've never harvested
49 animals under the permits. Well, actually they did issue
50 -- well, like Unit 18, they've issued permits, but there

00040

1 was no harvest. Or they didn't issue -- they re --
2 there's some -- there are a few permit hunts authorized
3 where we haven't actually had to print up permits, that's
4 what this list shows. Is just one or two.

5

6 Table 3 shows a comparison of all the
7 hunters and designated hunters for just one year, and
8 it's for the 2002/2001 season. And for those species
9 where there were permits issued, 408 -- there was 408
10 animals harvested by designated hunters, and by all
11 hunters, 15,519 animals were hunted. So that represents
12 2.6 percent of the harvest being carried out by
13 designated hunters.

14

15 On -- in looking at the practices of
16 designated hunting, on a statewide basis, findings from a
17 comparison of household harvest within the community in
18 five different communities documented, it's not uncommon
19 for about 30 percent of the households in the community
20 to produce 70 percent or more of the communities wild
21 food harvest. And it's called like the super households,
22 and that -- it was recognized that this occurs because
23 some households at different stages of a household, that
24 they have more resources and they have more hunters in
25 the household, and as time changes they have more
26 capabilities, and so they harvest more of the -- they
27 carry out more of the harvesting activities.

28

29 The report went on to recommend
30 designated hunting or community harvest as being more
31 compatible with customary harvest patterns of particular
32 rural Alaskan areas.

33

34 What the effect of our -- the statewide
35 proposal, currently there are 66 Federally regulated
36 ungulate hunts throughout the State and these are shown
37 on Table 4, and that's on Page 60. Designated hunter
38 provisions are available in 21 of these hunts.

39

40 The exceptions to the two harvest limits
41 are for Units 9(C) and 9(E) caribou where there are no
42 limits on the harvest or possession and 9(D) and 10
43 caribou hunts where there are limits of four harvest
44 limits. And it was -- the Kodiak/ Aleutians recently met
45 and they re-emphasized that four harvest limit, because
46 of the distance they travel and the economy of scale,
47 even though the records show that in all of our
48 designated harvest hunts, no hunter has ever harvested
49 more than two harvest limits, but they wanted to have
50 that provision still there.

00041

1 The designated hunting program is not
2 expected -- this expansion is not expected to cause any
3 significant increase in participation or delay in
4 reporting of the harvest, because regardless of having
5 the designated hunting permit, whoever is a recipient
6 must comply with all harvest reporting requirements that
7 they would have -- that would be originally in place.

8

9 It should be noticed that as a result of
10 a request made by tribal organizations in the Southeast
11 region, a review of the administration of designated
12 hunting permits was made and changes in permit
13 distributions were made in September 2002, and once --
14 for the Southeast region. And once this season is
15 completed, we'll change those -- we'll look at --
16 evaluate those changes and look at the administration of
17 the permit system to make it more responsive.

18

19 And one thing that has also happened is
20 concerns have been raised about the potential impact of
21 designated hunting on small populations. It's been
22 pointed out that this could particularly impact goat,
23 musk ox and sheep. So it's led to a lot of suggestions
24 to modify this proposal to only moose, deer and caribou.
25 But the Southcentral Council dealt with it with just
26 having a one harvest limit in possession at a time. But
27 whatever suggestions that would meet your needs, or
28 whatever modifications you would like to suggest would
29 probably be -- you could make suggestions.

30

31 But the proposal was made to provide a
32 uniform opportunity to subsistence users to harvest or
33 benefit from the harvest of ungulates in all areas of the
34 State and to facilitate the customary and traditional use
35 of ungulates for sustenance, barter and continuation of
36 traditional ceremonies. And that concludes the analysis.

37

38 CHAIRMAN NICHOLIA: Any questions for
39 Pat?

40

41 MS. PETRIVELLI: Oh, Don reminded me that
42 I should say the preliminary conclusion is to support the
43 proposal and it's exactly as written. And that's on Page
44 62. But just -- and the justification is there with.....

45

46 CHAIRMAN NICHOLIA: Does everybody pretty
47 much understand what Pat's trying to explain to us here?
48 Go ahead.

49

50 MS. ENTSMINGER: Thank you, Mr. Chair.

00042

1 I actually have a pretty big concern
2 about the proposal, because it -- and is this the
3 appropriate time to say this, or do you want to go into
4 deliberation? Can you help me? Then my question would
5 be on the Cordova request for a designated hunter, it was
6 strictly in a draw situation, that the State draw, and it
7 was on Federal land, correct?

8
9 MS. PETRIVELLI: It was a Federal draw.
10 Under the State draw, people had proxy hunting. Well,
11 they participated in the State draw, and they had used
12 the proxy hunting provisions before. And then so they
13 applied for the State -- the Federal law, and they
14 realized we had no proxy hunting provisions, and so the
15 Board passed a special action allowing -- because we can
16 have temporary regulations, and so those two permit
17 holders were allowed to have designated hunters for their
18 permits.

19
20 CHAIRMAN NICHOLIA: Any more questions
21 for Pat? Thank you.

22
23 I'll go into agency comments.

24
25 MR. HAYNES: Thank you, Mr. Chairman.

26
27 The Department's comments on the original
28 proposal are on Pages 54 and 55 of your meeting book.
29 And rather than repeat those lengthy comments, I'll just
30 indicate that the Department's primary concern with a
31 statewide designated hunter regulation for all ungulates
32 is that it could potentially lead to over harvest of
33 goats, sheep and musk ox. These are all species that
34 concentrate late in the season, and often occur in small
35 groups where they'd be very vulnerable to being over
36 harvested.

37
38 The same is true for low density moose
39 populations that are found in some areas of the State,
40 and especially in the Interior.

41
42 We prefer that the designated hunting
43 regulation apply only to moose, caribou and deer so that
44 it would be consistent with the State's proxy hunting
45 regulation as far as the species covered.

46
47 Another option would be to limit the
48 number of harvest limits that a hunter can have in
49 possession at any one time to reduce the potential for
50 over harvest of certain species in certain situations.

00044

1 the experience the Federal system has had with the
2 regulation, ensure that if you're going to have a
3 statewide regulation in place, how are you going to
4 administer it in every rural community in the State? How
5 are you going to make it easy for hunters to obtain the
6 permits if they want one? How is reporting going to
7 occur so that you can get the information back into a
8 system, and really understand the effects of having the
9 statewide regulation. We believe there needs to be some
10 more time spent thinking about how you would administer
11 and implement such a program statewide.

12

13 CHAIRMAN NICHOLIA: Yeah, Terry, I can
14 see where this would be beneficial to people in Eastern
15 Interior, but like I said before, I don't think anything
16 could be statewide except for just maybe a few
17 regulations. Something like this ain't going to work
18 like in the Northwest territory, as it works in the
19 Eastern Interior, because it's just like I said, it's
20 just two totally different cultures and it's the same way
21 in Southeast area.

22

23 I could probably see this Council
24 supporting this whole concept as it is, because we do
25 have designated hunters around Tanana for the elder
26 people and people who can't do it, and I'd like to see
27 something in law probably for the Yukon Flats area, but
28 we've got representatives from there, and I'd like to see
29 what they say about this regulation right here.

30

31 MR. WILLIAMS: Yeah, I'd like to comment
32 on that. The designated hunter concept is not -- it's
33 not something new that somebody dreamed up recently.
34 This thing has been going on for generations within my
35 culture. As we all know, we have elders, we have young
36 children, and we have people, who's physically unable to
37 go hunting, and we don't need something written down in
38 the books to tell us to do what is right. and I support
39 this concept, but like I said, it's not something that's
40 new. It's been going on for generations and generations.
41 We always have a few hunters that are always more less
42 successful, maybe because they live right or something.
43 Anyway -- so.....

44

45 And I can see your concern about where a
46 species is kind of low like in the Yukon Flats where a
47 hunter can take, you know, two, three moose, because he's
48 successful. And we have to take that into account on a
49 village by village basis. And I don't think a law can be
50 specifically written to address all these concerns,

00045

1 because we do have a concern, especially the elders, back
2 in the Village of Venetie where I'm from. They said our
3 moose is getting low, let's start doing something about
4 it since nobody else is going to do it for us. We have
5 to do it ourself.

6

7 So I support the concept, yeah, but I
8 don't know how it will work. I mean, to follow the
9 letter of the law. And I'd rather follow traditional
10 practices. Like I've said in meetings before, if I, for
11 example, shot two, three cow moose, that wouldn't look
12 very good in my village. I would rather face the wrath
13 of the village elders than -- I would rather face the
14 wrath of the State than the village elders, you know. So
15 there's -- you know, there -- it's something that's been
16 -- maybe it's unwritten, but finally written down. And
17 it's been discussed many times in different meetings that
18 I've attended, so maybe with a few modifications. I
19 didn't know what kind of modifications we can make, we
20 can -- I can support it for the Upper Yukon Flats.

21

22 MR. STEVENS: Mr. Chair, I'd like to
23 agree with a lot that Larry here has said. In my
24 village, Stevens, you know, there's only a population of
25 about 40, 45 people. There is one gentleman in the
26 community that does provide for a vast majority of the
27 people there in Stevens, and there is room for abuse on
28 that as well. I see that. I've seen it, and that is a
29 valid concern. But he does provide for the people that
30 can't go out and do it themselves. He's got the funds,
31 the money. He doesn't charge people for anything. And
32 he just goes out and does it.

33

34 I'd also have to agree with Gerald's
35 saying that it -- I don't know if this thing could go
36 completely statewide. I'm still learning a bit on the
37 process here, so those are my comments.

38

39 MS. ENTSMINGER: Thank you, Mr. Chair.

40

41 Yeah, I went to the Wrangell-St. Elias
42 Subsistence Resource Commission and this hashed this out
43 pretty strongly and from the way it's written, anyone,
44 even your child of seven years old, you can just say,
45 hey, I want to go shoot a sheep or a goat or whatever
46 animal for that person. And if you had a family of
47 seven, you could go out and harvest seven, you know, just
48 one person, just gets his proxy, goes out, shoots one,
49 and then comes back and maybe gets another proxy and goes
50 out and shoots another. Are you saying it's limited to

00046

1 two?

2

3 MS. PETRIVELLI: Two -- the harvest limit
4 is two in possession, and then, of course, the designated
5 hunter must follow all the applicable rules, so if there
6 is a harvest quota, they still have to follow the harvest
7 quotas for those species. So.....

8

9 MS. ENTSMINGER: Right. But can they
10 physically take seven animals.....

11

12 MS. PETRIVELLI: No.

13

14 MS. ENTSMINGER:one hunter? They
15 can be a.....

16

17 MS. PETRIVELLI: Not at one time.

18

19 MS. ENTSMINGER:proxy hunter for
20 two people -- for two.....

21

22 MS. PETRIVELLI: Well, they could be a
23 proxy hunter for seven people, and if the population.....

24

25 MS. ENTSMINGER: That's what I meant.

26

27 MS. PETRIVELLI: Yeah. And -- but they
28 can only have two harvest limits in their possession, and
29 then I think people would debate about whether someone
30 could carry two sheep back if they were hunting, but.....

31

32 MS. ENTSMINGER: But they could go out
33 and come back.....

34

35 MS. PETRIVELLI: They could go out, but
36 then.....

37

38 MS. ENTSMINGER:go out and come
39 back.

40

41 MS. PETRIVELLI:they would have to
42 report that harvest and follow all whatever reporting
43 requirements. And then if the resource manager says it's
44 okay to continue harvesting, yes, they could. Yeah.

45

46 MS. ENTSMINGER: Okay. And I guess the
47 other concern I have is the age requirements. I think
48 the proxy -- the intention of the proxy to start with was
49 to hunt for elders, and not hunt for everybody in the
50 family. So I mean, I would stick to this

00047

1 species-by-species, region-by-region way of doing it, and
2 not going for anything this broad and sweeping. It's
3 just -- it's a conservation issue also.

4

5 CHAIRMAN NICHOLIA: I kind of agree to
6 that, too, is that I could support this designated hunter
7 concept for like elders and people unable to fit (ph).
8 And I don't think the young need to be supported for -- I
9 think their parents could pretty much do it, because -- I
10 don't think we should be allowing young people out there
11 doing all the hunting and stuff, because that's just --
12 it just should be for the elders and those who's unable
13 to hunt, but I think also I would able to support this
14 concept here.

15

16 Is there any other agency comments?

17

18 MR. BRELSFORD: Mr. Chairman, I'm Taylor
19 Brelsford. I'm the Staff Committee member for the Bureau
20 of Land Management.

21

22 I'd like to refer to a point that was
23 offered by Terry Haynes that has been a concern for the
24 Bureau of Land Management. Many stakeholders have worked
25 very hard on the recovery plan and the cooperative
26 management plan for the Forty Mile Caribou Herd. Some
27 concerns were noted having to do with coordination of
28 joint State/Federal hunts, and the potential for a broad
29 new regulation on designators to have unintended
30 consequences on some of these smaller hunts. We want to
31 reaffirm the importance of maintaining a joint
32 coordinated State/Federal hunt for the Forty Mile Caribou
33 Herd. We think it would be a step backwards to
34 discoordinate what is currently coordinated together.
35 And from that standpoint, I think caution, moving
36 deliberately in small steps on designated hunter is
37 perhaps the wiser course.

38

39 Again, our concern has been not to
40 unravel something that stakeholders in this region have
41 worked so hard to achieve together.

42

43 Thank you.

44

45 CHAIRMAN NICHOLIA: So what you're saying
46 here then, Taylor, is that if we support this proposal
47 here, it would diffuse that coordination between the
48 State and Federal? This for the Forty Mile Caribou Herd
49 as it is now?

50

00048

1 MR. BRELSFORD: Thank you, Mr. Chairman.

2

3 I think we're not sure of all of the
4 details of what it would -- what would happen, what
5 consequences would flow, and I think we would recommend a
6 little more care in mapping out the effects in
7 identifying what the consequences would be to insure that
8 no unintended consequences or breakdown in coordination
9 would come out of this.

10

11 I think basically I'm suggesting that we
12 need to work out the fine print. I think several
13 important concerns have been put before about some
14 species where it might be problematic to broadly extend
15 the designated hunter, and I believe in these joint
16 State/Federal hunts, we also want to be very careful not
17 to unravel, not to uncoordinate those. So I think more
18 time is really the point here, that more time is required
19 to examine the specific consequences.

20

21 MS. WAGGONER: Taylor, on the Forty Mile
22 caribou hunt and BLM administered lands down along the
23 drainages, there currently is no designated hunter
24 provision, and within that area, it's only down in Unit
25 12 at the Tetlin Refuge that you do have designated
26 hunting. So -- right? I'm just trying to get that
27 clear?

28

29 UNIDENTIFIED VOICE: Yeah.

30

31 MR. BRELSFORD: That's right.

32

33 MS. WAGGONER: Yeah. Okay. Now I
34 remember what I was going to ask based on that. But
35 doesn't -- if this designated hunter permit or regulation
36 went through, the person applying for the designated
37 hunter permit, would still have to go to BLM, and as the
38 land manager, BLM would still have the authority to issue
39 or not issue that permit based on conservation?

40

41 UNIDENTIFIED VOICE: Yes.

42

43 MR. BRELSFORD: There are procedural
44 checks and balances, and I think it is possible to work
45 out procedures to insure that the conservation purposes
46 and the quotas and so on are respected. But I think we
47 want to make sure that all those protections are in place
48 before we adopt a statewide change in the regulation.

49

50 CHAIRMAN NICHOLIA: What's the wishes of

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1 my Council? Do you want to defer it until we get some
2 more information where it won't disalign the Federal and
3 State or BLM and stuff just for the sake of the Forty
4 Mile Caribou Herd? Explain yourself, Tricia.

5
6 MS. WAGGONER: (Indiscernible, microphone
7 off) public comment. No, I mean I -- personally I see,
8 you know, designated hunter is different from the proxy
9 hunter. I had an instance of using it this year due to
10 losing my caribou meat in the fire, and being sick, and
11 going and getting another -- having my spouse go and
12 attempt to get another caribou where my family needed it.

13
14 And there's -- back on Page 68, I mean,
15 there is some -- looking at it, you know, that the land
16 manager has the authority to issue the permit or not
17 issue the permit, you know. And in my mind in the Forty
18 Mile, you know, with the Forty Mile you're looking at a
19 very small area of land which is basically just the river
20 bottoms, and -- but BLM as the land manager would still
21 have the authority to only issue designated hunting
22 permits as long as it was still within the quota system,
23 you know. So if we're looking at the Forty Mile, I don't
24 -- the Forty Mile I think is -- even though it's a joint
25 hunt, I think it could be managed there, you know. Where
26 you have bigger land areas, it might be a little bit more
27 difficult where you have joint State and Federal hunts,
28 but I just -- I think we need to continue with this and
29 hopefully get something passed so we don't have to have
30 55 different regulations for the same thing. I just like
31 to keep moving forward with it if we could.

32
33 CHAIRMAN NICHOLIA: All right, Sue.

34
35 MS. ENTSMINGER: Yeah. Thank you, Mr.
36 Chair. The intention of all the proxy hunting was for
37 the elders.

38
39 And I maintain that it's really important
40 to be concerned about the resource in lot of cases,
41 because there is a potential of abuse, and I think when
42 you take -- right now on your Federal regulations,
43 they're unit-specific and they're working the problem out
44 as we go, but to add 44 more hunts without looking at
45 what impact it has on the resource I think is not a very
46 good way to go ahead. I think -- I would like to defer
47 it, because what I hear and understand from what the
48 problem was, was it was a draw hunt where that -- that
49 comes out a little different than -- there's a lot more
50 opportunity where there's open seasons and not draws. So

00050

1 I feel pretty strongly about the resource, and I think
2 we're trying to accommodate things that we might not need
3 to accommodate, and we should be really concerned about
4 that.

5

6 CHAIRMAN NICHOLIA: Since there's no
7 requests for public comments, I think we'll just move on
8 to written comments.

9

10 MR. MIKE: Thank you, Mr. Chair.

11

12 The North Slope on Proposal 2, is support
13 Proposal No. 2. Extending designated hunter provisions
14 should not have a significant on wildlife resources and
15 will provide a uniform opportunity to also subsistence
16 users statewide.

17

18 The Seward Peninsula Regional Council
19 supported Proposal 2. Extending designated hunter
20 provisions should not have a significant impact on
21 wildlife resource and will provide a uniform opportunity
22 for statewide subsistence.

23

24 The Western Interior Council supported
25 Proposal 2. Their Regional Council supports providing
26 more subsistence opportunities for subsistence users.
27 There may be a need to have a more timely reporting
28 process reviewed in the future.

29

30 The Yukon-Kuskokwim Delta Regional
31 Council, their recommendation is adopt the proposal.
32 This provision has been needed in the Yukon-Kuskokwim
33 Delta for a long time.

34

35 There were two written public comments
36 received. One's from the Wrangell-St. Elias. The
37 Wrangell-St. Elias Subsistence Resource Commission
38 supports the proposal with modification to require the
39 person designating another to hunt for him or her to
40 demonstrate the need for a designated hunter. The intent
41 is to prevent abuse of such a provision. Specifically
42 they suggested a requirement such as that in the State
43 proxy hunting regulations, blind, 65 years of age or
44 older, 70 percent disabled, with the addition of a
45 qualifying condition being demonstrated need. The latter
46 would allow an individual the opportunity to make a case
47 to the entity issuing the permit on other grounds, i.e.,
48 temporary disability or illness, economic hardship.

49

50 The SRC was also very concerned that

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1 wildlife managers retain the ability to make
2 unit-specific determinations about specific wildlife
3 populations for conservation purposes and thus supports
4 the proposal with the understanding such unit-specific
5 control would be possible.

6
7 The Asa'carsarmiut Tribe agrees that this
8 proposal should become a statewide Federal regulation.
9 The only concern is that tickets and designated hunter
10 permits are made available to subsistence users.

11
12 That concludes the written public
13 comments. Thank you, Mr. Chair.

14
15 CHAIRMAN NICHOLIA: Yeah, I would like to
16 see this be introduced into the Eastern Interior. Since
17 I was doing it through the State system. I did a
18 designated hunter thing for my auntie. Even though I
19 didn't get nothing, I had to fill out a lot of paperwork,
20 and it's just one thing I don't see hunters doing --
21 going, unless they're really committed, is fill out all
22 this paperwork stuff that's required. But I support this
23 idea that -- but with the exception of the Forty Mile
24 Caribou Herd where we have State and Federal people
25 working together to conserve and provide opportunity for
26 people to harvest on that Forty Mile Caribou Herd. But
27 again, I don't like to have to be -- go to every
28 different meeting and seeing the same issues in front of
29 me again and again. I just don't like that.
30 So I'd like to see what the wishes of my council is.

31
32 MR. UMPHENOUR: I think I agree more with
33 Sue. Just looking at all these different areas, each
34 area is different. And I think that all these various
35 populations of animals need to be managed in a more
36 specific manner. We have regulations by game management
37 unit, and to do all of these at once, just one broad
38 sweeping thing, I don't think is quite right, because
39 there's going to be a different biological concerns for
40 different species in different areas.

41
42 Thank you.

43
44 CHAIRMAN NICHOLIA: So, Virgil, you
45 suggestion is a motion to defer this proposal until
46 there's more information out there and stuff to -- before
47 being any movement on it?

48
49 MR. UMPHENOUR: That's what I prefer.

50

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1 CHAIRMAN NICHOLIA: We have a motion to
2 defer, is there a second.

3

4 MS. ENTSMINGER: I'll second it.

5

6 MR. UMPHENOUR: I'll make that a motion.

7

8 CHAIRMAN NICHOLIA: It's been moved,
9 second. Discussion.

10

11 (No discussion.)

12

13 UNIDENTIFIED VOICE: Question.

14

15 CHAIRMAN NICHOLIA: Moved, second,
16 discussion, the question's been called. It's been moved
17 to defer this proposal until there's more information so
18 we could better protect the working relationship between
19 the Federal and State agencies on the Forty Mile caribou
20 herd. And some discussion. The question's been called.
21 All those in favor signify -- all those in favor of
22 deferring this until there's more information signify by
23 saying aye.

24

25 IN UNISON: Aye.

26

27 CHAIRMAN NICHOLIA: Those opposed, same
28 sign.

29

30 (No opposing votes.)

31

32 CHAIRMAN NICHOLIA: Motion carries. Move
33 on to the next proposal.

34

35 MR. MIKE: Mr. Chairman, the next
36 proposal is WP03-42, establish a community harvest permit
37 system and August 1/ September 25 baiting season for Unit
38 25(D) black bear.

39

40 Thank you.

41

42 Who's doing the staff analysis?

43

44 MR. DEMATTEO: Mr. Chair, Proposal 42 was
45 submitted by the Eastern Interior Regional Council, and
46 this proposal requests that black bear regulations in
47 Unit 25(D) be aligned with State regulations.

48

49 This would add a community harvest permit
50 process, and would also allow black bears to be baited

00053

1 from August 1st through September 25 within Unit 25(D).

2

3

4 On page 76 of your analysis, of your
5 books, halfway down the page you'll see the proposed
6 federal regulation. And essentially this proposal would
7 add language into Federal regulations that would include
8 three bears by community permit within Unit 25(D) for
9 black bear, and the season would July 1 through June
10 30th, It would also provide for language that would say
11 in between August 1st and September 25, you would be able
12 to bait black bear.

12

13

14 The residents of 25(D) have a positive
15 customary and traditional use determination to harvest
16 black bear within that unit.

16

17

18 Under State regulation, there are
19 provisions for community harvest permit. Under State
20 statute, community harvest permits may be issued to
21 groups of people for hunting big game in specific hunt
22 areas designated by the Board of Game. Permits are
23 issued only where the Board of Game has established a
24 community harvest hunt area, and are available only to
25 Alaska residents. This type of permit accommodates local
26 hunting practices, and creates a group bag limit rather
27 than an individual bag limit.

27

28

29 Hunters who sign up for a community
30 harvest permit during a given regulatory year cannot also
31 hunt for same species under other regulations during the
32 same regulatory year covered by a community harvest
33 limit, except in a specific circumstances.

33

34

35 Other people can hunt in a community
36 harvest area, except that they will have an individual
37 bag limit.

37

38

39 At present there are two designated
40 communities. One is Chalkyitsik, the other one is the
41 Community of Yukon Flats.

41

42

43 Also, under State provision, Unit 25(D),
44 there is a baiting provision for black bear, April 15th
45 to June 30th. And also August 1st to September 25 under
46 State regulation.

46

47

48 One think I'll mention, there is no
49 requirement in either State or Federal law that black
50 bear be sealed for Unit 25(D).

50

00054

1 The designated hunter approach may also
2 have application for black bears in Unit 25(D). This
3 approach enables one hunter to harvest for one or more
4 other Federally-qualified subsistence users who have the
5 appropriate license, but do not wish to harvest for
6 themselves, or wish assistance with harvesting their
7 subsistence resources.

8
9 The designated hunter option facilitates
10 the customary and traditional use of wildlife for
11 subsistence bartering and for continuation of traditional
12 ceremonies.

13
14 Black bear are abundant in this area.
15 Based on the assumed density of one black bear for every
16 five to 10 square miles within this sub unit, the total
17 population would be roughly 1700 to 3500 black bears.

18
19 Black bear continue to be traditionally
20 harvested and used by Alaska natives. The current
21 harvest of black bear in Unit 25(D) is estimated about
22 100 bears per year.

23
24 It is traditional for black bears to be
25 harvested over bait by rural residents in this area,
26 although the baiting site registration requirement is not
27 well understood in villages.

28
29 Current black bear harvest in Unit 25 (D)
30 are probably lower than the estimated annual recruitment
31 of 175 to 350 bears. The current harvest is thought to
32 consist primarily of male bears, and this is relatively
33 small long-term effect on the bear population.

34
35 The rationale for providing the community
36 harvest permit for black bear is to allow communities or
37 other groups to continue traditional harvesting practices
38 in which a relatively small number of hunters harvest a
39 relatively large portion of the resource used by some
40 groups of people.

41
42 The proposed regulation would recognize
43 the opportunity for groups to designate a hunter
44 administrator and apply for a community harvest permit
45 for black bear in Unit 25(D). Under this system,
46 individuals can combine their individual harvest limits
47 so that some hunters can take a larger number of bear.
48 This would also establish a method to report black bear
49 harvested under this community harvest permit.

50

00055

1 The Alaska Department of Fish and Game
2 has observed that a community harvest permit system would
3 accommodate local hunting patterns, improve harvest
4 reporting and provide an opportunity for increased local
5 involvement in harvest management.

6
7 Proposal WP03-42 is consistent with the
8 recommendations of the Yukon Flats Moose Management Plan.
9 This plan emphasized the participation of local
10 communities in management, and the need to improve
11 harvest reporting. The community of Beaver applied for
12 and received the initial paperwork for a community
13 harvest permit for black bear.

14
15 A state-managed community harvest permit
16 system would be most efficient administratively, would
17 reduce confusion and would facilitate communication and
18 understanding. There are a number of other examples, for
19 instance, Forty Mile caribou, and also Koyukuk River
20 moose where it has worked well for Federal subsis -- for
21 the Federal Subsistence Board to support State-managed
22 permitting systems.

23
24 Mr. Chair, with that, the preliminary
25 conclusion is to support the proposal, and as you see on
26 Page 81, the regulation would read that it would be
27 Federal regulation three bears by State permit. This
28 would a community-based permit, and the season will be
29 year round, July 1 through June 30. And I'll stop there.

30
31 Thank you.

32
33 CHAIRMAN NICHOLIA: Is there any
34 questions for Pete? Pete.

35
36 MR. TITUS: I've got a question. How
37 come you want to bait bears when they're getting ready to
38 hibernate?

39
40 MR. DEMATTEO: Mr. Chair, Mr. Titus,
41 Staff has been told by residents in some of the rural
42 communities that there is some traditional baiting of
43 black bears during the fall season. Do you have other
44 information to add to that?

45
46 MR. TITUS: We've never -- we never bait
47 any time of the year. We never bait them any time of the
48 year, and we just shoot them when we happen to see them.
49 I mean, we don't actually hunt for them. We hunt for the
50 den. If you want black bear, you hunt for the den in the

00056

1 fall time after freeze up when they're easier to --
2 they're not easier to find.

3

4 CHAIRMAN NICHOLIA: Yes, Pete, this
5 proposal is just to align with State regulations, sir?

6

7 MR. DEMATTEO: That is correct.

8

9 CHAIRMAN NICHOLIA: Okay. Is there any
10 agency comments.

11

12 (No comments)

13

14 CHAIRMAN NICHOLIA: Terry.

15

16 (No comments)

17

18 CHAIRMAN NICHOLIA: Anybody.

19

20 (No comments)

21

22 CHAIRMAN NICHOLIA: Thank you, Terry.

23

24 MR. HAYNES: Thank you, Mr. Chairman.

25 The Department's comments on the original proposal are on
26 Page 75, and in our original comments we recommended
27 making an adjustment to the season dates so that the
28 proposed Federal regulation would apply or would be
29 consistent with the State regulation.

30

31 And I was just double checking to see if
32 the language as proposed now is going to be consistent.
33 That is, having both April 15 to June 30 and August 1 to
34 September 25. I wanted to double check that. I don't
35 know -- perhaps Pete can verify whether or not having
36 those periods is consistent with the State regulation?

37

38 MR. DEMATTEO: Yes, on Page 78 of the
39 analysis in the regulatory history, the State regulations
40 concerning black bears.

41

42 MR. HAYNES: Gotcha. Yeah. Thank you,
43 Pete.

44

45 MR. DEMATTEO: It would be the same. No
46 closed season.

47

48 MR. HAYNES: So that being said, Mr.
49 Chairman, we support the proposal as revised, because it
50 would align the State and Federal regulations. And if

00057

1 you have any questions about black bear in Unit 25(D) or
2 about the State hunt, Bob Stevenson, the area biologist
3 is here.

4

5 CHAIRMAN NICHOLIA: Is there any more
6 questions for Terry here? Thank you, Terry.

7

8 Is there any more agency comments?

9

10 (No comments)

11

12 CHAIRMAN NICHOLIA: Hearing none, there's
13 no public comments.

14

15 MR. MIKE: Mr. Chair, there are no public
16 written comments, thank you.

17

18 CHAIRMAN NICHOLIA: No public written
19 comments either. Okay. I'm going on to Regional Council
20 deliberations. I feel we could support this proposal,
21 because it is our -- it is the Eastern Interior Regional
22 Advisory Council proposal proposed by Pete. I'd just
23 like to see it moved, second, get a vote and moving on.

24

25 MS. WAGGONER: I move we adopt WP03-42
26 and that it read three bears by community permit, bears
27 may be baited from April 15th to June 30th, and August 1
28 to September 25th.

29

30 MR. UMPHENOUR: Second.

31

32 CHAIRMAN NICHOLIA: It's been moved and
33 been second. Is there discussion?

34

35 (No discussion)

36

37 CHAIRMAN NICHOLIA: Everybody pretty much
38 just understand what we're doing here? It's been moved
39 and second, is there a question? No discussion.

40

41 MR. STEVENS: Question.

42

43 CHAIRMAN NICHOLIA: It's been moved and
44 second to support the Proposal 42, with this new date to
45 4/15 and 6/30 in there. All those in favor of the motion
46 signify by saying ayes.

47

48 IN UNISON: Aye.

49

50 CHAIRMAN NICHOLIA: All those opposed,

00058

1 same sign.

2

3 (No opposing votes.)

4

5 CHAIRMAN NICHOLIA: Motion carries. What
6 time am I at here, Donald?

7

8 MR. MIKE: Proposal No. 43 is another
9 alignment. Is that going to take pretty quick?
10 Otherwise, if you want to take lunch, there's lunch at
11 the Corner Bar or the Rough Woods Inn. The grocery store
12 is just down the street. I don't know of any other
13 places where lunch is open.

14

15 UNIDENTIFIED VOICE: Monderosa.

16

17 MR. MIKE: Monderosa? Monderosa is open.

18

19 CHAIRMAN NICHOLIA: What do you guys want
20 to do? Take lunch? Okay. We'll recess for lunch, and
21 it's 1:00 o'clock.

22

23 MR. UMPHENOUR: Well, if we go to
24 Monderosa, we need another 30 minutes.

25

26 CHAIRMAN NICHOLIA: 1:30 I guess then.

27

28 (Off record)

29

30 (On record)

31

32 CHAIRMAN NICHOLIA: Yeah. Donald, I
33 believe we're on Proposal 03-43.

34

35 MR. MIKE: Yeah, thank you, Mr. Chair.
36 Mr. DeMatteo will present the analysis.

37

38 Proposal 43 is align season and harvest
39 limit with State regulations for brown bears in Unites
40 25(A) and (B).

41

42 MR. DEMATTEO: Mr. Chair, Proposal 43 was
43 submitted by the Eastern Interior Regional Council. This
44 would change the existing brown bear season for Units
45 25(A) and (B) from September 1 through May 31st to
46 September 1 through June 15. The harvest limit will
47 remain as one bear ever regulatory year.

48

49 The proposed season you'll see on Page 90
50 of your book, Unit 25(A) and (B), one bear, and it

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1 creates the season September 1 through June 15th. The
2 proposed expansion of the existing Unit 25(A) and (B)
3 brown bear season was submitted by the proponent to align
4 with recent Alaska Board of Game actions, and to provide
5 more opportunity for Federally qualified users.

6
7 The Alaska Board of Game recently
8 expanded the Unit 25 (A) and (B) season to allow for
9 additional opportunity during the summer.

10
11 Residents of Unit 25 and Eagle have
12 customary and traditional use determination for brown
13 bear in Units 25(A) and 25(B).

14
15 Brown bear continue to be abundant in
16 Units 25(A) and (B). Brown bear population trend for
17 25(A) was stable to increasing in the late 1990s.
18 Population trend data for Unit 25(B) are less known
19 during the same period. However, brown bears were
20 reported to be common throughout the area, and numbers
21 were probably stable to increasing. The estimated
22 average in Unit 25(A), and for the combined Unit 25(B)
23 and (D) population densities during 1993 through '98 were
24 2.8 and 2.2 bears per 100 square miles respectively.

25
26 The average annual harvest for brown
27 bear, Unit 25(A) during 1990 through the year 2000 was 13
28 and a half bears per year. The six-year annual harvest
29 between 1990 and 1997 for Unit 25(B) was 1.2 bears per
30 year.

31
32 Mr. Chair, because of conflicting
33 cultural beliefs which prohibit mentioning of bear
34 hunting or bear harvesting, the actual harvest levels for
35 the two subunits are estimated to be higher than the
36 reported valued based on conversations with local
37 hunters.

38
39 The proponents intent of this proposal is
40 to align State and Federal regulations. Alignment of the
41 State and Federal regulations would reduce confusion and
42 improve communication.

43
44 Expansion of the Unit 25(A) and (B)
45 seasons would not adversely impact the brown bear
46 population. No additional harvest is anticipated as
47 rural users who harvest brown bear in these sub units may
48 do so under State regulations.

49
50 With that, the preliminary conclusion is

00060

1 to support the proposal. That's all I have, thank you.

2

3 CHAIRMAN NICHOLIA: There's no questions?

4 If there's no questions for Pete, I'd have to go on to
5 agency comments.

6

7 MR. HAYNES: Mr. Chairman, the Department
8 supports adoption of this proposal, because it result in
9 the alignment of the State and Federal regulations.

10

11 CHAIRMAN NICHOLIA: Is there any other
12 agency comments?

13

14 (No comments)

15

16 CHAIRMAN NICHOLIA: No public comments.
17 Donald, written public comments?

18

19 MR. MIKE: Thank you, Mr. Chair. There's
20 one written public comment received on Proposal 43 from
21 Paul Joslin, Alaska Wildlife Alliance. The Alaska
22 Wildlife Alliance opposed the proposal. Brown bears have
23 the slowest reproduction rate of any North American
24 mammal. Population numbers and trends are also
25 exceedingly difficult to measure for brown bears. Until
26 there is good data produced that has been adequately
27 reviewed by the scientific community substantiating that
28 a harvest of brown bears in GMU 25(A) and (B) would have
29 no detrimental impact, it should not be permitted.

30

31 That concludes the summary of public
32 written comments.

33

34 CHAIRMAN NICHOLIA: Regional Council
35 deliberations

36

37 MS. WAGGONER: I move to adopt WP03-43,
38 to align -- to change Unit 25(A) and (B) to one bear from
39 September 1 to June 25th.

40

41 UNIDENTIFIED VOICE: June 15th.

42

43 MS. WAGGONER: Or June 15th. See, I'm
44 trying to add 10 extra days.

45

46 MR. UMPHENOUR: Second.

47

48 MR. MIKE: Mr. Chair, was that -- the
49 motion was for Proposal 43 as proposed or Proposal 43 as
50 recommended by Staff on page 92.

00061

1 CHAIRMAN NICHOLIA: It's been moved and
2 second to put -- to include that date from September 1st
3 to June 15th in Proposal 03-43. Discussion.

4
5 (No discussion)

6
7 MR. STEVENS: Question.

8
9 CHAIRMAN NICHOLIA: It's been moved,
10 second, question. The question has been called. All
11 those in favor of the -- to the motion for Wildlife
12 Proposal 03-43 signify by saying aye.

13
14 IN UNISON: Aye.

15
16 CHAIRMAN NICHOLIA: All those opposed,
17 same sign.

18
19 (No opposing votes.)

20
21 CHAIRMAN NICHOLIA: Motion carries. Next
22 proposal, Donald.

23
24 MR. MIKE: Mr. Chairman, Proposal 44 is a
25 proposal to delete cow caribou harvest during fall season
26 in Unit 25(C). Mr. DeMatteo.

27
28 MR. DEMATTEO: Mr. Chair, Proposal 44 was
29 submitted by the Eastern Interior regional Council. This
30 would restrict the fall caribou harvest limit to bulls
31 only in Unit 25(C) in that portion west of the east bank
32 of the main stem of the Preacher Creek to its confluence
33 with the American Creek, and west of the east bank of the
34 American Creek.

35
36 The proposed regulatory change would
37 align with recent Alaska Board of Game actions made for
38 caribou in the affected area, except for the November
39 season. The proponent's intentions are to eliminate the
40 fall harvest of cow caribou to promote calf production
41 and recruitment within the White Mountain caribou herd
42 and to align the proposed restrictions for Federal and
43 State regulations.

44
45 Mr. Chair, if you look at Page 98,
46 halfway down the page, the proposed Federal season for
47 caribou for Unit 25(C), what the proposal would do is put
48 into regulation the language that would say one caribou.
49 However, cow caribou may be taken only from November 1
50 through March 31st. So the provision that would all for

00062

1 the harvest of cows would only pertain to the winter
2 season.

3

4 Currently there is a no determination for
5 caribou in Unit 25(C), therefore all rural residents are
6 eligible.

7

8 The White Mountain caribou herd is the
9 primary herd that uses the sub unit. Although this is a
10 small herd with an estimated population of less than
11 1,000 animals, the herd is considered to be healthy and
12 is estimated to be expanding at a rate of six to 15
13 percent each year.

14

15 With relatively little harvest trends due
16 to remote access to the herd, and with herd size below
17 the range capacity, reduction in cow harvest should
18 promote calf production, recruitment and some herd
19 growth.

20

21 Also, the proposed change would protect
22 the herd during the fall season should the Forty Mile
23 caribou herd which is much larger -- should animals from
24 this herd occupy range west of the Preacher Creek. And
25 as the Forty Mile herd has become a popular herd by
26 hunters in more recent times, the Forty Mile herd has
27 been expanding its distribution and it's occupying range
28 in that area. So this proposal should help protect some
29 of the White Mountain caribou herd from cows being
30 harvested.

31

32 Adoption of the proposed changed to
33 reduce cow caribou harvest in the White Mountain herd,
34 the proposed change would protect the herd during the
35 fall season should the Forty Mile caribou animals occupy
36 range west of the Preacher Creek, as I mentioned.

37

38 Mr. Chair, the preliminary conclusion is
39 to support the proposal. What this would add again is,
40 however, cow -- the language, however, cow caribou may be
41 taken only from November 1 through March 31st. And with
42 that, I'll stop there.

43

44 Thank you.

45

46 CHAIRMAN NICHOLIA: Are there any
47 questions for Pete? Go ahead, Philip.

48

49 MR. TITUS: This proposal would delete
50 this cow taken from November 1st to March 31st? It would

00063

1 delete that?

2

3

MR. DEMATTEO: Mr. Chair, Mr. Titus, what this would do is allow that cow caribou can -- may be taken during November 1 through March 31st. You would be able to harvest cows during the winter season.

7

8

CHAIRMAN NICHOLIA: And this would pretty much align with the State or whatever?

10

11

MR. DEMATTEO: Essentially this aligns with the State. Essentially, yes.

13

14

CHAIRMAN NICHOLIA: I'm seeing no more questions for Pete, so we'll go on to agency comments.

16

17

MR. HAYNES: Mr. Chairman, adoption of this proposal would align the State and Federal harvest limits for the winter White Mountain caribou season in Unit 25(C). The Federal winter season begins one month earlier than the State season, but we're not overly concerned about that difference in regulation. So the Federal regulation would provide more opportunity to Federally-qualified subsistence users.

25

26

One point that we note in our written comments on Page 97, the Department routinely attaches radio collars to a small number of White Mountains caribou in October. Department policy requires a 30-day period between chemical immobilization and open hunting seasons unless the caribou is marked and the hunting public is notified. Although the likelihood of a hunter taking a collared caribou is very low, the Department will mark the collars of any captured animals that are collared in the White Mountains area and attach a notice advising hunters that caribou taken in November may be unfit to eat and that they should contact the Department before consuming meat from a collared animal.

39

40

So in fear that if a hunter would happen to take a collared White Mountains caribou, that they should check with the Department before eating the meat.

43

44

Thank you.

45

46

CHAIRMAN NICHOLIA: Are there any questions for Terry? Thank you.

48

49

Are there any public comments?

50

00064

1 MR. MIKE: Mr. Chair, there were no
2 written public comments received. Thanks.

3
4 CHAIRMAN NICHOLIA: Regional Council
5 deliberation.

6
7 MS. ENTSMINGER: Yeah, I make a motion we
8 support Proposal 44.

9
10 MR. UMPHENOUR: Second.

11
12 CHAIRMAN NICHOLIA: Discussion.

13
14 (No comments)

15
16 MS. WAGGONER: Question.

17
18 CHAIRMAN NICHOLIA: It's been moved,
19 second to support Proposal 44. The question was called.
20 All those in favor of supporting Proposal 44 signify by
21 saying ayes.

22
23 IN UNISON: Aye.

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

27
28 (No opposing votes.)

29
30 CHAIRMAN NICHOLIA: Motion carries.

31
32 MR. MIKE: Mr. Chairman, the next
33 proposal is Wildlife Proposal 03-45. It's to remove the
34 antler restriction for Unit 12 moose. Mr. DeMatteo has
35 the analysis.

36
37 MR. DEMATTEO: Mr. Chair, Proposal 45 was
38 submitted by the Eastern Interior Council. And this
39 would replace the 14-day spike/fork moose season with a
40 five-day any antlered bull season in a portion of Unit
41 12.

42
43 On Page 106 of the book you'll see the
44 proposed Federal regulation for Unit 12 moose halfway
45 down the page. It eliminates the language that reads,
46 however, during the August 15th through August 28th
47 season, only bulls with spike/fork antlers may be taken.
48 It eliminates that language. And essentially the new
49 regulation would be one antlered bull, any size antlered
50 bull.

00066

1 Tok and Tanana Rivers. Harvest success rates have tended
2 to remain overall stable in recent years.

3

4 Of the roughly 1500 moose harvest
5 reported from 1983 through 1989, 42.5 percent were taken
6 by hunters with positive customary and traditional use
7 determinations for Unit 12.

8

9 The moose population in Unit 12 as
10 addressed in this proposal is experiencing expanded
11 hunting pressure. Recent action taken by the Board of
12 Game has reduced hunting opportunities for non-Federally
13 qualified moose hunters in Unit 12. The Board of Game's
14 action in conjunction with the adoption of this proposal
15 should have a positive effect on Unit 12 moose
16 population.

17

18 The elimination of the spike/fork harvest
19 limit would provide some relief to small bull -- to the
20 small bull component of the population that is stable to
21 declining.

22

23 The current Federal seasons and harvest
24 limits follow a management strategy that was originally
25 implemented by the State. Elimination of the spike/fork
26 harvest limit would also forego the need for the current
27 three-day break between the August and September
28 seasons, that is, closed on the 29th, 30th and 31st. The
29 separation between these seasons is no longer necessary
30 and the current antler restrictions are no longer
31 necessary.

32

33 Mr. Chair, with that the preliminary
34 conclusion is to support the proposal with the
35 modification as you see on page 112. And essentially what
36 this would do is change it to one antlered bull, it would
37 remove the antler restriction of spike/fork, but the
38 season would run continuous August 24th through September
39 30th, because since any bull can be harvested, there's no
40 need to have a separation in between the August and
41 September seasons. And that is the modification.

42

43 And with that, I'll stop there. Thank
44 you.

45

46 CHAIRMAN NICHOLIA: Is there any
47 questions for Pete? Okay. Then going to agency reports.

48

49 MR. HAYNES: Mr. Chairman, our comments
50 on the original proposal are on Page 105 of your Council

00067

1 meeting book. We supported the original proposal. The
2 modified version will provide some additional hunting
3 opportunity that we don't see as creating a problem,
4 because of the remote area involved. As you can see from
5 the map, it's -- there are Federal lands there, but
6 they're pretty hard to access, and there isn't a great
7 deal of hunting that takes place there right now, which
8 is good, because the moose population there is pretty low
9 density, and if hunting effort increases in this area as
10 a consequence of regulation changes, we'd certainly be
11 looking at maybe having to propose restrictions in the
12 future.

13

14 And if you have any questions about moose
15 in this area Craig Gardner is here and could answer those
16 for you.

17

18 CHAIRMAN NICHOLIA: Any questions?

19

20 MS. ENTSMINGER: Let's bring Craig up.

21

22 CHAIRMAN NICHOLIA: Hum?

23

24 MS. ENTSMINGER: Questions of Craig.

25

26 CHAIRMAN NICHOLIA: Yeah. Got a question
27 for Craig here.

28

29 MS. ENTSMINGER: Thank you, Craig. You
30 helped us bring this forward, didn't you? So I guess I
31 was a little bit confused, because I thought maybe we
32 were putting it in for both of those 24 early season on
33 those two areas in Unit 12?

34

35 MR. GARDNER: Yeah, this is Craig
36 Gardner, I guess acting area biologist for Unit 12 and
37 28.

38

39 But the southern -- well, the northern
40 area that takes in Tetlin National Wildlife Refuge, you
41 know, the council dealt with like Pete said last year.
42 And, you know, so that was the one area. And that was
43 already dealt with, and that made it any sized bull on
44 the 24th.

45

46 But what happened is that the Preserve
47 lands weren't brought along on that proposal, and so what
48 we were trying to do is bring it where all the
49 subsistence users had access to an bull harvest, you
50 know, starting around the 24th of August, since that's

00068

1 what the original intent was.

2

3 The idea, you know, the original idea of
4 spike/fork was to let locals have a good crack at a bull
5 that was under-utilized. But it turned out it just never
6 happened. It just never materialized, and, you know,
7 they just weren't getting any of these spike forks, and
8 so when I looked at the data, it looked to me like I
9 could take away the spike/fork season and just put an any
10 bull harvest, and it's not going to really affect harvest
11 over all or the moose population over all, so that's why
12 we changed it over to 24th, to make it a shorter season,
13 but for any bull.

14

15 CHAIRMAN NICHOLIA: Go ahead.

16

17 MS. WAGGONER: Do you see any problem
18 also with not having that three-day break in there like
19 the modified proposal?

20

21 MR. GARDNER: No, Trish, I don't. You
22 know, if it was probably an area that -- no, we needed
23 that break when it was a spike/fork, you know, because
24 there was just enough, you know -- a spike/fork count we
25 just -- you know, for enforcement reasons we needed that
26 break, but, no. Actually like Terry said, it's really
27 remote. The number of actual users in that part of the
28 world is very small, and, no, actually you might as well
29 just let it go all the way through. It actually wouldn't
30 simplify things for everybody.

31

32 MS. ENTSMINGER: I've got a question.

33

34 CHAIRMAN NICHOLIA: (Indiscernible, mike
35 not turned on)

36

37 MS. ENTSMINGER: Yeah, I was just looking
38 at that other one where we still have the August 15th to
39 the 28th, one antlered bull; however, during the 15th to
40 the 28th season, only bulls with spike/fork antlers may
41 taken. Is there any reason why we didn't -- I'm a little
42 confused I guess on exactly where that is, because it
43 looks like the same language.

44

45 MR. GARDNER: Yeah, actually, you know, I
46 kind of quickly went through the proposals just now, but
47 the-- it really should -- this should now finish off all
48 of Unit 12, because we took in Tetlin last time, and
49 this should take in the preserve this time. So really
50 when it all falls out, it should -- it's start -- any

00069

1 bull season should start on the 24th and.....

2

3 MS. ENTSMINGER: All of it.

4

5 MR. GARDNER: Yeah. Yeah.

6

7 MS. ENTSMINGER: Okay. That's what I
8 wanted to make sure. Thank you.

9

10 MR. DEMATTEO: Mr. Chair.

11

12 CHAIRMAN NICHOLIA: Go ahead.

13

14 MR. DEMATTEO: It takes care of all the
15 Federal land in Unit 12, the Tetlin Refuge, and it also
16 takes care of Wrangell/St. Elias preserve east of Nebesna
17 River. Does that make sense?

18

19 MS. ENTSMINGER: Yeah.

20

21 MR. DEMATTEO: If you look at the map on
22 Page 109, just so everybody's clear on that.

23

24 CHAIRMAN NICHOLIA: Any more questions
25 for these two up here? Thank you.

26

27 Any public comments, Donald?

28

29 MR. MIKE: Thank you, Mr. Chair, there is
30 one written public comment from Wrangell-St. Elias
31 Subsistence Resource Commission. The Commission supports
32 the proposal with modification based on conversation with
33 Sue Entsminger concerning her understanding of the intent
34 of the Eastern Interior Regional Advisory Council in
35 submitting the proposal. Specifically, the SRC supports
36 the change in season for moose and change in the type of
37 animal to be harvested as specified in the proposal, with
38 the modification that this change would apply to all of
39 Unit 12 rather than only the portion of the unit that is
40 east of the Nabesna River and Nabesna Glacier and south
41 of the Winter Trail running southeast from Pickerel Lake
42 to the Canadian border. This would fulfill the stated
43 reasons for changing the regulation for aligning with
44 State hunting regulations for moose.

45

46 That concludes the written public
47 comments, Mr. Chair.

48

49 CHAIRMAN NICHOLIA: Thank you. Council
50 deliberation.

00070

1 MR. UMPHENOUR: Move to adopt.
2
3 CHAIRMAN NICHOLIA: Motion to adopt. Is
4 there a second?
5
6 MR. TITUS: Second
7
8 CHAIRMAN NICHOLIA: Discussion?
9
10 MR. MIKE: Mr. Chair.
11
12 CHAIRMAN NICHOLIA: Donald.
13
14 MR. MIKE: Is the Council -- would they
15 move to adopt proposal as proposed on 106 or as modified
16 on Page 112?
17
18 MR. UMPHENOUR: 112.
19
20 MS. ENTSMINGER: Question.
21
22 CHAIRMAN NICHOLIA: It's been moved,
23 second. The question's been called. All those in favor
24 in support of Proposal 45 as stated on Page 112, signify
25 by saying aye.
26
27 IN UNISON: Aye.
28
29 CHAIRMAN NICHOLIA: All those opposed,
30 same sign.
31
32 (No opposing votes.)
33
34 CHAIRMAN NICHOLIA: Motion carries.
35
36 MR. MIKE: Mr. Chairman, Proposal 46 is
37 to revise the description of Fairbanks Management Area to
38 align with State definition in Unit 20 for moose. Mr.
39 DeMatteo is doing the analysis.
40
41 MR. DEMATTEO: Mr. Chair, Proposal 46 was
42 submitted by the Eastern Interior Council, request the
43 Federal Subsistence Board adopt a new definition of the
44 Fairbanks Management Area as amended by the Alaska Board
45 of Game in March of 2002.
46
47 Mr. Chair, this proposal's probably one
48 of the best example of the housekeeping proposal. This
49 does not propose to change a season, it does not propose
50 to change a harvest limit. What it does is it proposes

00071

1 that we change the Federal language that describes the
2 boundary of the Fairbanks Management Area to match what
3 the recent Alaska Board of Game action.

4

5 And if you look on Page 121, at the top,
6 the proposed Federal management area description, that
7 long descriptor there is the boundary and the bold type
8 is the new areas to be put in. Then westerly to the
9 middle fork of Rosie Creek through section 26 to the
10 Parks Highway, then east along the Parks Highway to Alder
11 Creek, then upstream. And then halfway down the column
12 there, Davidson Ditch, then southeasterly along the
13 Davidson Ditch to its confluence with the tributary to
14 Gold Creek -- Goldstream Creek in section 29, then
15 downstream along the tributary to it's confluence with
16 the Goldstream Creek, then in a straight line to the
17 First Chance Creek. And then just three lines down, it
18 would add to the Chena River, comma, to it's intersection
19 with the Trans-Alaska Pipeline right-of-way, then
20 southeasterly along the easterly edge of the Trans-Alaska
21 Pipeline right-of-way. It would add that language to the
22 existing Federal description of language that describes
23 the Fairbanks management area.

24

25 The customary and traditional
26 determination, seasons and harvest limits and methods as
27 I mentioned would remain the same. The existing
28 customary and traditional use determination for this area
29 is rural residents of 20(B) and residents of Nenana and
30 Tanana. The rural residents of Unit 20(B) include
31 individuals living in Livengood, Manley Hot Springs,
32 Eureka, and along those sections of the Parks, Elliott,
33 and Dalton Highways outside of the Fairbanks North Star
34 Borough.

35

36 The effect of the proposal basically is
37 that adoption of this proposal would have no meaningful
38 impact on Federally-qualified moose hunters. What this
39 would do is simply eliminate confusion between the State
40 and Federal regulations.

41

42 With that, Mr. Chair, the preliminary
43 conclusion is to support the proposal.

44

45 Thank you.

46

47 CHAIRMAN NICHOLIA: Any questions for
48 Pete? Go on, Terry.

49

50 MR. HAYNES: Mr. Chairman, the Department

00072

1 supports this proposal. It's adoption would align the
2 State and Federal regulations, and we can't see that it
3 would have any negative impact at all on
4 Federally-qualified subsistence users.

5
6 CHAIRMAN NICHOLIA: It seems like there's
7 no questions for Terry, so we'll just move on to public
8 comments.

9
10 MR. MIKE: Mr. Chairman, there was no
11 written public comments received.

12
13 Thank you.

14
15 CHAIRMAN NICHOLIA: Then -- okay.
16 Regional Council deliberation.

17
18 MR. UMPHENOUR: Move to adopt as written.

19
20 MS. WAGGONER: Second.

21
22 CHAIRMAN NICHOLIA: It's been moved and
23 seconded. Discussion.

24
25 (No discussion)

26
27 MR. TITUS: Question.

28
29 CHAIRMAN NICHOLIA: The question's been
30 called. All those in favor of Proposal 46 as written,
31 signify by saying aye.

32
33 IN UNISON: Aye.

34
35 CHAIRMAN NICHOLIA: All those opposed,
36 same sign.

37
38 (No opposing votes.)

39
40 CHAIRMAN NICHOLIA: Motion carries.

41
42 MR. MIKE: Mr. Chairman, Proposal 47 is
43 requesting a customary and traditional use determination
44 for moose in Unit 20(E). Pat Petrivelli will be doing
45 the Staff analysis.

46
47 MS. PETRIVELLI: Mr. Chairman, my name is
48 Pat Petrivelli.

49
50 And Proposal 03-47 was submitted by the

00073

1 Eastern Interior Regional Advisory Council, and it
2 requests a customary and traditional use determination
3 for the rural residents of Unit 20(E), Unit 12 north of
4 Wrangell-St. Elias National Preserve, Unit 20(D), Circle
5 and Central. And it's a request for a determination for
6 moose in Unit 20(E). Currently there is no customary and
7 traditional use determination for moose in 20(E), so that
8 means all rural residents are qualified to hunt moose
9 there.

10

11 Page 130 has just some recent State of
12 Alaska regulations, and it just outlines the seasons that
13 are available for residents and non-residents to hunt for
14 moose in 20(E).

15

16 And then Appendix -- the appendix has
17 information about the different changes we've made to the
18 seasons in 20(E).

19

20 For the communities that are requested
21 for C&T, they're grouped by unit, and the Unit 20(E)
22 communities are Chicken, which includes Boundary near by,
23 and then Eagle and Eagle Village. And those
24 characteristics are described on Page 131. And then
25 there's maps, relevant maps, and then on Page 134 is a
26 table with the population figures, but in Unit 12 the
27 communities are Tanacross, Tok, Tetlin and Northway. And
28 20(D) communities are Big Delta, Delta Junction, Deltana,
29 Dry Creek, Fort Greely, Healy Lake and Dot Lake. The
30 Unit 25 communities are Central and Circle.

31

32 And the table shows the population
33 figures for the year 2002, 200, then it shows the percent
34 native population, and then the occupied households. And
35 then the time depth, and that's just the estimated year
36 of when first settlements were known, because it's just
37 historical reference for when settlement occurs. And, of
38 course, traditional communities are those that would have
39 traditionally occupied the area, and there's no real date
40 marking their settlement. So those communities I
41 looked.....

42

43 This proposal was written by Pat
44 McClennahan and myself, because I just only recently got
45 the duties for Eastern Interior, and I had a few -- I
46 just wasn't able to do the proposal completely, but --
47 I'm not as familiar with all of this data, but I think I
48 have a vague idea.

49

50 Besides the community characteristics,

00074

1 the level of use for the fish and game household surveys
2 that were available to give us information, they were
3 mostly from the upper Tanana communities of Northway,
4 Tanana, across Tetlin and Tok, and then there was a study
5 done in Dot Lake, but there's really not any ADF&G
6 studies. There were some Park Service studies, and, of
7 course the Federal lands involved in 20(E) are -- that
8 shows on the map, too, but, they're the Yukon Charley
9 National Preserve, and then BLM lands for the Forty Mile
10 River -- or BLM lands, so -- but those -- the only
11 sources of information are the -- from -- for those
12 communities, and then a few Park Service studies.

13

14 And then the other source of information
15 to show the use that -- in factor 1 is from the harvest
16 data base. And one drawback of that harvest data base,
17 you'll see that for quite a few communities there is no
18 information available, and that could just be because of
19 the mailing system, because there's quite a few permits
20 issued for Delta Junction, but that could be that Deltown
21 (ph) and Big Delta and Dry Creek all probably got their
22 mail at Delta Junction, so -- but there's no way of
23 measuring their use levels.

24

25 But that's the data we have, and it just
26 shows the level of use. WE included the permits that
27 were issued or reported -- we got reports back from --
28 for those use levels, and then for a comparison to show
29 the -- where else those communities harvested moose.

30

31 And, of course, the highest level of use
32 is by the residents of 20(E). And then the next highest
33 is Unit 12 north, those communities. And then there's
34 lower levels of use for residents of 20(D) and Circle and
35 Central. But the permits do show some use.

36

37 And, of course, the analysis just
38 describes whatever relevant information we have from
39 those communities for the other factors. And in looking
40 at the other important thing in C&T uses besides a
41 long-term consistent pattern of use, well, that permit,
42 the time period just -- it covers mainly from 1983 to
43 2000, so that's 17 years of use.

44

45 And but then another factor is the
46 location, whether they actually did hunt on federal
47 lands, and Pat McClennahan who had gathered the permit
48 use, it -- and she just states it, but I -- we have a
49 table, and, well, I think I brought it, but it shows that
50 Chicken, Eagle, Northway, Tanacross, Tetlin, Tok, Dot

00075

1 Lake and Delta Junction have hunted moose on BLM
2 administered lands in 20(E), and Circle, Central, Tok,
3 Eagle and Delta Junction hunted on Park Service lands in
4 northern 20(E), so she went through -- because there's
5 UCU data, the smaller unit -- smaller sub units where we
6 can specifically identify what are Federal and what are
7 State, so permits were issued for moose by residents of
8 those communities.

9

10 And then another thing that -- in looking
11 at the eight factors, residents of these communities
12 except for Circle and Central were recently determined to
13 have customary and traditional use of caribou in 20(E),
14 so a lot of the information that was used in those eight
15 factors were taken from the analysis prepared for the
16 customary and traditional determination for caribou.

17

18 So the preliminary conclusion is to
19 support the proposal, and then I'll just go over the
20 justification. ADF&G harvest records for this region may
21 be incomplete, and that's only because of the mailing
22 thing, but taken together with the documentation by
23 historians and ethnographers, a long-term history of use
24 is either well-documented or suggested for the rural
25 residents of the units or communities requesting the
26 establishment of customary and traditional use
27 determination. Currently a very similar customary and
28 traditional use determination for Unit 20(E) caribou is
29 in place for many of these same communities, which
30 further supports the request. Historically, for many of
31 these communities, caribou were the most important large
32 game animal for a subsistence user. When the caribou
33 changed their migratory paths and only a few solitary
34 animals remained, moose became the most important source
35 of meat.

36

37 And that concludes the analysis.

38

39 CHAIRMAN NICHOLIA: Any questions for
40 Pat. Terry.

41

42 MR. HAYNES: Mr. Chairman, the Department
43 supports a C&T finding being made for moose in Unit
44 20(E). However, if you look at the eight-factor analysis
45 and the sources of information used to present that
46 information, you'll see no evidence presented to support
47 including Dry Creek in the proposed finding. Also the
48 level of documented harvest by residents of the Delta
49 Junction area is very low, and a case has not been made
50 that this use rises to the level of a customary and

00076

1 traditional use. The Department also recommends that
2 Fort Greely be excluded from the proposed finding.

3

4 Although evidence in the Department's
5 harvest records demonstrating a history of moose hunting
6 in Unit 20(E) by some upper Tanana communities is very
7 limited, other sources of information are available to
8 support their inclusion in this proposed find.

9

10 So we just believe that the case has not
11 been made to include a number of these communities and
12 areas in the analysis given their extremely low level of
13 documented harvest of moose in Unit 20(E).

14

15 Thank you.

16

17 CHAIRMAN NICHOLIA: Any questions? Go
18 ahead, Virg.

19

20 MR. UMPHENOUR: What about Deltana?

21

22 MR. HAYNES: Mr. Chairman, Virgil, we
23 kind of assumed that Deltana, Big Delta, and Delta
24 Junction, are kind of one community in terms of reporting
25 of moose hunting here, and so we haven't really -- you
26 know, in the absence of any written information, it's
27 hard to know if you should be making distinctions between
28 those -- kind of those three population clusters.

29

30 CHAIRMAN NICHOLIA: Any more questions
31 for Terry? Go ahead, Sue.

32

33 MS. ENTSMINGER: Terry, as you know,
34 you've probably dealt with this a long time with me, the
35 C&T findings and stuff, where Mentasta Village is just
36 across the Unit 12 border, and they fall in 13(C), and,
37 you know, once we start drawing boundaries, like Eastern
38 Interior, it looks like we only look at like the
39 information for the villages inside that area, and then
40 maybe overlook something that's adjacent to it, and -- I
41 mean, I was wondering if the State has data on Mentasta
42 using 20(E)?

43

44 MR. HAYNES: Mr. Chairman, Sue, I don't
45 remember. We do have information on Mentasta that's in a
46 Copper Basin study that was done some years ago. I don't
47 remember if the information in that report shows Mentasta
48 residents hunting moose in Unit 20(E) or not. And, you
49 know, Fred John is here. He might be able to offer more
50 of a local perspective on that.

00077

1 CHAIRMAN NICHOLIA: Any more questions
2 for Terry? Clarification, same thing. Yeah, do you want
3 to comment to this proposal, Fred?

4
5 MR. JOHN: Thank you.

6
7 As far as I know in 20(E) and 12,
8 Mentasta has a history of hunting in those area. I don't
9 think in recent time that much, but our har -- Mentasta
10 hunting area went right into Canada, around Northway,
11 just like Mentasta is a village -- I mean, most of the
12 people come up from Nebesna, Sushana, Tansanita area,
13 they moved to Mentasta, and the rest moved into Northway
14 area, Dot Lake, and some to Tanacross. So our history
15 goes into Canada, right through there. That's about all
16 I could say right now.

17
18 Thank you.

19
20 CHAIRMAN NICHOLIA: Any written comments
21 there, Don?

22
23 MR. MIKE: Thank you, Mr. Chair. There's
24 one written public comment from the Wrangell-St. Elias
25 Subsistence Resource Commission. This proposal does not
26 directly affect Wrangell-St. Elias National Park and
27 Preserve. However it could potentially limit the hunting
28 opportunities of residents of the park's resident zone
29 committees should a need to hunt in this area arise in
30 the future. Wrangell-St. Elias National Park Subsistence
31 Resource Commission opposes the proposal as written,
32 noting that there appears to be no compelling reason to
33 limit subsistence opportunity.

34
35 That concludes the written public
36 comments, Mr. Chair.

37
38 MS. CELLARIUS: Mr. Chairman, Barbara
39 Cellarius, subsistence coordinator for Wrangell-St. Elias
40 National Park.

41
42 The area under consideration is not part
43 of the part, but I was alerted to this proposal by Park
44 Service Staff in Anchorage, and they were also curious
45 about whether there were park -- whether people from some
46 of our resident zone communities hunted in the region
47 under question since they were not included in the C&T
48 determination in this proposal. And so I have been
49 asking some of -- in some of these communities. This
50 came up at our SRC meeting, and we had

00078

1 government-to-government meetings in Chistochina and in
2 Mentasta Lake.

3

4 And in the meeting in Mentasta Lake, the
5 information that we received was similar to that Fred
6 John just spoke about, and individually spoke with,
7 mentioned an historic village called Ketchistuck (ph),
8 which is on the Valdez/Eagle trail, and said that that
9 was an area where they historically have hunted. They
10 don't hunt there right now, but that it is a historic
11 area where they hunt.

12

13 MS. ENTSMINGER: So Chisto said no use at
14 all? Chistochina?

15

16 MS. CELLARIUS: At Chistochina they did
17 not indicate that that was a historic place that they
18 hunted.

19

20 CHAIRMAN NICHOLIA: Go ahead.

21

22 MS. WAGGONER: There was no indication of
23 actually using those Federal lands in 20(E), because
24 Ketchinstuck (ph) isn't even in 20(E). It's pretty close
25 though. Okay.

26

27 MS. CELLARIUS: I'm not real familiar
28 with the geography. I gave the people we were speaking
29 to a map, and they said that the area around Ketchinstuck
30 (ph), Mount Fairweather is another.....

31

32 UNIDENTIFIED VOICE: Fairplay.

33

34 MS. CELLARIUS: Fairplay, okay. That's
35 another geographic area that was mentioned.

36

37 CHAIRMAN NICHOLIA: Any further questions
38 for these two? Go ahead, Trisha.

39

40 MS. WAGGONER: I just have one more, and
41 Pat can answer this, is why was Mentasta not included in
42 the actual C&T review? Because this was brought up
43 actually at the meeting when we proposed it, you know,
44 six months ago.

45

46 MR. DEMATTEO: Well, I guess I have to
47 'fess up to that. We've gone through some staff changes
48 recently, and to fill in the gaps, I typed up this
49 original proposal, thinking I was trying to help, okay,
50 and I inadvertently left out Mentasta out of there. And

00079

1 now that I recall, in '98 you dealt with a proposal for
2 C&T for caribou up in 20(E) and Mentasta was one of the
3 communities that had a similar harvest pattern up there.
4 But that is my fault. Mentasta should have been in the
5 original proposal. But you do have the option to amend
6 that at this point.

7

8 MS. WAGGONER: I move to adopt Proposal
9 47 with the -- to -- for positive C&T for the residents
10 of 20(E), Unit 12 north of the Wrangell-St. Elias, Unit
11 20(D), residents of Circle, Central, and Mentasta Lake.

12

13 MR. UMPHENOUR: Second.

14

15 MR. GARDNER: Okay. You said all 20(D)?

16

17 MS. WAGGONER: Uh-huh. (Affirmative)

18

19 MR. GARDNER: Okay. Including Delta

20 then.

21

22 CHAIRMAN NICHOLIA: It's been moved and
23 seconded with an amendment. Discussion?

24

25 MS. ENTSMINGER: Thank you, Mr. Chair. I
26 attended an advisory committee meeting in the upper
27 Tanana, Forty Mile, it was held in Tok after this Board
28 book came out, and they discussed this, and the committee
29 was a little concerned about the Delta Junction, because
30 it's a growing area and bigger area and military. I'm
31 reading right from the minutes here. They said 20(E)
32 moose population is already low and adding this many more
33 people to the user base is not necessary. The people of
34 Delta Junction already have a great deal of subsistence
35 area to hunt on Federal areas that the people in --
36 around their area did not. so they were -- we feel that
37 the Eastern Interior should make a stand out not to
38 include Delta in a C&T in 20(E). I just wanted to read
39 it to the record.

40

41 MR. UMPHENOUR: So is -- are you going to
42 make an amendment? Suggestion?

43

44 (Whispered conversation)

45

46 MR. MIKE: Mr. Chair, to help the process
47 along, I think you have an amendment on the floor. You
48 can vote on an amendment and then come back and make
49 another amendment to the proposal. I think it will make
50 it easier.

00080

1 CHAIRMAN NICHOLIA: So that amendment was
2 to add Mentasta and then delete Delta?

3
4 MS. WAGGONER: It was not.

5
6 CHAIRMAN NICHOLIA: The amendment which
7 is to Mentasta, Slana and Chistochina?

8
9 MS. WAGGONER: Just Mentasta.

10
11 CHAIRMAN NICHOLIA: Okay. And then if
12 we're going to include all 20(D) residents, that will
13 include Delta. Whatcha want to do about that one? We
14 don't want to increase the harvest for the -- we don't
15 want to make any greater competition or anything like
16 that.

17
18 MR. MIKE: Mr. Chairman, you have an
19 amendment on the floor. I'd just you vote on -- either
20 act on an amendment and then come back and discuss 20(D),
21 and offer an amendment there.

22
23 CHAIRMAN NICHOLIA: Well, I'll tell you
24 what we'll do here. We'll take care of Trisha's
25 amendment, we'll vote on that, and then we'll go to the
26 Delta deal. And then we're on that amendment there to
27 include Mentasta Lake, and it's been moved, second.

28
29 UNIDENTIFIED VOICE: Question.

30
31 CHAIRMAN NICHOLIA: And the question has
32 been called. All those in favor of that amendment to --
33 add an amendment to include Mentasta Lake, to Proposal
34 47, signify by saying aye.

35
36 IN UNISON: Aye.

37
38 CHAIRMAN NICHOLIA: All those opposed,
39 same sign.

40
41 (No opposing votes.)

42
43 CHAIRMAN NICHOLIA: Motion carried.
44 Okay. We're going on to the amendment to delete Delta or
45 include it. What's your pleasure.

46
47 MR. UMPHENOUR: Move to delete the 20(D)
48 communities.

49
50 CHAIRMAN NICHOLIA: Not the whole 20(D).

00081

1 We want Dot Lake in there, too.

2

3 MS. ENTSMINGER: Dot Lake and Healy.

4

5 CHAIRMAN NICHOLIA: Uh-huh. We just want

6 to.....

7

8 (Whispered conversation)

9

10 MR. UMPHENOUR: Move to delete the 20(D)

11 communities with the exception of Dot Lake and Healy

12 Lake.

13

14 MS. ENTSMINGER: Second.

15

16 CHAIRMAN NICHOLIA: Discussion.

17

18 (No discussion)

19

20 UNIDENTIFIED VOICE: Question.

21

22 CHAIRMAN NICHOLIA: It's been moved,

23 second, question is called. All those in favor of

24 excluding 20(D) with the exception of Healy Lake and Dot

25 Lake, signify by saying aye.

26

27 IN UNISON: Aye.

28

29 CHAIRMAN NICHOLIA: All those opposed,

30 same sign.

31

32 (No opposing votes.)

33

34 CHAIRMAN NICHOLIA: The motion carries.

35 Okay. We're onto for a motion for Proposal 47 with the

36 amendments that we just included. Is there a motion to

37 move anything?

38

39 MS. WAGGONER: I move to accept or

40 support Proposal 47 as amended.

41

42 MS. ENTSMINGER: Second

43

44 CHAIRMAN NICHOLIA: Discussion

45

46 (No discussion)

47

48 UNIDENTIFIED VOICE: Question.

49

50 CHAIRMAN NICHOLIA: It's been moved,

00082

1 second. Question is called. All those in favor of
2 Proposal -- to support Proposal 47 with the amendments,
3 signify by saying aye.

4

5 IN UNISON: Aye.

6

7 CHAIRMAN NICHOLIA: Those opposed, same
8 sign.

9

10 (No opposing votes.)

11

12 CHAIRMAN NICHOLIA: Motion carried. Take
13 a break.

14

15 (Off record)

16

17 (On record)

18

19 CHAIRMAN NICHOLIA: I'll call the meeting
20 back to order.

21

22 (Whispered conversation)

23

24 MS. WAGGONER: Okay. For the record,
25 we're going to read into the record what the regulation
26 was that we just voted on. And that's 20(E) moose,
27 positive C&T determination for the residents of Unit
28 20(E) Unit 12 north of the Wrangell-St. Elias National
29 preserve, Healy Lake, Dot Lake, Circle and Central.

30

31 UNIDENTIFIED VOICE: And Mentasta.

32

33 MS. WAGGONER: And Mentasta Lake.

34

35 CHAIRMAN NICHOLIA: Go ahead.

36

37 MS. ENTSMINGER: Thank you, Mr. Chair.
38 Before you go on, I just want to put on the record, too
39 that if there are any communities that we have forgotten,
40 I would be certainly open to hear about anything that we
41 were in a miss in making a C&T like that.

42

43 MR. MIKE: Mr. Chair, Proposal 48 is to
44 align season and harvest limit with State regulations for
45 moose in Unit 20(F). Mr. DeMatteo will do the analysis.

46

47 MR. DEMATTEO: Mr. Chair, Proposal 48 was
48 submitted by the Eastern Interior Council. This would
49 establish a December 1 through 10 winter season for moose
50 in the remainder of Unit 20(F). The proposed regulatory

00083

1 change would align with recent Alaska Board of Game
2 action that -- taken on moose in the affected area.

3
4 The proponents intentions are to provide
5 additional opportunity for qualified users to harvest
6 moose in the affected area, and to align Federal and
7 State regulations for the December 1 through 10 season.

8
9 On Page 152, halfway down the page is the
10 proposed Federal season for moose, Unit 20(F), remainder.
11 The harvest limit stays the same as one antlered bull,
12 but it creates -- establishes a December 1 through
13 December 10 season.

14
15 Rural residents of Unit 20(F) and
16 residents of Manley, Minto and Stevens Village have
17 customary and traditional use determination for moose in
18 20(F). I'll point out on page 153 is the map. The
19 affected Federal lands in Unit 20(F) are all BLM lands
20 excluding the Dalton Highway Corridor Management Area.
21 And unfortunately it didn't print out as it should have
22 in the book, but the Federal lands, if you look at this
23 map, the colored map you have in front of you, the place
24 mat size, go to 20(F). And if you look above where it
25 says 20(F) on the map there above the Yukon, there's a
26 mosaic, yellow mosaic there. That's BLM lands, okay,
27 except the Dalton Corridor. Just that area above Tanana
28 is the area that's being proposed, the December 1 through
29 10 season be established for.

30
31 Because of use trends and limited
32 funding, current population information for moose in Unit
33 20(F) is mostly limited to the portion south of the Yukon
34 River and east of the Tanana. No new population
35 information for the effected area was available at the
36 time of this writing.

37
38 Hunter effort during winter is limited
39 primarily to local residents. Additional harvest within
40 the proposal area is estimated to be low and should not
41 adversely impact the population.

42
43 Because Federal lands within the affected
44 area are -- consist mainly of headwater regions of the
45 Tozitna River and small tributaries of the Yukon,
46 opportunity to harvest moose is generally restricted to
47 winter access by snow machine or airplane. Hunter effort
48 is relatively low, and mostly limited to local residents.
49 No harvest information specific to the proposal area was
50 available.

00084

1 Adoption of the proposed season would
2 provide additional opportunity for qualified users to
3 harvest moose in an area not accessible by boat during
4 the fall season. No adverse impacts to the moose
5 population within the affected area are anticipated as a
6 result of an adoption of this proposal.

7
8 With that, Mr. Chair, the preliminary
9 conclusion is to support the proposal to establish
10 December 1 through December 10 season for the remainder
11 of Unit 20(F).

12
13 Thank you.

14
15 CHAIRMAN NICHOLIA: Questions for Pete.
16 Terry.

17
18 MR. HAYNES: Mr. Chairman, the Department
19 supports this proposal. It's adoption would align the
20 State and Federal regulations and provide additional
21 moose hunting opportunity in Unit (F) for
22 Federally-qualified subsistence users.

23
24 CHAIRMAN NICHOLIA: Any public comments
25 or written ones?

26
27 MR. MIKE: Mr. Chairman, we did not
28 receive any written public comments, thank you.

29
30 CHAIRMAN NICHOLIA: Regional Council
31 deliberation.

32
33 MR. UMPHENOUR: Move to adopt proposal
34 WP03-48 as written.

35
36 MS. ENTSMINGER: Second.

37
38 CHAIRMAN NICHOLIA: Discussion.

39
40 (No discussion)

41
42 MR. STEVENS: Question.

43
44 CHAIRMAN NICHOLIA: It's been moved,
45 second. The question was called. All those in favor of
46 adopting Proposal 48 as written, signify by saying aye.

47
48 IN UNISON: Aye.

49
50 CHAIRMAN NICHOLIA: All those opposed,

00085

1 same sign.

2

3 (No opposing votes.)

4

5 CHAIRMAN NICHOLIA: Motion carries.

6

7 MR. MIKE: Mr. Chair, Proposal 49 is
8 another alignment to align the season and harvest limit
9 with State regulations for beaver in Units 12 and 20(E).
10 Thank you, Mr. Chair.

11

12 MR. DEMATTEO: Mr. Chair, before I
13 proceed, on page 157 of your book, I want to point out
14 one correction that needs to be made under the executive
15 summary for Proposal 49. If you go down the list there
16 for the Staff recommendation, that should read support
17 with modification, not just support. Support with
18 modification for Proposal 49.

19

20 Proposal 49 was submitted by the Eastern
21 Interior Regional Council, and this would expand the
22 existing beaver trapping seasons in Units 12 and 20(E),
23 and would allow harvest by firearms only during the
24 expanded portions of the seasons provided the meat is
25 salvaged for human consumption. Adoption of the proposed
26 regulatory change would also align State and Federal
27 regulations.

28

29 If you look on Page 160, halfway down the
30 page, the proposed Federal season for beaver trapping for
31 Unit 12, this would add the language that reads, during
32 September 20 through October 31st, and April 16 through
33 May 15, only firearms may be used to take up to six
34 beaver per regulatory year. Meat from harvested beaver
35 must be salvaged for human consumption. And it would
36 also put -- or also add the same language to Unit 20(E)
37 for beaver trapping.

38

39 It also would change the seasons for both
40 units. The existing season, November 1st through April
41 15th would be changed to September 20th through May 15th
42 for Units 12 and 20(E) beaver trapping.

43

44 All Federally-qualified rural residents
45 are eligible to trap beaver in Units 12 and 20(E).

46

47 The proponents intentions are to provide
48 additional opportunity for qualified users to harvest
49 beaver under Federal trapping regulations, and to align
50 Federal and State regulations for Units 12 and 20(E).

00086

1 Adoption of the proposed season expansions would provide
2 qualified users an additional 72 days of opportunity to
3 harvest up to six beaver per season with a firearm in
4 Unit 12 and 20(E).

5

6 Beaver populations range within normal
7 distributions in Units 12 and 20(E) compared to other
8 areas with similar foraging conditions in northern
9 Interior Alaska. Beaver populations for the affected
10 area range from scarce to common in suitable lowland
11 habitats in Units 12 and 20(E) during 1994 through '98.
12 However, high water washed out many of the beaver lodges
13 i area rivers during the summer of 1997 and subsequent
14 impacts on the populations are not fully known. Given
15 that trapper efforts have substantially decreased
16 throughout most of the 1990 due to a recessed fur
17 industry, the assumption is made that the current
18 populations are at least stable and healthy with a
19 harvestable surplus.

20

21 The proposed regulatory change would
22 align with recent Alaska Board of Game actions taken for
23 beaver trapping in Units 12 and 20(E). Adoption of the
24 proposed season extensions would allow qualified users an
25 additional 72 days of opportunity to harvest six beaver
26 per season with a firearm in Units 12 and 20(E). Beaver
27 harvested with a firearm would be included as part of the
28 existing limit for trapping in Units 12 and 20(E).

29

30 While the intent of the proposed
31 regulation is to provide additional opportunity, the
32 requested 72-day firearm only season would not apply to
33 National Park Service lands due to conflicting agency
34 regulations. Currently National Park Service regulations
35 do not allow the use of firearms to harvest beaver under
36 the trapping regulations, therefore the requested
37 provision would not apply to National Park Service lands
38 within the affected areas of this proposal.

39

40 Mr. Chair, with that -- to meet the
41 intention of the proposal, that is, to provide additional
42 opportunity also within Park Service lands of Units 12
43 and 20(E), if you look at the bottom of Page 163, it has
44 what is proposed as I read before for beaver trapping for
45 Units 12 and 20(E). If you flip to Page 164 at the top,
46 a modification has been added to allow Units 12 and 20(E)
47 beaver hunting in addition to the trapping with the same
48 language. And by allowing a beaver hunting season in
49 this area, you -- one would be allowed -- a qualified
50 user would be allowed to use a firearm to harvest beaver

00087

1 on National Park Service lands. And that is the
2 modification that I mentioned to go with the existing
3 proposed language, and also add another season for Unit
4 12 and Unit 20(E) for beaver hunting. And this would
5 meet the intent of the proposal.

6

7 With that, Mr. Chairman, I must also
8 mention that at the time this was written, I needed to
9 get it the printer so it could get to your book. Since
10 then some new information has been -- come to light from
11 the State, from Alaska Department of Fish and Game. It
12 might be a good measure to hear from them what they they
13 have to say about this proposal, if they so wish.

14

15 CHAIRMAN NICHOLIA: Terry.

16

17 MR. HAYNES: You wanted our comments now?

18

19

20 CHAIRMAN NICHOLIA: Whatever you want.

21

22 MR. HAYNES: New information. Mr.
23 Chairman, the Department supported the original proposal
24 to align the State and Federal beaver trapping seasons in
25 Unit 12 and 20(E). At this time we do not support
26 creation of the proposed Federal beaver hunting season in
27 these same units. The State currently does not have a
28 beaver hunting season in Units 12 and 20(E), and opening
29 a Federal season would likely create confusion and would
30 be difficult to enforce.

31

32 Department records indicate that a very
33 small number of beaver taken per year in Unit 20(E), most
34 of which are taken on the Yukon River.

35

36 Establishing a Federal beaver hunting
37 season would provide additional opportunity to harvest
38 beaver in the Yukon Charley Rivers National Preserve.
39 But this proposal as modified would also authorize beaver
40 hunting on refuge lands in Unit 12 where there would be
41 the potential for over harvest and conflict with beaver
42 trapping. Consequently if the Regional Council supports
43 establishing a Federal subsistence beaver hunting season,
44 we recommend it be limited to National Park Service lands
45 in Units 12 and 20(E), since that's where the firearm
46 prohibition applies, in Federal Park Service regulations.

47

48 And Craig Gardner is here if you have any
49 questions concerning beaver populations in these two
50 units.

00088

1 MS. ENTSMINGER: Thank you, Mr. Chair.
2 Yeah, Craig, I'd just like you to let us know that --
3 where the beaver are in those Federal areas?

4
5 MR. GARDNER: Thanks. Craig Gardner
6 again, the area biologist from Tok.

7
8 Yeah, just kind of even to step back even
9 further if you guys don't mind. Just a little
10 background. The original idea to take on this open water
11 season was actually brought up by the trappers in this
12 area, and, you know, they just wanted to have an
13 opportunity to get them early, you know, for food, and
14 also to get them late. It -- and also it kind of would
15 get rid of some of the problems they have in flooding the
16 roads, you know, the Northway Road in particular, and
17 then the Alaska Highway, you know, kind of going along
18 the border there, and so they could -- the trappers the
19 trap that area could access -- much easier go out there
20 and shoot the beavers when they're damming up the
21 culverts type of a thing.

22
23 The intent was never to kind of have
24 competition and have these beavers removed, you know,
25 another way.

26
27 And so, you know, to get to Sue's
28 question then, why the idea of the modification, which in
29 -- you know, on the surface seems like a great idea, you
30 know. You have the hunting season and anybody, you know,
31 a duck hunter or anybody else can be down there, you
32 know, and can get a beaver, but in essence where all the
33 beavers are being taken is really in that part of Unit 12
34 along the Alaska Highway and off in the parts of Nebesna
35 River and Scotty Creek, and it's also being taken
36 primarily by Northway natives -- residents.

37
38 And what -- in essence what this hunting
39 season would do is actually causes a big conflict. You
40 know, these beavers actually would be taken during the
41 open water season, and the trappers would come down,
42 because that's where they trap, and that's where the
43 beavers are, and they won't be there. Basically the
44 houses will be shot out.

45
46 So I think, you know, the idea that, you
47 know, when the people originally came up with the idea of
48 having these seasons didn't realize that you couldn't
49 shoot a free-roaming animal in national preserves, and I
50 -- you know, and it does meet the intent, you know,

00089

1 especially in the Yukon-Charley. It would be actually a
2 great move for them, because if you can think of how the
3 river becomes difficult to travel, you know, later in the
4 fall, you know, this would actually give them actually an
5 opportunity to take some beavers, you know, on a hunting
6 -- under a hunting license or a trapping license when
7 they're downriver. They can take some beaver, so in that
8 way, you know, it would actually fit quite well for them,
9 you know, but actually in that part of 12, it would
10 actually cause more grief with the users than it would
11 actually help out anybody.

12

13 CHAIRMAN NICHOLIA: So what you're
14 saying, Craig, is that if we adopt Proposal 49 without
15 the modification, it wouldn't cause so much conflict and
16 hurt for those people in that region?

17

18 MR. GARDNER: If you adopt it without the
19 modification, right, there wouldn't be any conflict
20 between -- you know, because that would be exactly what
21 those folks wanted, an open season for trappers. But it
22 would -- what it would -- or you could -- the other step
23 would be is that you could modify the modification and
24 preserve lands have a hunting season, because it would
25 then benefit those folks, you know, come from Eagle or
26 Circle or Central that can travel the river and have a
27 chance at some beaver before it ices over and they can't
28 move on it for a while.

29

30 CHAIRMAN NICHOLIA: Wait, wait, wait.
31 Let me get this straight here. Just National Park
32 Service lands, what you just told me earlier, Pete, they
33 don't allow hunting on there for them?

34

35 MR. HAYNES: Mr. Chair, current National
36 Park Service regulations, this is not Federal subsistence
37 regulations, this is regulations specific to the National
38 Park Service. They do not allow the use of a firearm to
39 harvest beaver on National Park Service lands.

40

41 CHAIRMAN NICHOLIA: So in other words,
42 you're saying.....

43

44 MR. HAYNES: Under a trapping license.

45

46 CHAIRMAN NICHOLIA:in other words
47 you're saying that even if we do adopt this modification
48 or modify this modification, it wouldn't have no effect
49 on National Park Service land, would it?

50

00090

1 MR. DEMATTEO: The existing -- proposed
2 language that you see on Page 158, that would not provide
3 additional opportunity to harvest beaver with a firearm
4 on National Park Service lands. Other Federal lands, but
5 not National Park Service lands under a trapping license.

6
7 CHAIRMAN NICHOLIA: (Indiscernible,
8 microphone off) I'm trying to get this straight here. So
9 you're not allowed to hunt on National Park Service lands
10 for beaver with a rifle, but you are on -- you are
11 allowed on refuge lands, is that correct?

12
13 MR. DEMATTEO: You can't use a rifle on
14 Park Service under a trapping license, only a hunting
15 license. That's why -- that was the reason for the
16 modification to create a dual season, one for trapping,
17 one for hunting. Then you could use a firearm on Park
18 Service lands.

19
20 CHAIRMAN NICHOLIA: I think you guys
21 mixed me up more. Go ahead, Trish.

22
23 MS. WAGGONER: Okay. So the original one
24 would increase the opportunity for getting beaver under a
25 trapping license on refuge lands only. By establishing
26 this modification, if we said Unit 12 and Unit 20(E)
27 within National Park Service administered lands, would
28 allow the Yukon Charley and that northern portion of the
29 Wrangell-St. Elias to be opened to taking of beaver with
30 firearms. Okay.

31
32 MR. DEMATTEO: Mr. Chair, just -- it
33 would also apply to the BLM land in the Forty Mile
34 corridor as well.

35
36 CHAIRMAN NICHOLIA: And this is where,
37 Craig, that you said it will cause a lot of heartburn if
38 we did adopt this modification proposed by OSM staff?

39
40 MR. GARDNER: Yeah, I think there's a
41 really good chance, right, because there's a lot of duck
42 hunters that use the areas that a lot of the beaver
43 trapping happens, and they'll take them, yeah. So right
44 there where most of the beaver trapping is, they would --
45 if you just took the modification as written, it would
46 increase conflict.

47
48 MS. WAGGONER: But could we limit this
49 modification to strictly just Wrangell-St. Elias and
50 Yukon Charley National Park?

00091

1 MR. DEMATTEO: Mr. Chair, yes, you could.
2 You could modify the modified proposal so that the
3 language would read that under a hunting season it would
4 only apply to National Park Service lands.

5
6 One other thing is being as we have
7 National Park Service Staff here, you may wish to get
8 some input from them.

9
10 MR. REID: Mr. Chairman, Mason Reid,
11 wildlife biologist for Wrangell-St. Elias National Park
12 and Preserve.

13
14 I was involved in a fair bit of
15 discussion on this proposal, and our intent was to
16 provide for the intent of the original proposal on
17 National Park Service lands, and the way current Park
18 Service regulations are, that you cannot shoot a beaver
19 under a trapping license, and there currently does not
20 exist a hunting season for beaver on National Park
21 Service lands in Unit 12. So the adjusted proposal, the
22 addition of the hunting season which is on pages 163 and
23 164, we added that to provide for the taking of beaver on
24 National Park Service lands based on the intent of the
25 original proposal.

26
27 What Craig told me was that by doing this
28 on a unit by unit system, it would allow hunting of
29 beaver on Fish and Wildlife Service, which would have an
30 additional impact. So I think the proposal to limit the
31 modification to National Park Service would achieve what
32 everybody wants out of here, at least based on my
33 interpretation of all this. The intent is to allow the
34 taking of beaver by firearm on National Park Service
35 lands without increasing the harvest quota. You know,
36 you -- we still have I think it's the 15 per season,
37 total of six may be taken with a firearm. So we're not
38 increasing the quota. We're just allowing additional
39 means of taking those beaver.

40
41 CHAIRMAN NICHOLIA: Virgil.

42
43 MR. UMPHENOUR: Does this apply to park
44 preserve land, because the Yukon Charley Rivers is a
45 preserve.

46
47 MR. REID: Regulations apply to both park
48 and preserve. They're National Park Service lands.

49
50 MR. UMPHENOUR: Thank you.

00092

1 CHAIRMAN NICHOLIA: Go ahead, Sue.

2

3 MS. ENTSMINGER: Thank you, Mr. Chair. I
4 just am curious. The regulation that prohibits the
5 taking of a beaver under a trapping license, is that the
6 free ranging fur bearer?

7

8 MR. REID: It's regulation -- well, the
9 way this evolved was that in Federal regulations under
10 National -- on National Park Service lands defines
11 trapping as such, and defines hunting as such. I don't
12 have the regulations with me. And the way they are
13 defined, they are exclusive. Trapping does not involve
14 taking with a firearm. So if you allow trapping and use
15 that definition, that specifically implies that you
16 cannot take it with a firearm. So it's a definition of
17 trapping versus a definition of hunting. So if they are
18 -- if beaver can be taken with -- under a hunting
19 license, then firearms are fine, but you just can't do it
20 with a trapping license.

21

22 CHAIRMAN NICHOLIA: I know I've seen
23 those State hunting and trapping license. When you buy a
24 hunting license, you buy a hunting license, but you could
25 also buy a hunting and trapping license at the same time
26 under State things. How are you going to differentiate
27 that?

28

29 MR. REID: Well, these regulations are
30 only for Federal lands.

31

32 CHAIRMAN NICHOLIA: Well, how about the
33 point the Craig got that if we did adopt it with that,
34 and they include on 164 to hunting seasons from September
35 20th to May 15, what do you know about that heartburn
36 that it will cause on that -- or to refuge area or Park
37 Service area, whatever.

38

39 MR. REID: Well, I think the best way to
40 -- well, just to give you some background, when we were
41 discussing all of this, we were trying to figure out -- I
42 mean, we spent a lot of effort just trying to figure out
43 how to work with these regulations to achieve the desired
44 objective of taking beaver with firearms under not
45 necessarily a trapping license, but having these same
46 people, giving them the ability to take beaver with a
47 fire arm. And this is what we came up with. It's
48 complex and it's a little convoluted, but this is sort of
49 the best shot that we came up with at the time, and we
50 found out that there are some serious limitations, which

00093

1 Craig has outlined. But I think by supporting the
2 original proposal, and then the modification specific
3 only to National Park Service lands, that would achieve
4 the desired objective.

5

6 CHAIRMAN NICHOLIA: Okay. Okay. But
7 just restrict only to Park Service land and that's what
8 you're talking about on Page 164, the top of it, right?

9

10 MR. REID: 163 and 164, and the way I
11 read it, I think we need to include both trapping --
12 well, we may need to include both trapping and hunting
13 under that regulations, because what that does in the
14 justification we -- it specifies that -- let's see here,
15 beaver harvested with a firearm under the recommended
16 hunting season would be included as part of the existing
17 harvest limits for Units 12 and 20(E). So I'm a little
18 concerned about taking out the hunting aspect of it with
19 additive harvest. You know, you can take 12 -- I think
20 it's 12 under trapping, and -- or excuse me, 15 under
21 trapping and six under hunting, and what I don't want to
22 achieve at least in Wrangell-St. Elias lands is
23 increasing the harvest by 50 percent without any
24 biological background. You want to maintain the harvest
25 without increasing it. And so I just want to make sure
26 that, you know, we do this in a way where the harvest is
27 maintained, but all we're changing is the method of
28 harvest.

29

30 CHAIRMAN NICHOLIA: And you think
31 adopting this proposal with this modification would do
32 that?

33

34 MR. REID: The way I read it, yes. There
35 may be other opinions, but the way I read it, yes.

36

37 CHAIRMAN NICHOLIA: I know there's some
38 people that read certain things one way and there's some
39 other people that read certain things another way, so
40 anybody has a heartburn with that?

41

42 MR. DEMATTEO: Mr. Chair, just to recap
43 everything, at the bottom of Page 163, that would create
44 beaver trapping season, okay, Unit 12 and 20(E), but it
45 would provide you the provision to use a firearm to take
46 up to six beaver for the season that you see there.
47 Okay. Under the trapping season you would have the
48 flexibility to use a firearm. All right.

49

50 The problem is the limitation is it

00094

1 doesn't apply to Park Service lands, because of the
2 reasons that we just mentioned, because of regulatory
3 conflicts. So in order to meet that intention on Park
4 Service lands, you've got to flip the page and then you
5 have to establish a beaver hunter season for Units 12 and
6 20(E), and that would meet the intent on Park Service
7 lands use a firearm for trapping beaver on Park Service
8 lands.

9

10 But as Craig Gardner had mentioned, there
11 is the potential for some abuse during fall duck season,
12 that some people might abuse it. So the alternative is
13 to just allow this to pertain to Park Service lands in
14 Units 12 and 20(E) for beaver hunting. And then that
15 would meet the meet the intent for Unit 12 and Unit
16 20(E).

17

18 CHAIRMAN NICHOLIA: Well, we always --
19 you know, if we do support this, we always have until
20 last year to -- next fall to review it again, or next
21 spring to review it again. I'd like to help out, but I
22 don't like to create more harvest for a limited
23 population, but I know as beaver being a rodent, I don't
24 think it should very much affect them too much, but I'd
25 leave it up to my council to see what they want to do
26 about this here.

27

28 MR. UMPHENOUR: If I'm right, what we
29 were told by Craig is this -- these trappers that might
30 get affected by these duck hunters are not on Park
31 Service land, they're on refuge land, and so if we
32 amended the language on Page 164, and for Unit 12 just
33 said Wrangell-St. Elias National Park, and Unit 20(E)
34 Yukon-Charley National Park Preserve, then that would
35 make it clear for everyone that that's the only place it
36 could be, that would be the -- where the hunting season
37 for beaver would be open. Would that solve the problems
38 and clarify it?

39

40 MR. REID: Yes, I think so. Restricting
41 the beaver hunting season to National Park Service lands
42 would fulfill the intent, although I think we should add
43 the statement that the -- let's see, the beaver harvested
44 with a firearm under the recommended hunting season would
45 be included as part of the existing harvest limits for
46 Units 12 and 20(E) on National Park Service lands.

47

48 MS. WAGGONER: Yeah, I think that's what
49 I was -- so basically you want to somehow stipulate in
50 there that even with this beaver hunting regulation say

00095

1 in Unit 12, no more than a total of 15 beaver in
2 aggregate could be taken between hunting and trapping on
3 the Park Service lands was your concern?

4

5 MR. REID: Right.

6

7 UNIDENTIFIED VOICE: And the bag limit,
8 the trapping limit.

9

10 MS. WAGGONER: Yeah. So no more than 15.

11

12 UNIDENTIFIED VOICE: Mr. Chair.

13

14 (Whispered conversation)

15

16 CHAIRMAN NICHOLIA: Before we go any
17 further, is there any public comments? Or if you want to
18 say something to this, Terry, or you already did?

19

20 MR. HAYNES: I'm all talked out, Mr.

21 Chairman.

22

23 CHAIRMAN NICHOLIA: Okay. Go ahead.

24

25 MS. WAGGONER: Okay. to avoid confusion,
26 I want to take beaver trapping and beaver hunting
27 separate. Is that -- so I move to adopt the first half
28 of Proposal WP03 -- to move to adopt Unit 12 and 20(E)
29 beaver trapping, Unit 12, 15 beaver per season, as
30 written on page 163 for the Unit 12 and Unit 20(E) beaver
31 trapping.

32

33 MR. UMPHENOUR: Second.

34

35 CHAIRMAN NICHOLIA: It's been moved and
36 second. Discussion.

37

38 (No discussion)

39

40 MR. STEVENS: Question.

41

42 CHAIRMAN NICHOLIA: Question's been
43 called. All those in favor of adopting the section on
44 163 Unit 12 and 20(E) beaver trapping, signify by saying
45 aye.

46

47 IN UNISON: Aye.

48

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

00096

1 (No opposing votes.)

2

3 CHAIRMAN NICHOLIA: That motion carries.

4

5 (Whispered conversation)

6

7 MR. UMPHENOUR: Okay. Move to adopt
8 WP03-49 as found at the top of page 164 with the
9 following amendments. Unit 12, add Wrangell and St.
10 Elias National Park. Unit 20(E) add Yukon Charley River
11 National Park Preserve. And then an additional sentence
12 that states, beaver taken under hunting regulations will
13 be included in the bag limit, the annual bag limit for
14 beaver taken under trapping regulations.

15

16 MS. WAGGONER: Second.

17

18 CHAIRMAN NICHOLIA: Do you have a
19 question, Sue?

20

21 MS. ENTSMINGER: Yes, I did. I'm just
22 curious if we're just having hunting season, maybe the
23 dates should be the dates here where we have a firearm
24 season.

25

26 CHAIRMAN NICHOLIA: Yeah, September 20th
27 to May 15th. September 20th to May 15th.

28

29 MS. ENTSMINGER: No, right here.

30

31 CHAIRMAN NICHOLIA: These are the dates.

32

33 MS. ENTSMINGER: These are the dates that
34 you can use a firearm. And the rest of the time you can
35 trap. You can trap on Park Service land during those
36 dates. I was just going to ask Pete if -- do you see
37 what I'm saying? Yeah.

38

39 MR. DEMATTEO: Mr. Chair, part of the
40 modification is to allow the season to go from September
41 30th -- or September 20th through May 15th straight
42 through, without any interruption. So she brings up a
43 good point. The original proposal is September 20th
44 through October 31st, and the second season be April 16th
45 through May 15th. And part of the modification would be
46 to just let it run straight through.

47

48 MR. MIKE: Mr. Chair. Mr. Chair, we
49 didn't complete any public comments and there's one
50 written public comment to read into the record. And if

00097

1 there's any other agency comments that need to.....

2

3 CHAIRMAN NICHOLIA: Go ahead.

4

5 MR. MIKE:be present to the

6 Council.

7

8 Mr. Chairman, the written public comment

9 was from Wrangell-St. Elias. They support the intent.

10 Wrangell-St. Elias National Park Subsistence Resource

11 Commission supports the intent of the proposal to allow

12 of taking of beaver on NPS lands by firearm during the

13 season specified in the proposal by whatever

14 administrative means necessary, with the clarification

15 that during the added seasons, only firearms could be

16 used, not traps.

17

18 That concludes the written public

19 comments. Thank you, Mr. Chair.

20

21 Mr. Chair, is there any further agency

22 comments, or public comments?

23

24 MS. FRIEND: Mr. Chairman, Connie Friend

25 with the Tetlin National Wildlife Refuge. I was not

26 aware of the concerns for the refuge lands, and so I

27 think for the hunting portion, I would prefer that the

28 Council not act right now and give us some time to get a

29 better understanding of what the dynamics are.

30

31 Thank you.

32

33 CHAIRMAN NICHOLIA: I think we didn't

34 include the Tetlin National Wildlife Refuge. I think

35 we're just dealing with Wrangell-St. Elias and

36 Yukon-Charley Rivers.

37

38 MS. FRIEND: But -- excuse me. But you

39 intentionally excluded the refuge lands, and that might

40 be opportunity. That was my understanding.

41

42 UNIDENTIFIED VOICE: Because you can do

43 it under trapping.

44

45 MS. FRIEND: Not hunting. Not with a

46 gun.

47

48 UNIDENTIFIED VOICE: Yes, you can.

49

50 MS. FRIEND: You can?

00098

1 UNIDENTIFIED VOICE: On refuge lands.

2

3 MS. FRIEND: Oh, okay. Okay. I'm sorry.
4 I thought we might be -- excuse me.

5

6 CHAIRMAN NICHOLIA: Is there any more
7 agency reports or public comments there, Donald?

8

9 MR. MIKE: There's no written public
10 comments, Mr. Chair.

11

12 MR. KESSLER: I'd like to make a comment.

13

14 CHAIRMAN NICHOLIA: Okay. You're
15 recognized.

16

17 MR. KESSLER: I'm Gilbert Kessler from
18 Nenana here, and I was a young kid in the 30s when in
19 territorial days you were able to shoot. But they
20 stopped it because they were running out of beaver here
21 in the Tolovana and Nenana district, because them beavers
22 sink. And it was a real low beaver population for quite
23 a few years before they come back, and now they're pretty
24 well, but I mean, you know, you're not shooting them
25 around here. But I'm against it. The only -- there's
26 only one way -- I was a kid when I shot a few beaver, and
27 how many are you going to shoot before you get six?
28 You're going to shoot 10, 12, 20 beaver before you'll be
29 able to get your hands on six? And there was only one
30 way to get them, but you really had to be an expert
31 marksman. And I wouldn't recommend that either, because
32 that is a little bit cruel, because you just pop them
33 right in the nose, and they'll keep diving, then they'll
34 crawl up on the bank. But, I mean, you know, that's --
35 we found out we had to do keep them -- to get them out of
36 the -- thank you.

37

38 CHAIRMAN NICHOLIA: We have a motion on
39 the floor to adopt the modification for six beaver per
40 season. Meat must be salvaged for, Unit 12, Wrangell-St.
41 Elias, and then six beaver per season with the
42 Yukon-Charley in 20(E), with the exception of using both
43 methods not to go over the harvest quota limit in both
44 units. That was the motion, correct, Virgil?

45

46 MR. UMPHENOUR: That's correct, that the
47 beavers taken with the firearm would count towards --
48 that's under the hunting regulation in national parks
49 would count towards the annual limit under the
50 regulations.

00099

1 CHAIRMAN NICHOLIA: Okay. And that's the
2 motion. Is there a second?

3
4 MS. WAGGONER: Second.

5
6 CHAIRMAN NICHOLIA: Discussion.

7
8 MR. UMPHENOUR: What Mr. Kessler brought
9 up I think is probably a good point. Unless people are
10 good shots, when you shoot a beaver, it sinks. And so
11 they would need to shoot them on the bank and drill them
12 through the brain. Or what he said, I'd never heard of
13 that before, shoot their nose off and eventually they get
14 tired of swimming around and get up on the bank. One or
15 the other. I don't know if the other Council members
16 want to discuss this issue or not, which would be
17 wounding loss or just that they sink when you shoot them
18 if they're in the water.

19
20 CHAIRMAN NICHOLIA: Yeah, I'd have to
21 comment on that. I did that a few times, and you really
22 have to go after beaver so it's dead, or really go after
23 it. I think that will have to be mentioned.

24
25 But we do have a motion, we have a
26 second. Discussion. Any more discussion on it.

27
28 (No discussion)

29
30 MR. STEVENS: Question.

31
32 CHAIRMAN NICHOLIA: It's been moved,
33 second. The question has been called. All those in
34 favor of adopting the modification with our modification
35 for to include only in the Wrangell-St. Elias in Unit 12
36 and only Yukon-Charley in Unit 20(E) without going over
37 the quota using both methods, signify by saying aye?

38
39 IN UNISON: Aye.

40
41 CHAIRMAN NICHOLIA: Those opposed, same
42 sign.

43
44 (No opposing votes.)

45
46 CHAIRMAN NICHOLIA: Motion carries. And
47 I'd like just to make a note, if we go -- did wrong with
48 this right here, we could just review it again next
49 spring.

50

00100

1 MR. MIKE: Mr. Chair, Proposal 50 is to
2 align harvest season and limit with State regulations.
3 Mr. DeMatteo.

4
5 MR. DEMATTEO: Mr. Chair, Proposal 50 was
6 submitted by the Eastern Interior Council. This
7 requests that the Federal subsistence coyote harvest
8 season and limits for Units 12, 20, and 25 be aligned
9 with State regulations.

10
11 Page 168, half-way down the page is the
12 proposed regulation for Units 12, 20, and 25 for coyote
13 hunting season. And this essentially for Unit 12 would
14 eliminate the language that says, however, no more than
15 two coyotes may be taken before October 1. So for the
16 entire season you can take 10 coyotes.

17
18 In Unit 20, it would increase the harvest
19 limit from two to 10 coyote. In Unit 25 it would
20 increase the harvest limit from two to 10 coyotes.

21
22 For the seasons for the three units, it
23 would change the start date from September 1st to August
24 10th. So the new seasons would be August 10th through
25 April 30th. All rural residents have a customary and
26 traditional use determination for coyotes in Units 12,
27 20, and 25.

28
29 The status of coyote populations in Units
30 12, 20 and 25 are not fully known. Coyote harvests are
31 not easily documented since there is no requirements for
32 sealing the hides. Due to limited funding, the Alaska
33 Department of Fish and Game does not routinely conduct
34 surveys or inventories for coyotes.

35
36 Based on information from trapper
37 questionnaires and sighting of coyotes by the Alaska
38 Department of Fish and Game area biologists during aerial
39 surveys of other species, coyote populations in these
40 units are healthy.

41
42 The only current harvest information for
43 coyotes are fur acquisition and fur export reports which
44 records sales transactions between trappers and fur
45 dealers, and also records shipments of furs outside the
46 State for sale and tanning. Because such transactions
47 can include fur taken in previous years, and because many
48 trappers keep their trapped furs for tanning and use at
49 home, this information is not an exact measure of harvest
50 levels.

00101

1 In 1999 and 2000, the total reported fur
2 acquisition and fur export numbers for coyotes for the
3 whole State were 11 and 126 respectively, reflecting a
4 low harvest for coyotes statewide.

5
6 The proposed expansion of the Federal
7 season and increase in the harvest limit for coyote in
8 Units 12, 20, and 25 are not expected to have any
9 biological impacts on existing coyote population.

10
11 The preliminary conclusion is to support
12 the proposal. Thank you.

13
14 CHAIRMAN NICHOLIA: Terry.

15
16 MR. HAYNES: Mr. Chairman, the Department
17 supports adoption of this proposal. It would align the
18 State and Federal regulations and provide additional
19 coyote hunting opportunity for Federally-qualified
20 subsistence users in Units 12, 20 and 25.

21
22 CHAIRMAN NICHOLIA: Are there any other
23 agency comments? Public comments.

24
25 MR. MIKE: Mr. Chairman, we received two
26 written public comments. One from Denali Subsistence
27 Resource Commission. They unanimously supports Proposal
28 50 to align coyote harvest seasons and limits for Unit
29 12, 20 and 25 with State regulations. The Commission
30 concurs with the Sate analysis preliminary conclusion for
31 reasons stated in the justification.

32
33 The Wrangell-St. Elias National Park
34 Subsistence Resource Commission supports the proposal as
35 written.

36
37 That concludes the summary of written
38 public comments, Mr. Chair.

39
40 CHAIRMAN NICHOLIA: Regional Council
41 deliberations.

42
43 MS. WAGGONER: I move to adopt Proposal
44 WP03-50 as written on Page 165.

45
46 MR. UMPHENOUR: Second.

47
48 CHAIRMAN NICHOLIA: It's been moved and
49 second. Discussion.

50

00102

1 (No discussion)

2

3 MR. STEVENS: Question.

4

5 CHAIRMAN NICHOLIA: The question has been
6 called to support Proposal 03-50 as written. All those
7 in favor of that signify by saying aye.

8

9 IN UNISON: Aye.

10

11 CHAIRMAN NICHOLIA: Those opposed, same
12 sign.

13

14 (No opposing votes.)

15

16 CHAIRMAN NICHOLIA: Motion carried. Take
17 a break.

18

19 (Off record)

20

21 (On record)

22

23 CHAIRMAN NICHOLIA: I'd like to call the
24 meeting back to order.

25

26 MR. MIKE: Mr. Chair, Proposal 51 is
27 another alignment with methods and means with the State
28 regulations. Mr. DeMatteo.

29

30 MR. DEMATTEO: Mr. Chair, Proposal 51 was
31 submitted by the Eastern Interior Council. This requests
32 that the Federal regulations for coyote trapping methods
33 and means be aligned with those of the State, Units 12
34 and 20(E).

35

36 On page 176 under proposed regulations,
37 for Units 12 and 20(E) for coyote trapping, the following
38 language would be included in the Federal regulation.
39 Trapping of coyotes in Units 12 and also 20(E) during
40 April and October with a steel trap or with a snare using
41 a cable smaller than 3/32nd of an inch diameter is
42 prohibited.

43

44 All rural residents have a customary and
45 traditional use determination for coyotes Units 12 and
46 20(E).

47

48 Mr. Chair, everything I said in the past
49 proposal that dealt with coyote hunting also follows suit
50 for this proposal.

00103

1 The effects of the proposal would be that
2 the proposed Federal methods and means would be aligned
3 with existing State regulations, thus reducing confusion
4 for the subsistence user. No additional harvest is
5 anticipated as users who harvest coyotes in the units --
6 in these units currently have the same opportunity to
7 harvest under State regulations.

8
9 Although there would -- should be little
10 effect on the coyote population from this proposed
11 regulation there should be some benefit to other wildlife
12 species.

13
14 Mr. Chair, the restriction of using a
15 cable 3/32nds of an inch or thicker was put into the
16 regulations to limit wound loss, particularly in the more
17 powerful animals like a wolf for instance that could
18 twist the cable and do damage to its body and also get
19 loose.

20
21 Staff recommends that the proposed
22 regulations be adopted. And with that, I'll stop there.

23
24 MR. HAYNES: Mr. Chairman, the Department
25 supports this proposal. It's adoption would align the
26 State and Federal regulations for coyote trapping in
27 Units 12 and 20(E), and reduce confusion for subsistence
28 users.

29
30 CHAIRMAN NICHOLIA: Are there any other
31 agency comments? Public comments. Written public
32 comments.

33
34 MR. MIKE: Written public comments, we received
35 one, Mr. Chair. The Wrangell-St. Elias National Park
36 Subsistence Resource Commission supports the proposal as
37 written.

38
39 That concludes the written public
40 comment. Thank you, Mr. Chair.

41
42 CHAIRMAN NICHOLIA: Regional Council
43 deliberation.

44
45 MR. UMPHENOUR: Move to adopt Proposal
46 WP03-51 as written.

47
48 MS. WAGGONER: Second.

49
50 CHAIRMAN NICHOLIA: Discussion.

00104

1 (No discussion)

2

3 MS. ENTSMINGER: Question.

4

5 CHAIRMAN NICHOLIA: It's been moved,
6 second. The question has been called. All those in
7 favor of adopting Wildlife Proposal 03-51 as written,
8 signify by saying aye.

9

10 IN UNISON: Aye.

11

12 CHAIRMAN NICHOLIA: Those opposed, same
13 sign.

14

15 (No opposing votes.)

16

17 CHAIRMAN NICHOLIA: Proposal 51, the
18 motion carries. Okay. I was going to break from
19 proposals here to listen to Bob Stephenson, his report
20 here, and then we'll go on to the next three proposals
21 after that.

22

23 MR. STEPHENSON: Mr. Chairman, thank you,
24 and Council members, good afternoon.

25

26 I was going to give an agency report
27 yesterday, but I'm going to have to get up to Fort Yukon
28 for an advisory committee meeting Thursday, so I was
29 going to have to leave this evening. So I guess Gerald's
30 been kind enough to let me say a few words about the
31 Yukon Flats Cooperative Moose Management Plan.

32

33 I think most of the Council members are
34 familiar with this plan. I brought some copies along in
35 case anybody hasn't seen it. I don't know if -- you
36 haven't seen it, Philip? Okay. I'll get you a copy.

37

38 Last year we completed a planning effort
39 with the residents of the Yukon Flats. The advisory
40 committee set up a moose management planning committee.
41 We had representatives from each committee. Larry
42 Williams and Jay Stevens put a lot of effort into it, and
43 were members of the committee. And it's -- we're just in
44 the first year of working through this, and we're going
45 to be talking about it a lot Thursday, and seeing what
46 different communities are thinking and how they've
47 responded to the plan, but it's an effort.....

48

49 Well, the Yukon Flats communities, most
50 of them, are within the boundaries of the Yukon Flats

00105

1 National Wildlife Refuge, so the focus of this plan is
2 mainly on local initiatives to increase bear harvest to
3 try to improved moose calf survival. And increase wolf
4 trapping, although that's even probably more difficult,
5 in the areas that they hunt and that they can affect near
6 their communities. And another part of it is kind of an
7 element that they brought up, and various communities are
8 working towards I think is to regulate the harvest of
9 moose for ceremonial purposes, and that's obviously up to
10 each Council to do that, and take charge of that if they
11 want to. So that's the main elements I guess.

12

13 It's just a locally focused plan aimed at
14 using local harvest practices to try to manage moose
15 better at least, and maintain, you know, a decent supply
16 of moose for local communities.

17

18 So we'll be checking Thursday with people
19 to see if there are new ideas that have come up. I've
20 heard some. There are some interesting ideas now. I
21 think one thing for instance Fort Yukon is discussing is
22 the possibility of taking additional bull moose in the
23 fall, and having that meet available for potlatches that
24 may occur during the winter, rather than being faced with
25 the need to take cow moose for potlatches, which often
26 happens in mid winter, especially when bulls are in poor
27 condition. So they are trying to find ways to reduce the
28 harvest of cow moose which has been an issue in that area
29 for some time. And coming up with different idea.

30

31 So we'll be talking about it Thursday,
32 and I don't know if Larry or Jay would like to say
33 anything about what's going on in your communities or
34 not.

35

36 MR. STEVENS: Mr. Chair, yes, in Stevens
37 Village we've been -- I work for the resource program
38 there in Stevens Village, and we've been working pretty
39 hard with the community in terms of education and what
40 not, and working along with the plan.

41

42 The plan itself has been working. A lot
43 of people still don't understand why -- the need for it,
44 but we've been working with them, and the cow harvest in
45 Steven's Village has declined quite a bit. The youth are
46 starting to come in and ask questions and ask us the do's
47 and don't's of going out and harvesting these animals at
48 different times of the year, so.....

49

50 As well as the predation issue. People

00106

1 are going out and taking bears. Most of them are took in
2 the summertime at fish camps and whatnot, but people have
3 been going out doing that. The wolf trapping has
4 increased. Our resource program helps supply trappers
5 with snares and whatnot. So there is a positive outcome
6 from Steven's Village's point of view on it. Thanks.

7

8 MR. WILLIAMS: Yeah, speaking for
9 Venetie, it's like Jay says. I think it's been a
10 positive -- I think on the positive side since we've been
11 having this planning committee, people are being more
12 educated and people are starting to ask questions.

13

14 And what Bob was saying, it's more
15 locally oriented, that we depend on the local elders and
16 the people in charge to try to limit the use of cow
17 moose, and try to encourage people not to take cow moose,
18 and trying to encourage people to take more predators
19 like the wolf and black bear whenever the occasion arises
20 where they could take it.

21

22 So all in all, it's been pretty good.
23 Since we've planning -- getting the word out from the
24 planning committee that, you know, the moose is pretty
25 low and everybody realize it, and everybody's trying to
26 do their part, so it's pretty good in there.

27

28 Thank you.

29

30 MR. STEPHENSON: That's all I needed to
31 hear.

32

33 CHAIRMAN NICHOLIA: Any questions for Bob
34 or anything? Thank you.

35

36 That brings us on to Proposal 12.

37

38 MR. MIKE: Proposal 12 is a proposal
39 submitted by Wrangell-St. Elias to allow the taking of
40 wildlife for religious and ceremonial potlatch purposes
41 from National Park Service lands in Units 11, 12, and
42 13(C).

43

44 MS. PETRIVELLI: Mr. Chair, my name's Pat
45 Petrivelli.

46

47 Proposal 12 -- well, part of it with the
48 action on Proposal 1, and if Proposal 1 is passed by the
49 Federal Board, which would allow ceremonial taking of
50 wildlife statewide, this proposal would be unnecessary.

00107

1 And I think that's what -- but -- so -- but if the Board
2 doesn't adopt Proposal 1, then this proposal would be
3 necessary, so -- and I think I covered those grounds
4 before, because even though statewide regulations allows
5 the harvesting of ceremonial stuff, but on Park Service
6 lands that doesn't occur, and so the Wrangell-St. Elias
7 National Park Subsistence Resource Commission submitted
8 this proposal.

9

10 And the provisions are on page 185 that
11 they proposed, and they had wanted to have it applied
12 just to Park Service lands. And then the bulk of the
13 analysis, of course, will -- of course, is covered that,
14 you know, just the Park Service lands in Unit 11, 12 and
15 the small amounts in 13(C). And then the analysis
16 contains the relevant state regulations, with the
17 provisions that were adopted or changed in the fall.

18

19 And then the analysis goes through much
20 like Proposal 1 did, just saying that there's provisions
21 in 13 of 26 wildlife management units that have
22 ceremonial regulations that we recognize for
23 unit-specific regulations, and this would add more so
24 there would be-- now it would be 16 or -- yes, 16 of 26
25 units that would have it if 1 doesn't pass and 12 is
26 passed.

27

28 And, of course, in -- with the effect of
29 this proposal, it would have minimal impacts on wildlife
30 populations. It would afford all Federally-qualified
31 users of this area an opportunity to take wildlife for
32 use in food in traditional religious ceremonies which are
33 part of the funerary or mortuary cycle, including
34 memorial potlatches. And it would add another
35 unit-specific regulation regarding the use of wildlife in
36 traditional religious ceremonies.

37

38 And our preliminary conclusion was if
39 Proposal 1 isn't adopted providing for the statewide
40 provisions, that we would like to have the language
41 modified to mirror the standardized language that was
42 recommended for Proposal 1. And what -- that language is
43 on page 189. And what that language is, is just the same
44 as the language recommended for Proposal 1. And it
45 follows -- and it as the attempt to try to standardize
46 the regulations with the State regulations rather than
47 having it just to the Park Service personnel. And then
48 it would just -- and have the proposal apply to all
49 federal lands within 11, 12, and 13(C).

50

00108

1 And I think we -- unfortunately we didn't
2 include a map, but -- so it would -- there's one percent
3 of BLM lands. Well, it's Unit 11 has -- besides Park
4 Service land, it has some Forest Service lands and some
5 BLM lands. And Unit 12 is Park Service and some Fish and
6 Wildlife Service lands. And 13(C) is all Park Service
7 lands.

8
9 But that would be our recommendation,
10 that it just cover the entire unit and be unit-specific,
11 and that the language become standardized with what was
12 recommended for the language for Proposal 1, because we
13 felt this modification would accommodate the intent of
14 the Wrangell-St. Elias National Park Subsistence
15 Resource Commission request, and then the modification of
16 the proposal using the language recommended for Proposal
17 1 would standardize Federal regulations that recognize
18 the importance of wildlife in Alaska native ceremonial
19 and religious activities on all Federal public lands in
20 the proposed units. It would parallel State regulations
21 and minimize confusion for the subsistence users.

22
23 So that concludes the analysis.

24
25 CHAIRMAN NICHOLIA: Before we go any
26 further, I'd like to listen to Fred John about that
27 Federal land management prior to attempting to take
28 wildlife. I mean, to notify them prior to, because I
29 just want to hear his point of view before I hear agency
30 comments.

31
32 MR. JOHN: Thank you, Mr. Chair. Is this
33 Proposal 12? We what we got here is support with
34 modification. And what I see here is that the person
35 would -- instead of putting tribal government on it,
36 we'll put clan or family, and was organizing the
37 religious ceremony contact the proper -- Wrangell-St.
38 Elias National Park prior to attempting to take wildlife
39 to provide the name of the decedent. Correct me if I'm
40 wrong, National Park, but I think we didn't put in that
41 contacting prior before we go hunt for. I think we
42 deleted that. That's what I had -- that's why I said
43 when I see stuff that are written down after it didn't go
44 the way we thought it would. And we were -- that's about
45 the only thing that really changes, that, you know, prior
46 notification, and changing it from clan or family,
47 because village government is not really involved in
48 these things. It's just village member. That's about
49 all I could say. Any question?

50

00109

1 CHAIRMAN NICHOLIA: Well, what I asked
2 you is that you guys don't mind notifying prior to taking
3 the animals for a ceremonial?

4
5 MR. JOHN: We were against that.

6
7 CHAIRMAN NICHOLIA: You were?

8
9 MR. JOHN: Uh-huh. (Affirmative)

10
11 CHAIRMAN NICHOLIA: Okay. that's what I
12 wanted to know.

13
14 MR. JOHN: Yeah.

15
16 CHAIRMAN NICHOLIA: Terry, agency
17 reports. Agency.

18
19 MR. HAYNES: Thank you, Mr. Chairman.
20 The Department would prefer that the State regulation be
21 used to administer ceremonial harvest regulations in this
22 area. However, if there's a need to have a separate
23 Federal regulation that applies to Wrangell-St. Elias
24 National Park and Preserve, we recommend supporting the
25 original proposal as modified by the Southcentral
26 Regional Council. They talked about it at their meeting
27 and as Fred John told you, made some revisions, suggested
28 revisions to it, and those seemed to accommodate their
29 concerns, and -- but again we would just -- if there
30 isn't any need to have a specific regulation for each
31 unit, we would just prefer using the State regulation.

32
33 Thank you.

34
35 CHAIRMAN NICHOLIA: Any questions. Any
36 written public comments?

37
38 MR. MIKE: Mr. Chair, we have one written
39 public comment from Wrangell-St. Elias National Park
40 Subsistence Resource Commission. The SRC supports the
41 proposal with the modification eliminating the
42 requirement that the individual taking the animals for
43 this purpose possess a valid Alaska hunting license.
44 Specifically this would involve deletion of the final
45 sentence in subsection 4, which currently reads as
46 follows: However, harvesters between the ages of 16 and
47 60 must possess a valid Alaska hunting license. Such
48 harvests sometimes occur on short notice, and hunters
49 might not have a valid license at the time that the hunt
50 needed to occur. For example, they might not have gotten

00110

1 around to renewing it yet, not anticipating such an out
2 of the ordinary harvest need.

3

4 That concludes the written public
5 comments. Thank you, Mr. Chair.

6

7 CHAIRMAN NICHOLIA: Regional Council
8 deliberation.

9

10 MS. CELLARIUS: Barbara Cellarius,
11 subsistence coordinator for Wrangell-St. Elias National
12 Park. I guess I'd like to make two points. One is that
13 the State ceremonial harvest regulation would not apply
14 on National Park lands. This is -- so if there will be
15 ceremonial harvest involving park lands, we would need to
16 have some sort of special regulation, a Federal
17 subsistence regulation allowing that.

18

19 The second thing I want to way is that at
20 the time of the SRC meeting, we were not entirely
21 informed about the -- some of the regulations. I'm
22 pretty new at this, and we later learned after the SRC
23 meeting that a State hunting license would be required,
24 that that's not something that could be done at the
25 Federal Board level.

26

27 MS. ENTSMINGER: Thank you, Mr. Chairman.
28 The last -- I don't know if it was our last meeting or
29 the meeting before, we gave the Park Service permission,
30 I don't even know if it passed in the federal side, but
31 to -- for like the Benzaneti (ph) camp, that they
32 wouldn't have to wait, what was it, the 60 days. Does
33 that affect -- does this proposal affect that?

34

35 MS. CELLARIUS: I'm not actually entirely
36 clear about what the regulation that you're talking
37 about. I don't know about the 60-day requirement.

38

39 MS. ENTSMINGER: I'm sorry, it's for the
40 -- there's a religious ceremony at Benzaneti (ph) camp
41 once a year, Katie John's, you know, the camp that goes
42 on, the culture camp that goes on down at Benzaneti (ph),
43 and Debbie Sharp came up to us and said that she wanted
44 to be able to issue the permit for them to take moose
45 sooner than what's in these regulations. And I just
46 wondered if this proposal affects that?

47

48 MS. CELLARIUS: I'm not aware that this
49 proposal wold affect that. I don't believe -- this is
50 for funerary potlatches and things associated with that.

00111

1 MR. MIKE: Mr. Chair, on the Benzaneti
2 (ph) hunt, on Page 66 of the Federal regulations there's
3 some specific regulations addressing the Benzaneti (ph)
4 cultural camp. Page 66 on Federal regulations. The
5 green book.

6
7 UNIDENTIFIED VOICE: You might want to
8 read them.

9
10 MR. MIKE: It's the fourth bullet down.
11 It says one moose with -- oops, I'm sorry. Oh, yeah.
12 That's the one. One moose without calf may be taken from
13 June 20th to June 30th in Wrangell-St. Elias National
14 Park and Preserve in Unit 11 or 12 for the Benzaneti (ph)
15 cultural camp. Two hunters from either Chistochina or
16 Mentasta Village may be designated by the Mount
17 (indiscernible) Tribal Consortium to receive the Federal
18 subsistence harvest permit. The permit may be obtained
19 from the Wrangell-St. Elias National Park and Preserve
20 office.

21
22 CHAIRMAN NICHOLIA: What are the wishes
23 of my Council?

24
25 MS. HILDEBRAND: Thank you, Mr. Chairman,
26 Ida Hildebrand, BIA Staff Committee member.

27
28 I believe 11 and 12 are mostly in
29 Southcentral Regions Council, and if this Council so
30 chooses, it an defer the action to that Council.

31
32 CHAIRMAN NICHOLIA: Ida, I was almost
33 going to hint at that, but I just want to know what the
34 wishes of this Council are, because we do control of that
35 Unit 12, part of Unit 12 in our Eastern Interior here.
36 You could also defer, you know.

37
38 MS. WAGGONER: I move that we defer this
39 proposal based on what happens with Proposal No. 1 and
40 the confusion over this right now.

41
42 CHAIRMAN NICHOLIA: There's a motion to
43 defer. Is there a second?

44
45 MR. UMPHENOUR: Second.

46
47 CHAIRMAN NICHOLIA: Discussion.

48
49 (No discussion)

50

00112

1 MR. TITUS: Question.

2

3 CHAIRMAN NICHOLIA: It's been moved, it's
4 been second. Question has been called to defer this
5 Proposal No. 12 to the Southcentral Regional Advisory
6 Council. All those in favor signify by saying aye.

7

8 IN UNISON: Aye.

9

10 CHAIRMAN NICHOLIA: Those opposed, same
11 sign.

12

13 (No opposing votes.)

14

15 CHAIRMAN NICHOLIA: Motion carries.

16

17 MR. MIKE: Mr. Chair, Proposal 13 is to
18 align the harvest season with the State regulations.
19 Brown bear.

20

21 MR. DEMATTEO: Mr. Chair, Proposal 13 was
22 submitted by the Southcentral Regional Advisory Council,
23 and this requests the Federal dates for brown bear in
24 Unit 11 be extended. This would align Federal
25 subsistence hunt dates with season dates approved by the
26 Alaska Board of Game in March 2001, lengthening the
27 Federal season by 35 days. State regulations apply to
28 preserve lands, but do not apply to park lands, therefore
29 there is not State season for the park.

30

31 Mr. Chair, this proposal's being
32 presented to you today because it does affect residents
33 of Unit 12. Residents of Unit 12 have customary and
34 traditional use determination in Unit 11 for brown bear.

35

36 On Page 200 on the proposed regulation
37 half way down the page, essentially for all of Unit 11,
38 brown bear, the season would change from September 1
39 through May 3rd to August 10th through June 15th. And
40 that's for all of Unit 11 brown bear.

41

42 For the 2001/2002 hunting season, the
43 Alaska Board of Game adopted a new open season for brown
44 bear, Unit 11. The Board changed the open season from
45 September 1 through October 31st and April 25 through May
46 31st to August 10 through June 15. Currently there is
47 not a population estimate for brown bear in Unit 11.
48 However, it is considered that the population is
49 relatively abundant and well distributed.

50

00113

1 This proposal would align the Federal
2 season with the current State harvest dates, lengthening
3 the season by 35 days. The proposed change would reduce
4 confusion among Federal subsistence hunters and would
5 allow additional opportunities for brown bear harvest
6 since State regulations do not apply to the Wrangell-St.
7 Elias National Park.

8
9 Currently the brown bear population in
10 Unit 11 is thought to be stable, healthy, and relatively
11 abundant. Federally qualified subsistence users
12 currently do not harvest many brown bears annually, and
13 the length in season is not expected to result in an
14 increase, therefore the proposal should have no impact on
15 the brown bear population in this unit.

16
17 With that, Mr. Chair, the preliminary
18 conclusion is to support the proposal.

19
20 Thank you.

21
22 CHAIRMAN NICHOLIA: Terry.

23
24 MR. HAYNES: Mr. Chairman, the Department
25 supports adoption of this proposal since it would align
26 the Federal and State brown bear hunting regulations in
27 Unit 11 and provide more opportunity for Federally
28 qualified subsistence users.

29
30 CHAIRMAN NICHOLIA: Is there any other
31 agency comments? Any public comments, Donald?

32
33 MR. MIKE: Yes, there is one written
34 public comment received. The Wrangell-St. Elias SRC
35 supports the proposal as written. Thank you, Mr. Chair.

36
37 CHAIRMAN NICHOLIA: Council deliberation.

38
39 MR. UMPHENOUR: Move to adopt Proposal
40 WP03-13 as written.

41
42 MS. ENTSMINGER: Second.

43
44 CHAIRMAN NICHOLIA:

45
46 (No discussion)

47
48 MS. WAGGONER: Question.

49
50 CHAIRMAN NICHOLIA: What did you say?

00114

1 MS. WAGGONER: Question.

2

3 CHAIRMAN NICHOLIA: It's been moved,
4 second. The question has been called. All those in
5 favor of adopting Wildlife Proposal 03-13 signify by
6 saying aye.

7

8 IN UNISON: Aye.

9

10 CHAIRMAN NICHOLIA: All those opposed,
11 same sign.

12

13 (No opposing votes.)

14

15 CHAIRMAN NICHOLIA: Motion carries.

16

17 MR. MIKE: Mr. Chairman, Proposal 14 is
18 the revised harvest limits and seasons for caribou in
19 Unit 13.

20

21 MR. DEMATTEO: Mr. Chairman, the Federal
22 Subsistence Board deferred this proposal in May of 2002
23 as Proposal WP02-16. It was submitted by the Copper
24 River Native Association to request a change in the Unit
25 13 caribou late season from October 21 through March 31st
26 to December 1 through April 20, and a change in the
27 harvest limit from two bulls to two caribou.

28

29 On Page 11 the proposed regulation, the
30 proposal would strike the word bulls and make it two
31 caribou, and, of course, change the season to December 1
32 through April 20.

33

34 The proponents basis for requesting a
35 reinstatement of an any-caribou harvest was that the
36 current bulls-only harvest does not meet the needs of the
37 local subsistence users and that Federally-qualified
38 subsistence users are adversely impacted by the influx of
39 non-subsistence hunters in Unit 13.

40

41 The current customary and traditional use
42 determination for caribou in Units 13(A) and (D) include
43 residents of Units 11, 12, and 13 and residents of
44 Chickaloon. For 13(B) it would be Units 11 and 12 and
45 13, 20(D) except Fort Greely, and residents of
46 Chickaloon. For 13(D) the residents of Units 11 and 12,
47 13, residents of Chickaloon, Dot Lake and Healy Lake.
48 Unit 13(E), residents of Units 11, 12, 13, and residents
49 of Chickaloon, McKinley Village, and areas along the
50 parks highway between Mile Post 216 and 239.

00115

1 Mr. Chair, at your meeting that was held
2 up at Circle Hot Springs, this proposal, or the original
3 proposal was presented to you with a number of
4 conservation concerns. The current management objective
5 and harvest objective included allowing the Nelchina herd
6 to grow to 35,000 animals. Until then it would be a
7 one-bull only harvest, and at 35,000 animals, there would
8 be the possibility of an either sex harvest. It's
9 slightly below 35,000 and this proposal is still on the
10 table to go to either sex.

11
12 There's also the concern you heard last
13 year was that in the springtime when they're returning to
14 their -- the range that is I believe the Mentasta -- or,
15 no, I'm sorry, not the Mentasta. The ranges, -- I'm
16 sorry, the hills north of the Glenn Highway is what I'm
17 thinking of. When they're returning to that area, they
18 do cross some federal lands, which is essentially a very
19 narrow corridor. As you can see on your map there, in
20 Unit 13 essentially it follows the Richardson Highway,
21 and some of it's along the western portion of the Denali
22 Highway. Some of the concerns with it, as they cross
23 through there, harvest of cows would take place, pregnant
24 cows take place, because it is thought that -- it has
25 been found that often the cows lead the charge as they're
26 doing some migration. The hills I was trying to think
27 was the Talkeetna Range.

28
29 This proposal was deferred until more
30 information be gathered.

31
32 Currently the population estimate for the
33 Nelchina herd is approaching the low end of the ADF&G
34 management objective of a fall population of 35 to 40,000
35 animals, which could allow, as I mentioned, any sex
36 caribou to be harvested.

37
38 Because of the strong desire for a cow
39 harvest expressed by traditional users of the resource,
40 and because of the high number of wanton waste cases and
41 accidental cow harvest observed by land management
42 agency, a limited cow harvest warrants consideration.
43 Allowing harvest of pre-established quota of cow caribou
44 will allow for customary and traditional practices of cow
45 caribou harvest to continue, yet allow the herd to
46 recover from its current depressed population at a slower
47 pace.

48
49 Establishment of a quota system for a cow
50 harvest based on past harvest data would require the

00116

1 Bureau of Land Management to closely monitor the
2 in-season hunt and to terminate the cow harvest when the
3 number of cows killed reaches the estimated cut-off point
4 through a delegated authority to the BLM field office
5 manager. The harvest of bulls would continue throughout
6 the established season.

7

8 Mr. Chair, the preliminary conclusion
9 offers two options. Option A would be to oppose the
10 proposal based on conservation concerns. The proposal
11 request that cows may be harvested, and based on the
12 conservation concerns, Option A would oppose that.

13

14 Also, the proposed elimination of the
15 October/November season would unnecessarily reduce
16 Federal subsistence harvest opportunities by an average
17 of 25 percent, and result in a net loss of 40 hunting
18 days.

19

20 Also, extending the harvest season into
21 April would provide 20 hunting days of opportunity
22 offsetting the 20 of the 40 days by eliminating the
23 October/November season. However, an April season that
24 included a cow harvest would be a potential conservation
25 concern given the Nelchina caribou herd traditionally
26 migrates through this area in April with the pregnant
27 cows leading the way.

28

29 Mr. Chair, that's Option A, which opposes
30 the proposal.

31

32 Option B would be to support the proposal
33 with a modification to allow only a harvest of one cow
34 during the fall season in sub units (A) and (B) of Unit
35 13. And at the bottom of 220, for Units 13(A) and (B)
36 for the Nelchina caribou herd, the modification would
37 include this language in the Federal regulation. Two
38 caribou by Federal registration permit only. However,
39 only one may be a cow taken during October through March
40 season. The Galena (sic) BLM -- I'm sorry, the
41 Glennallen BLM field office manager will close the cow
42 harvest opportunity when a quota of 30 cows has been
43 harvested. Following the closure of cow harvest, only
44 antlerless caribou may be taken.

45

46 The justification for this option would
47 be initiating a cow harvest with an established quota
48 would still pose a conservation concern in regards to the
49 health of the Nelchina caribou herd, but it would lessen
50 the impacts on the herd and should still allow the herd

00117

1 to grow, but at a slower pace.

2

3 A cow harvest during the winter season
4 would allow for a customary and traditional harvest of
5 cows by subsistence users to occur.

6

7 A cow harvest of 30 animals in the winter
8 season is based on the past average annual cow harvest
9 October 1st through January 1st, which would allow cow
10 harvest during the rut.

11

12 The BLM is committed to closely
13 monitoring the cow harvest in the unit, and would be
14 responsible for halting cow harvest when the number of
15 animals harvested reaches the quota of 30.

16

17 The BLM field office has also proposed
18 initiating a public outreach campaign to encourage bull
19 only harvest and to adopt a cooperative interagency
20 Nelchina caribou herd management plan.

21

22 Extending the harvest season into April
23 would provide 2 hunting days of opportunity offsetting 20
24 of the 40 days lost by eliminating the October and
25 November harvest dates. However, an April season that
26 included a cow harvest would be a potential conservation
27 concern given that the caribou traditionally migrate
28 through this area in April with the pregnant cows leading
29 the way. Calving starts around May 10th, so the pregnant
30 cows are in late stages of pregnancy during April.

31

32 So, Mr. Chair, Option A opposed it based
33 on the conservation concerns, and basically would stand
34 by the bulls only harvest that's in regulations now.
35 Option B would support with the modification to allow two
36 caribou, one being a cow during October/March season, and
37 I believe we have a maximum quota of 30 cows.

38

39 And with that, I'll stop there and answer
40 any questions.

41

42 CHAIRMAN NICHOLIA: Is there any
43 questions for Pete? Terry.

44

45 MR. HAYNES: Mr. Chairman, the
46 Department's comments on the original proposal are on
47 page 209 of your council meeting book. I'm going to
48 provide some comments, but I'm going to speak to the
49 preliminary conclusion.

50

00118

1 The Department supports Option A to
2 oppose this proposal for the reasons we present in our
3 written comments. The Nelchina herd hasn't reached the
4 35,000 animal threshold yet, and until it does, we
5 believe it's not a wise move to start allowing cow
6 harvest. We'd like to get that population to 35,000 and
7 the Department is committed to supporting a
8 Federally-managed cow harvest when the population reaches
9 35,000, but not before.

10

11 Back to the preliminary conclusion,
12 Option 2, or Option B, the justification point 1 says
13 initiating a cow harvest which they propose in Option B
14 with an established quota would still pose a conservation
15 concern. We just can't understand why a Federal season
16 should be proposed that would knowingly pose a
17 conservation concern.

18

19 We strongly recommend that Option B not
20 be supported at this time. It's stated very clearly in
21 the points made in support of Option B, allowing any cow
22 harvest would pose a conservation concern, slow down
23 growth of the Nelchina herd and subject pregnant cows to
24 unnecessary stress during their spring migration to the
25 calving grounds.

26

27 That's it.

28

29 CHAIRMAN NICHOLIA: Any questions?
30 Written public comments. Public comments, Donald.

31

32 MR. MIKE: Mr. Chairman, there's two
33 written public comments received. One is from the Paxson
34 Fish and Game Advisory Committee. The Paxson Advisory
35 Committee does not support adding 20 days to the winter
36 season nor the taking cows at this time. The present
37 herd size does not justify additional take or the
38 unintended side effects of a spring cow hunt. Snow
39 machine harassment is an ongoing problem in the Paxson
40 area and affects the entire herd. There is more than an
41 adequate opportunity to hunt subsistence caribou along
42 the Richardson and Denali highways.

43

44 Wrangell-St. Elias National Park
45 Subsistence Resource Commission opposes both the proposal
46 as written and the proposed modification labeled Option
47 B. The SRC opposes the proposals due to conservation
48 concerns about the health of the caribou population at
49 the present time.

50

00119

1 That concludes the written public
2 comments, Mr. Chair. Thank you.

3
4 CHAIRMAN NICHOLIA: And the Wrangell-St.
5 Elias National Park Subsistence Resource Commission is
6 opposed to it.

7
8 MR. MIKE: Mr. Chair, if I can add one
9 more item, the Southcentral Regional Advisory Council
10 adopted Option B with amendments, and their amendment was
11 to narrow -- or the tracking of the cow harvest, and the
12 requirement is to report within 12 hours of the harvest
13 on Nelchina caribou. Thank you, Mr. Chairman. Is that
14 Ms. Petrivelli?

15
16 MS. PETRIVELLI: I think so. Terry has
17 it.

18
19 CHAIRMAN NICHOLIA: Okay. Anyway, that's
20 what the Southcentral Regional Advisory Council did.
21 They adopted Option B with an amendment.

22
23 CHAIRMAN NICHOLIA: One, I don't like to
24 increase harvest when there's going to be a conservation
25 concern. These animals have sustained from 35,000 to
26 40,000. It just -- they have an opportunity already.
27 But I'd like to see with the increased competition and
28 stuff for animals and everything, I don't like really
29 creating more opportunity on a limited resource. But
30 again since you know my feelings on this proposal, I'll
31 leave it up to my Council for deliberation.

32
33 MR. HAYNES: Mr. Chairman, just another
34 point I don't believe was made in the presentation, but
35 the Nelchina herd is also hunted in a winter season hunt
36 to be announced in Unit 12. And residents of Unit 12,
37 Dot Lake, Healy Lake and Mentasta Lake qualify for this
38 winter hunt on Nelchina caribou that can occur on Federal
39 lands in Unit 12. I don't believe that point was made in
40 the analysis.

41
42 CHAIRMAN NICHOLIA: Go ahead.

43
44 MR. BRELSFORD: Thank you, Mr. Chairman.
45 I believe the opportunity for other agency comments got
46 past us.

47
48 I would like to speak on behalf of the
49 BLM field station in Glennallen, and say that in the
50 analysis the authors have been careful and very fair to

00120

1 identify the concerns that were raised with the BLM staff
2 and the purposes that the BLM was seeking in terms of
3 providing some flexibility while maintaining a growth in
4 the herd to re-attain the minimum population level. So I
5 think the material has been fairly put before you, the
6 pluses and the minuses of both option.

7

8 I would like to come back to Terry's
9 comments, however, regarding Option B, and to say that in
10 regard to the first item on the justification, the
11 complete sentence says that it would still pose a
12 conservation concern, but would still allow the herd to
13 grow. I think that's really the heart of this, that what
14 the Copper River Native Association and some local
15 subsistence users are asking for is flexibility with some
16 opportunity for a cow harvest while maintaining growth in
17 the herd to re-attain the population levels.

18

19 And then in regard to paragraph number 6
20 at the bottom where it refers to the impacts of an April
21 season, you'll notice that there is no April season
22 proposed in alternative A or alternative B. Nowhere is
23 an April season on the table at this point. So I think
24 everybody recognizes the impacts, the negative impacts of
25 a late season of that sort, and instead, what's before
26 you this year is a more narrow opportunity for a limited
27 cow harvest. This is less than what was being discussed
28 by the BLM a year ago.

29

30 Again, the purpose of it is not to
31 adversely affect the Nelchina caribou herd. It's to
32 respond to concerns from local users about flexibility in
33 their harvest, about providing for some of the
34 traditional opportunity in a regulated way, in a managed
35 way while continuing the harvest -- while continuing the
36 growth of this herd.

37

38 So I leave you to deliberate and make
39 your own judgments, but I did want to just make those two
40 points of clarification in regard to the intention of
41 Option B. And again I thank the authors for the complete
42 description of the various alternatives in this
43 particular analysis.

44

45 Thank you.

46

47 CHAIRMAN NICHOLIA: So what do you guys
48 want to do here?

49

50 MS. WAGGONER: Mr. Chairman, I'm not sure

00121

1 what anybody does, but just my opinion here is I really
2 agree with Taylor, and no matter what to make sure that
3 the April season stays off the table. Just awful rough
4 on them past the end of March. That was what I wanted.

5

6 CHAIRMAN NICHOLIA: Yeah, and Option B it
7 doesn't have that April season, but on the proposed
8 regulation it does. You know, I hate to create more
9 opportunity on a declining stock here, but I do like to
10 create more opportunity for only the Federal-qualified
11 users, and I think I seen it mentioned in here that it
12 may create more opportunity for non-qualified subsistence
13 users. Anybody could speak to that? Is there a
14 possibility that if we do support this Option B with a
15 limited window of not including the April season, would
16 it create more confusion? Because we're right on the
17 highway system here. Would it create more confusion for
18 the qualified Federal subsistence users by allowing some
19 misinformed non-qualified subsistence users to go hunting
20 on this same stock?

21

22 MR. HAYNES: Mr. Chairman, Taylor may
23 have some points to make, too, but there would be -- if
24 Option B was adopted, the only legal cow harvest that
25 could occur would be under the Federal subsistence
26 regulations, so any non-Federally qualified subsistence
27 user who took a cow caribou would be doing that
28 illegally.

29

30 (Whispered conversation)

31

32 MR. HAYNES: Yeah, that's right. And the
33 State hunt is a Tier II hunt in that area, so, you know,
34 it's closely monitored, lots of limitations on it.

35

36 One of the other issues that does come up
37 is clearly identifying Federal lands, the narrow strip
38 of Federal lands where the caribou would normally be
39 hunted in Unit 13, and that -- you know, the caribou are
40 migrating across those lands, and they may or may not be
41 precisely on Federal lands, so depending on the level of
42 enforcement out there, the hunter could unknowingly take
43 a caribou and not be on Federal lands. You know, it's
44 just up to the migration route, and the -- where the
45 caribou are located if you're trying to harvest them.

46

47 CHAIRMAN NICHOLIA: Are we creating more
48 confusion here, or just trying to straighten something
49 out? It seems like to me we're creating -- if we adopt
50 this one the way it is, there's only a little bit of

00122

1 Federal land, just that little yellow piece, and there's
2 a lot of State land in there. Are we just creating more
3 confusion by adopting this, or is this going to
4 straighten something out?

5

6 MR. BRELSFORD: Well, Mr. Chairman, this
7 is a complicated circumstance. The Nelchina caribou herd
8 has had very large population fluctuations over the last
9 several decades. It is actually currently increasing in
10 population. I did want to come back to a comment you
11 made a moment ago. This is not a herd in decline. It is
12 a population that is growing, is coming back from its low
13 point, and in fact is quite close to obtaining the
14 minimum population objective.

15

16 There are differences between the State
17 and the Federal harvest regulations, so
18 Federally-qualified subsistence users do have a larger
19 opportunity than State hunters operating under the Tier
20 II regulations at the present time.

21

22 There are differences between State and
23 Federal regulations, and as Terry has pointed out, this
24 means that a Federal hunter has to be able to identify,
25 in order to hunt legally, they have to hunt on Federal
26 public lands. This has been an issue for many, many
27 years. The BLM has prepared hunt area maps that are
28 issued with the permits. I think we realize that they
29 were too small and did not have enough detail to be
30 completely useful to local hunters, and this year we are
31 in the midst of preparing a much larger format map that
32 would provide greater detail, greater clarification about
33 where the Federal Lands are located.

34

35 For any of you that have -- might have
36 seen the Western Interior map for the lower -- the Innoko
37 Refuge area, the BLM prepared a very large format map
38 identifying Federal lands in the Holy Cross, Grayling,
39 Shagluk area. IT's about maybe 24 by 30 inches. It's
40 quite large and quite detailed. That's the example of
41 what we're going to produce this year for the Nelchina
42 area.

43

44 So I think the existing situation is
45 there are pretty sharp contrasts between State and
46 Federal regulations. Federal hunters have a special
47 obligation to pay attention to which lands they're on.

48

49 The difference in what's proposed here
50 would be this cow harvest and the burden of quick

00123

1 reporting. That would be new. So you all have seen regu
2 -- I mean, you're able to exercise your own judgment
3 about whether that's a net benefit or would make things
4 more confusion with no gain.

5

6 CHAIRMAN NICHOLIA: Yeah, Taylor, I don't
7 like that idea of creating more confusion, and I don't
8 like the idea of creating more harvest on a stock that's
9 trying to regrow or something. It's just not in me to
10 support something like this, like I said, I'll leave it
11 up to this Council. Go ahead, Trish.

12

13 MS. WAGGONER: Okay. Table 2 on Page
14 217, this just caught my eye. Over the last 10 years,
15 the total harvest, and if I'm reading this right, this is
16 the distribution of Nelchina caribou by State and
17 Federal hunters in Unit 12 and 13, but the total harvest
18 has gone -- with ups and downs has gone from 5300 down to
19 1400, about 25 percent, while the percentage of the
20 Federal harvest has gone from 6.3 percent up to 34
21 percent, and basically stayed fairly stable. So by
22 throwing an additional 30 cows in there -- I mean, I know
23 you're not upping the quota, but you're going to be
24 throwing more cows, and the Federal harvest has stayed
25 the same. I think it would have more of an impact than
26 just a minor adjustment, because that herd is so dynamic
27 in population.

28

29 MR. BRELSFORD: Well, not meaning to
30 argue, but if we were to look at the numbers on the
31 right-hand column, the Federal harvest, you'll see that
32 it's varied, but not by a lot over all of those years.
33 Up until 1999, that includes a cow component, so the bull
34 only harvest regulation is fairly recent. What that
35 might suggest to us is that the harvest level is
36 relatively constant. There is a local need for caribou
37 and folks harvest to about that same level. It is
38 affected by the migration pattern. If the animals land
39 on Federal lands at key periods, then that increases
40 harvest. So that fluctuation is really more a function
41 of when the animals were passing on Federal lands.

42

43 But the difference in percentage, where
44 you see the fact that in recent years Federal harvest is
45 a larger percentage of total harvest, that's because the
46 State harvest has been reduced and in effect the Federal
47 opportunity, the subsistence opportunity for local people
48 has been protected while the conservation measures were
49 primarily borne by State-authorized hunters.

50

00124

1 The absolute numbers have not grown a
2 great deal. They have fluctuated, and that is the reason
3 that we think this limited cow harvest will not add to
4 total take, but will be a part of a relatively consistent
5 level of total take.

6
7 MS. WAGGONER: Thank you.

8
9 MS. ENTSMINGER: Thank you, Mr. Chairman.
10 You know, I like to keep it simple, too, but protecting
11 cows when you want to see a herd grow I also understand.
12 On this Option B, support with modification, they still
13 left the October 21st opening. And what they were
14 proposing was December 1st, so that would increase the
15 season, and like you had said, it would have been 20
16 days, now it's still -- we have that additional time when
17 more of the caribou are there and more likely to be
18 taking the caribou. Correct? Yeah.

19
20 MR. DEMATTEO: Yeah, talking to hunters,
21 particularly the ones that hunt the 13(B) area as we
22 mentioned, they do prefer the fall hunt, the latefall
23 hunt. There's still light conditions are still pretty
24 good, and temperatures are relatively mild compared to
25 what they'd be later. They do prefer that. But as the
26 BLM has pointed out, there are -- still are some
27 residents that do prefer the spring hunt.

28
29 CHAIRMAN NICHOLIA: Go ahead.

30
31 MR. BRELSFORD: But if I may, the
32 original proposal from Copper River Native Association
33 several years ago proposed a shift in the whole season.
34 It would have started later, on December 1st as you
35 identify, and continued into April, to April 20th.

36
37 MS. ENTSMINGER: Uh-huh.

38
39 MR. BRELSFORD: And I think all of the
40 parties involved in this, the Southcentral Council, the
41 BLM field office, have recognized significant problems
42 with the April season. So the season dates that you see
43 in Option B are more similar to what we had in the past.
44 It's the October 21st opening, not delayed to December
45 1st, and there is no April season. So if you look on
46 Page 220, the season dates in the late fall/winter season
47 are comparable to what we had before the proposal.

48
49 MS. ENTSMINGER: Thank you, Mr. Chair. I
50 went to this SRC meeting down there, and there was a lot

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1 of discussion. I don't know if I stayed for all of it,
2 but they talked it out a lot, and a lot of the other
3 people on the SRC were still wanting to see, you know,
4 that protection of those 30 cows. And, you know,
5 listening to the people that live there and hunt there,
6 it was -- this is a dilemma for me. It seemed like 30
7 cows shouldn't really matter, but then again, too, if
8 you're hunting them October 21st, also probably more
9 people in the field, the more chance that they be taken,
10 and the caribou -- on the State season is one, and the
11 caribou on the Federal season is two. So even though you
12 would limit somebody to one, I mean, I sometimes wonder
13 if they'd end up taking two and you didn't know about it.
14 So I'm not really sure.

15

16 CHAIRMAN NICHOLIA: (Indiscernible, mike
17 off) want to respond to that?

18

19 MR. BRELSFORD: Well, I would say that
20 the deliberations of the Wrangell-St. Elias SRC are news
21 to me. This is a new element. I don't think we had this
22 on the record a year ago. And that is a local advisory
23 body that is quite knowledgeable about harvest practices,
24 particularly in the park. So I have to say that that
25 gives me some -- that's new information that I think
26 merits close consideration.

27

28 CHAIRMAN NICHOLIA: Virgil.

29

30 MR. UMPHENOUR: Thank you. They get two
31 bull caribou as it is. It's a Tier II hunt for the State
32 hunters. The herd has not yet met the lower end of the
33 population goal. I don't really like them hunting in
34 March, because those pregnant cows -- what's the
35 difference between 20 days in April and the end of March?
36 They're still very pregnant. They're out there running
37 them down or hunting them with snow machines. When the
38 caribou see snow machines coming, they start running.
39 And so they're running very pregnant cows anyway. Or
40 causing them to run, even hunting in March. If it was up
41 to me, they wouldn't hunt in March. And so I'm going to
42 be voting against this, Mr. Chair.

43

44 CHAIRMAN NICHOLIA: I think there's been
45 enough discussion on here. What kind of public comments
46 we got, Don, or did we already do that? Jim?

47

48 MR. WILDE: Well, I just want to agree
49 with what Sue and Virgil have said, but I wish Craig was
50 still here. We were discussing the October part of the

00126

1 season at Tok on the Forty Mile herd, and they're
2 definitely against any October hunting. That's all.

3

4 CHAIRMAN NICHOLIA: Donald, did we
5 already go through the public comments?

6

7 MR. MIKE: Yes, Mr. Chair.

8

9 CHAIRMAN NICHOLIA: Okay. I'm going to
10 leave it up to Council, their deliberations. We could
11 move to adopt and shoot it up or down.

12

13 MR. UMPHENOUR: Move to adopt WP04-14.

14

15 MS. WAGGONER: What part?

16

17 CHAIRMAN NICHOLIA: What part?

18

19 MS. WAGGONER: Option A or.....

20

21 MR. UMPHENOUR: Option B.

22

23 MS. ENTSMINGER: Second.

24

25 CHAIRMAN NICHOLIA: Deliberation,
26 discussion.

27

28 MR. UMPHENOUR: I'm against hunting
29 caribou in October, and I'm also against hunting them in
30 March. It think there's plenty of reasonable opportunity
31 for the people there to harvest caribou if they want to
32 get out and work and harvest them. I'll be voting
33 against the proposal.

34

35 CHAIRMAN NICHOLIA: Any more discussion?

36

37 MR. MIKE: Mr. Chair, just a point of
38 clarification. Is it Option A or Option B on page 220?

39

40 MS. WAGGONER: Option B.

41

42 MR. MIKE: Option B.

43

44 CHAIRMAN NICHOLIA: Any more discussion?

45

46 (No discussion)

47

48 MR. STEVENS: Question.

49

50 CHAIRMAN NICHOLIA: Okay. I think,

00127

1 Donald, we're going to take a roll call vote here for
2 adopting this Proposal 04-14, Option B.

3

4 MR. MIKE: Okay. Mr. Chair. Mr.
5 Williams. Mr. Stevens.

6

7 MR. STEVENS: Oppose.

8

9 MR. MIKE: Pardon? Mr. Stevens?

10

11 MR. STEVENS: Oppose.

12

13 MR. MIKE: Mr. Umphenour?

14

15 MR. UMPHENOUR: No.

16

17 MR. MIKE: Ms. Waggoner?

18

19 MS. WAGGONER: No.

20

21 MR. MIKE: Mr. Nicholia?

22

23 CHAIRMAN NICHOLIA: No.

24

25 MR. MIKE: Ms. Entsminger?

26

27 MS. ENTSMINGER: No.

28

29 MR. MIKE: Mr. Titus?

30

31 MR. TITUS: Abstain.

32

33 MR. MIKE: Mr. Wilde?

34

35 MR. WILDE: No.

36

37 MR. MIKE: Mr. Chair, there's eight no
38 votes, and one absent. Somebody said.....

39

40 CHAIRMAN NICHOLIA: There were seven.....

41

42 MR. MIKE:abstain, I'm sorry. one
43 abstain.

44

45 CHAIRMAN NICHOLIA:no votes and one
46 abstain. Okay. And the motion fails.

47

48 Terry, you want to say something?

49

50 MR. HAYNES: No, I (indiscernible - away

00128

1 from microphone)

2

3 CHAIRMAN NICHOLIA: Well, if there's any
4 more proposals, Donald, I think we're pretty much done
5 with the proposal section. Wildlife proposals.

6

7 MR. MIKE: Yes, we're done with the
8 wildlife proposals, Mr. Chair. We can get into fisheries
9 topics or get into agency reports. I believe Ms. Polly
10 Wheeler had some -- was wanting to.....

11

12 CHAIRMAN NICHOLIA: What was the time
13 they wanted us to like -- do we have any mandatory
14 kick-out time here, or we could stay as long as we want?

15

16 MR. MIKE: Mr. Chair, we have this
17 building for the next two days, so they didn't give us
18 any time restrictions.

19

20 CHAIRMAN NICHOLIA: Terry.

21

22 MR. HAYNES: Mr Chairman, there will be
23 fisheries staff from the Department here tomorrow that
24 would like to be present during discussion of fisheries
25 issues, so if you continue on today, that's your choice
26 certainly, but our fisheries staff won't be here until
27 tomorrow.

28

29 CHAIRMAN NICHOLIA: Polly, would your
30 presentation conflict with any that Terry and those
31 fisheries issue, just for resources opportunity? And how
32 long is that going to be?

33

34 MS. WHEELER: I can make it short, Mr.
35 Chair.

36

37 CHAIRMAN NICHOLIA: Virgil?

38

39 MR. UMPHENOUR: I noticed that our
40 fisheries manager is not here, and I was wondering
41 whether the Federal -- all the Federal fisheries staff
42 will be here tomorrow, because I know our manager is not.
43 Does anyone know that?

44

45 MR. HANDER: Mr. Chairman, Mr. Umphenour,
46 I'll be here. I'm the assistant manager working under
47 Russ Holder, so he's been actively been involved with the
48 Board of Fisheries process, and I think that's where he's
49 at today. He may be here tomorrow. He expects me to
50 give the presentation, but if he's here, obviously he'll

00129

1 be available for question. Thanks.

2

3 MR. UMPHENOUR: Thank you.

4

5 CHAIRMAN NICHOLIA: Polly, if your
6 presentation is just for resource monitor and plans and
7 stuff you could come up here and give it to us in like 15
8 minutes.

9

10 MS. ENTSMINGER: But no pressure.

11

12 MS. WHEELER: Thank you, Mr. Chair. My
13 presentation will cover several topics. Oh, Polly
14 Wheeler with Fisheries Information Services, Office of
15 Subsistence Management.

16

17 My presentation will cover several topics
18 related to the Fisheries Resource Monitoring Program.
19 First I'll give a brief overview of the project status
20 reports, which are located under Tab C of your Council
21 books. Second, I will present an update to the Council
22 on the current status of 2004 call for proposals.

23

24 And I was going to have a couple of
25 principal investigators give you some project updates,
26 but at the last minute everybody bailed out on me, so in
27 the absence of principal investigators giving
28 presentations on fisheries resource monitoring projects,
29 I had posters over here on the left-hand wall, and I
30 encourage you all during the next day and a quarter to
31 take an opportunity to look at those posters, because
32 because they describe some of the projects that affect --
33 or that provide information for fisheries resource --
34 Federal subsistence fisheries management, and they're
35 funded through our program. And so they -- and they're
36 pretty informative actually, they're nice posters. So
37 take an opportunity in the next day or so to look at
38 those.

39

40 Also, Beth Spangler, who's our partners
41 coordinator was unable to make it to the meeting as well,
42 so I'll give you a brief update on the partners program,
43 too, but -- and that will be at the end of my
44 presentation.

45

46 Again, Council members should refer to
47 Tab C in the Council books, behind this tab between pages
48 237 and 255, you'll find a report on the status and
49 accomplishments of projects funded under the Fisheries
50 Resource Monitoring Program for the Yukon Region

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1 specifically. I'll give you a chance to look at that.

2

3 Table 1 on pages 241 to 243 provides a
4 list of all projects that have been funded sine 2000 for
5 the Yukon Region. A total of 48 projects in the Yukon
6 River have been funded for over \$5.4 million since the
7 inception of our program, and that's again just strictly
8 fisheries projects. All of these projects provide
9 information in support of Federal subsistence fisheries
10 management. And I think it's worth noting that the
11 Fisheries Resource Monitoring Program is currently
12 funding about 25 percent of the ongoing fisheries work in
13 the Yukon River, so it's a substantial -- we're funding a
14 big chunk of the research.

15

16 And, of course, all of these projects go
17 before you all. In the fall meeting, or at the fall
18 meeting, we'll be presenting the projects for 2004 to you
19 all for your support or rejection. Beginning on Page 244
20 in your council books in a status report for each of the
21 48 projects funded for the Yukon region. These projects
22 are a mixture of stock status and trends and harvest
23 monitoring and TEK. As you might remember, we have --
24 the funding is distributed across the State through a
25 funding formula that distributes funding by region, and
26 also by data type, and two-thirds of the funding goes to
27 stock status and trends projects, and about a third of
28 the funding goes to harvest monitoring and traditional
29 ecological knowledge projects. And that's actually --
30 that's a goal. Sometimes things don't always work out
31 like that, but that is the goal.

32

33 Most of the stock status and trends
34 studies have addressed salmon, although several have
35 addressed whitefish and pike. Harvest monitoring and
36 traditional ecological knowledge studies have addressed
37 both salmon and non-salmon species.

38

39 With some exceptions, project performance
40 has generally been good. Most study objectives have been
41 met and study schedules have been followed. Data from
42 these projects are being used to support in-season
43 management of Federal subsistence fisheries, and to
44 assess changes in regulatory management plans.

45

46 Capacity building as you probably
47 remember continues to be a strong priority for our
48 program. Rural and tribal organizations are serving as
49 investigators. The program is supporting the hiring and
50 training of local residents, and information from funded

00131

1 projects is being provided through consultations,
2 meetings and written reports.

3

4 And I should add that in the future PIs
5 won't have the option of backing out. They will be here,
6 because again they're -- they need to be responsive to
7 the Regional Advisory Councils because you all are -- you
8 know, their funding -- you all are the ones that are a
9 position of determining which projects get funded or not,
10 you know, at least initially, and then, of course, it
11 goes to the Board. But I think it's important that PIs
12 are responsive to the Regional Advisory Councils, and I
13 will actively encourage them in the future to be here.

14

15 Over half of the projects that we've
16 funded have tribal or rural organizations as
17 investigators. Investigators include Tanana Chiefs
18 Conference, Association of Village Council Presidents,
19 this is again specifically for the Yukon, Council of
20 Athabaskan Tribal Governments, and Alaska Intertribal
21 Council. Tribes that have served as co-investigators
22 include Hooper Bay Tribal Council, Emmonak Tribal
23 Council, Native Village of Eagle, and Native Village of
24 Circle, Tanana Tribal Council, Nulato Tribal Council,
25 Kaltag Tribal Council, Arctic Village Tribal Council, and
26 Native Village of Venetie. Rural residents are also
27 involved in various projects as investigators,
28 technicians and as project coordinators.

29

30 For the stock status and trends
31 component, our program has played a major role in
32 providing data for subsistence fisheries management in
33 the Yukon, and our focus is on supporting the collection
34 of technically sound fisheries data for Federal
35 subsistence fisheries management.

36

37 Sustainable subsistence fisheries
38 management requires key information, as you all know, and
39 this includes accurate estimates of run size, which we're
40 certainly working on, timing, spawning escapement, and
41 age and sex composition of the stocks. Our stock status
42 and trends program has supported the collection of data
43 in all of these areas. For example, the FRMP, short for
44 Fisheries Resource Monitoring Program, is supporting
45 indexing salmon abundance with subsistence catches at
46 Black River, test drift netting of salmon near Emmonak,
47 and total run estimates of Yukon fall chum at Rampart.

48

49 In addition, eight salmon escapement
50 projects have been funded throughout the Yukon.

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1 Whitefish studies are being conducted in the Yukon Flats
2 and Tetlin National Wildlife Refuge. Projects like the
3 Tanana Conservation Outreach Program, with which you're
4 familiar, Gerald, gives special emphasis and opportunity
5 for local students to be involved with fisheries
6 monitoring projects.

7

8 Funds are also being allocated for the
9 development of genetic stock identification techniques,
10 allowing for better identification of stocks intercepted
11 in mixed stock fisheries.

12

13 In addition, several studies addressing
14 concerns like the Ichthyophonus in Yukon chinook salmon
15 and beaver/whitefish interactions have also been
16 supported.

17

18 For the harvest monitoring and
19 traditional ecological knowledge component of our
20 program, we funded a bunch of really pretty diverse
21 projects. A number of the projects have focused on
22 subsistence fisheries harvest assessment, like the
23 Grayling, Anvik, Shagluk, Holy Cross project that's about
24 to start, the Koyukuk River project. But harvest
25 assessment has not been limited to salmon, but rather is
26 focused on all fisheries. In fact, it's actually tried
27 to look at non-salmon species with the understanding that
28 because there's increasing -- or because of decreasing
29 runs of salmon, there's going to be potentially
30 increasing pressure on non-salmon species.

31

32 In addition, a number of projects on the
33 Yukon River are focused on the collection of traditional
34 ecological knowledge, which has covered a variety of
35 topics from local taxonomies and fish life history to
36 traditional use areas and methods of harvesting and
37 preservation to local perspectives on the relationship
38 between the movement of whitefish populations and beaver
39 dams.

40

41 I would invite Council members to refer
42 to figure 1 on page 239, just to give you a real quick
43 overview of what we're looking at for 2004. Figure 1
44 provides an overview of funding for the Fisheries
45 Resource Monitoring Program from 2000 to 2004. In FY
46 2004 approximately \$5 million will be available to fund
47 new projects. Again, that's not \$5 million specifically
48 for the Yukon, but \$5 million statewide. And that will
49 be divided up across region and data type.

50

00133

1 A total of 32 stock status and trends and
2 18 harvest monitoring and TEK projects were submitted for
3 the Yukon River region for 2004. OF these, the Technical
4 Review Committee recommended 14 stock status and trends
5 and nine harvest monitoring and TEK projects for
6 investigation plan development. The investigation plans
7 and the Technical Review Committee recommendations will
8 be presented to you guys in the fall at your fall meeting
9 for your recommendations.

10

11 I would say that we -- for the Yukon
12 alone, we received \$12 million worth of proposals, and
13 we're looking at probably about \$700,000 that will be --
14 that's roughly the figure for the Yukon stock status and
15 trends, and about 300 or 330 I think for harvest
16 monitoring and TEK. So again it's a substantial amount
17 of money, but it certainly isn't a substantial amount of
18 money compared to the requests that we got. So we made
19 the initial -- the Technical Review Committee made the
20 initial cut, and then the final cut will be presented to
21 you at your fall meeting so you can look at what the
22 Technical Review Committee's come up with.

23

24 So, Mr. Chair, that's all I have with
25 regard to the Fisheries Research Monitoring Program,
26 unless you have any other questions.

27

28 CHAIRMAN NICHOLIA: Go ahead, Virg.

29

30 MR. UMPHENOUR: This Ichthyophonous
31 effects, it says completed. Does that include the
32 results of all the testing that was done this past
33 summer?

34

35 MS. WHEELER: Mr. Chairman, Mr.
36 Umphenour, my understanding is that that's the project
37 that Dr. Cosan (ph) has been involved with, and it's --
38 the final report is currently under review is my
39 understanding of that. But I can check tonight and make
40 sure that I have that correct and get back with you
41 tomorrow.

42

43 MR. UMPHENOUR: Thank you. I'd
44 appreciate that, because it says at the bottom the final
45 report is available from OSM.

46

47 MS. WHEELER: Well, obviously I don't
48 have it. So I'll make -- and I -- it was my
49 understanding that the final draft was actually under
50 review. But I'll get back to you on that.

00134

1 CHAIRMAN NICHOLIA: Is there any more
2 questions? Yeah, I have a couple of them. You know that
3 I worked with Dr. Cosan (ph), and, you know, he was
4 willing to keep on working. I think he's doing a very
5 good study on that Ichthyophonus, and I was just
6 wondering why they're saying completed, when two years
7 ago they said it's going to be like a 10, 15-year project
8 to actually find out what's going on? Was this cutting
9 him off politically motivated or was it in-house
10 motivated to not fund this project any more?

11
12 MS. WHEELER: Mr. Chair, my understanding
13 is that project was initially proposed as a two or a
14 three-year project, and so it ended. And the goal right
15 now is to coordinate -- the Joint Technical Committee of
16 the Yukon Panel has half a million dollars for
17 Ichthyophonus work, and so the idea is to now coordinate
18 efforts. Again, remember that this program doesn't -- is
19 trying real hard to not duplicate efforts, and to get the
20 biggest bang out of every buck that we spend, and so
21 between the AYK Sustainable Salmon Initiative, and the
22 Joint Technical Committee work and this program, we're
23 trying to get an actual strategic plan together for
24 looking at Ichthyophonus, so there's in no way a
25 recognition that the issue is not there. We all
26 recognize that it's a critical issue, and that it needs
27 to be addressed, but I think the focus is on trying to
28 get a coordinated effort.

29
30 CHAIRMAN NICHOLIA: Do you know if this
31 study is going to be continued on this Ichthyophonus? I
32 wouldn't want to see Dr. Cosan's (ph) work duplicated
33 again. I would like to see you guys continue to work
34 with him, because I think he was doing a good job, and he
35 did lay a good foundation down for you guys to follow.
36 And I would just like to continue to see OSM and whoever
37 else with OSM continue to work with him.

38
39 Go ahead, Virgil.

40
41 MR. UMPHENOUR: Yeah, just a follow up on
42 that is when he left this past fall, I was under the
43 impression that he would be back this year to continue
44 working on this project. Do you know if he is or not?

45
46 MS. WHEELER: I don't know, but I'll --
47 again I'll double check on that and get back to you.
48 It's my understanding that that part of the project is
49 done, and there's not work planned for this summer, but
50 I'm not 100 percent sure of that, so I will check and get

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1 back to you, Virgil. Funded for our -- under our
2 program. There may be other work funded under other
3 programs, but I'll check and get back with you.

4

5 MR. UMPHENOUR: Thank you, Mr. Chair.

6

7 CHAIRMAN NICHOLIA: Any more questions
8 for Polly? So go ahead.

9

10 MS. WHEELER: Mr. Chair, if I could beg
11 your indulgence for a real quick overview of the Partners
12 Program, and I promise I'll be real quick, because I
13 don't know if any of the partners are still here. Okay.
14 There's two of them. If I can just give you a real quick
15 update on that.

16

17 Again, Beth Spangler is the coordinator
18 of the Partners Program. She took over from Tom Kron who
19 was running the program for a while, and the Partners for
20 Fisheries Monitoring program again, just a reminder, is
21 within the Office of Subsistence Management. The goal of
22 the program is to place professional level fisheries
23 biologists and social scientists in native organizations
24 to get native and rural organizations more involved in
25 Federal subsistence fisheries management, to build
26 capacity at the local level.

27

28 The proposals were put before the Board
29 last spring. They approved of six biologists positions,
30 one social scientist -- and 1.2 or 1.3, something like
31 that, social scientist positions. Most of the positions
32 have been hired to date.

33

34 The Association of Village Council
35 Presidents has hired two biologists, one for the Yukon,
36 one for the Kuskokwim. Dave Waltemeyer who I understand
37 is back here, he was just recently hired by AVCP to be
38 the Yukon River biologist. And a person by the name of
39 Erin Hebert was just hired to be the Kuskokwim River
40 biologist. It's my understanding that she was just
41 hired, and she's Canadian, and so she's stuck at the
42 border now with some security issues I guess or
43 something. Anyway, she hopefully will be on the
44 Kuskokwim here shortly before the fish show up.

45

46 Tanana Chiefs has also hired a biologist,
47 Kim Elkin. I think she's probably at the Board of
48 Fisheries right now. I don't know. Maybe she'll show up
49 tomorrow.

50

00136

1 Council of Athabaskan Tribal Governments
2 has hired Joe Shlusman who's in back there. You'll be
3 seeing again Joe and Dave probably at many of these
4 meetings. Dave Cannon has been hired by Kuskokwim Native
5 Association.

6
7 Bristol Bay Native Association is
8 currently recruiting. They had a person, and the person
9 didn't work out, so they're actually currently recruiting
10 right now.

11
12 And the Native Village of Eyak has hired
13 Erika McCall who's a social scientist, and she serves the
14 Southcentral Region.

15
16 The important thing to remember with
17 these positions is that even -- that they are working for
18 the native organization, but they're serving the region.
19 And they're -- the goal is again to get people involved
20 in fisheries management, to get these guys out on
21 projects, to eventually have them submit project
22 proposals that are developed by or caused out of concerns
23 raised by folks in the region, so again they're working
24 for like -- Erika McCall is working for Native Village of
25 Eyak, but she serves Southcentral Region as a social
26 scientist.

27
28 AVCP has also gotten some part-time
29 social scientist positions, but they haven't been
30 successful in fulling them yet. And I'm not sure how
31 successful they're going to be at this point.

32
33 So again there's a poster over there that
34 talks about the Fisheries Monitoring -- Partners for
35 Fisheries Monitoring Program. And I encourage you to
36 take a look at that. If you have any other questions
37 again, I'm around and Beth Spangler who's the coordinator
38 of that program, her contact information is on the
39 poster.

40
41 So, Mr. Chair, that's all I have.

42
43 MS. WAGGONER: Real quick, Polly. The
44 seven positions or seven contracts they made with these
45 organizations, that's not fully -- that's not the program
46 at 100 percent like it was originally planned, is it?

47
48 MS. WHEELER: No.

49
50 MS. WAGGONER: Are they going to go out

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1 and work towards doing this -- getting all the positions
2 statewide, or.....

3

4 MS. WHEELER: It's my understanding that
5 they're in a holding pattern right now to review. Rather
6 than going forward, to kind of review it. It's taken a
7 while to get these positions up and running, to get the
8 organizations up and running, to get the cooperative
9 agreements in place, and I think there's a feeling that
10 we kind of want to wait and see how the program operates,
11 and make sure that there's some -- there's been some
12 political issues that we've had to address, namely these
13 position are not political positions. They're biologist
14 level positions, and so, you know, giving testimony to
15 the Board of Fisheries and that sort of thing is
16 something that we need to steer clear of. So there's a
17 sense that we want to make sure that this -- that the
18 program, all the different intricacies and logistics of
19 the program is up and running before there's going to be
20 an additional -- RFP for additional positions.

21

22 CHAIRMAN NICHOLIA: Any more questions?
23 Are you going to be here tomorrow?

24

25 MS. WHEELER: I can certainly be here if
26 you'd like me to be, Mr. Chair.

27

28 CHAIRMAN NICHOLIA: We might have a few
29 more questions for you tomorrow.

30

31 MS. WHEELER: I'll be here then, Mr.
32 Chair.

33

34 CHAIRMAN NICHOLIA: Thank you. I think
35 we'll recess until tomorrow morning. What time, Donald?

36

37 MR. MIKE: 8:30 unless you want to start
38 earlier.

39

40 CHAIRMAN NICHOLIA: 8:30

41

42 MR. MIKE: 8:30?

43

44 UNIDENTIFIED VOICE: 9:00 o'clock.

45

46 CHAIRMAN NICHOLIA: No. The kitchen
47 opens up at 8:00 o'clock. 9:00 o'clock.

48

49 MR. MIKE: Okay. 9:00 o'clock.

50

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1

CHAIRMAN NICHOLIA: 9:00 tomorrow.

2

3

(PROCEEDINGS TO BE CONTINUED)

00139

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

2

3 UNITED STATES OF AMERICA)

4)ss.

5 STATE OF ALASKA)

6

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

10

11 THAT the foregoing pages numbered 02 through 138
12 contain a full, true and correct Transcript of the
13 EASTERN INTERIOR FEDERAL SUBSISTENCE REGIONAL ADVISORY
14 COUNCIL MEETING, VOLUME I taken electronically by
15 Nathaniel Hile on the 25th day of March 2003, beginning
16 at the hour of 9:00 o'clock a.m. at Nenana, Alaska;

17

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

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

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26 DATED at Anchorage, Alaska, this 4th day of April
27 2003.

28

29

30

31

32

33

34

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