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VOLUME I

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EASTERN INTERIOR FEDERAL REGIONAL  
SUBSISTENCE COUNCIL MEETING

9

February 27, 1999

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Delta Community Hall, Delta Junction

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13

14 Members Present:

15

16 Charles P. Miller, Sr., Chairman

17 Philip J. Titus, Vice Chairman

18 Nathaniel Good, Secretary

19 Craig Fleener

20 Davey James

21 Gerald D. Nicholia

22 Lincoln Tritt

23 Calvin M. Tritt

24

25 Vince Mathews, Coordinator

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P R O C E E D I N G S

(On record - 9:15 a.m.)

MR. MATHEWS: I need to do roll call but before I do roll call, for those of you that need assistance devices we do have those. We're experimenting at this meeting with them so I may ask a couple of you to try them out. So if someone is in need for a loss we'll definitely move them around.

Calvin Tritt.

MR. C. TRITT: Here.

MR. MATHEWS: Lincoln Tritt. Gerald Nicholia.

MR. NICHOLIA: Here.

MR. MATHEWS: Davey James.

MR. DAVEY JAMES: Here.

MR. MATHEWS: Lee Titus. Craig Fleener.

MR. FLEENER: Here.

MR. MATHEWS: Nat Good.

MR. GOOD: Here.

MR. MATHEWS: Philip Titus.

MR. P. TITUS: Right here.

MR. MATHEWS: That was a here. And Chuck Miller.

CHAIRMAN MILLER: Here.

MR. MATHEWS: Mr. Chairman, you have eight of the nine members present so you have a quorum.

CHAIRMAN MILLER: Introduction of Councilmembers, Agency, Staff and Honored guests. Do you want to start over there?

MR. MATHEWS: Sure.

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1 MR. DeMATTEO: Pete DeMatteo, Biologist,  
2 Office of Subsistence Management, Anchorage.

3  
4 MR. SHERROD: George Sherrod, Anthropologist  
5 for the Interior, Fish and Wildlife Service.

6  
7 MR. MATHEWS: Vince Mathews, Regional  
8 Coordinator for Eastern Interior.

9  
10 Mr. Chairman, I don't know how we would do -- this is  
11 a fairly large audience here of Agency, Staff and public, so  
12 I don't know how you would want them to introduce or if you  
13 want to wait as issues come up for them to introduce  
14 themselves.

15  
16 CHAIRMAN MILLER: We'll probably just wait.

17  
18 MR. MATHEWS: Okay, then you would go to  
19 introduction of Councilmembers.

20  
21 MR. FLEENER: Craig Fleener, Fort Yukon.

22  
23 MR. C. TRITT: Calvin Tritt, Arctic Village.

24  
25 MR. DAVEY JAMES: Davey James, Fort Yukon.

26  
27 MR. GOOD: Nat Good, Delta Junction.

28  
29 CHAIRMAN MILLER: Chuck Miller, Dot Lake.

30  
31 MR. NICHOLIA: Gerald Nicholia, Tanana.

32  
33 MR. P. TITUS: Philip, Minto.

34  
35 MR. L. TRITT: Lincoln Tritt, Arctic Village.

36  
37 MR. GOOD: This morning we hoped to open with  
38 elder remarks by Mary Hanson who is 93 and been here a long,  
39 long time but she has a broken hip so her daughter has kindly  
40 said that she will fill in for her mother. So that's what  
41 we'll do at this point, Irene Mead is from Delta Junction.  
42 She has a nice layout on the table and she'll tell us a few  
43 things about the Delta Junction area and it's history.

44  
45 MS. MEAD: I can't take my mother's place but  
46 I'll tell you a little bit about the local history.

47  
48 MR. GOOD: Maybe could we have you come to  
49 the microphone, Irene, and it will be picked up and  
50 transcribed and hopefully everybody can hear well then.

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1 MR. MATHEWS: And then for the public, we're  
2 going to constantly have you come to the mics because I don't  
3 think these mics will pickup comments from the gathering.

4  
5 MS. MEAD: Is this on?

6  
7 MR. GOOD: Yes.

8  
9 MS. MEAD: Okay, just talk. A little bit  
10 about our local history. John Hyducavich came to the Delta  
11 area as a miner at the turn of the century. He brought a  
12 roadhouse or a trading post, Antnicarctic (ph) which is now  
13 Big Delta and proceeded to build more trading posts around  
14 the Tanana River clean into the Tok area; he had five  
15 altogether. He also at one point became U.S. Commissioner.  
16 He was a market hunter. But the thing that he loved to do  
17 and made most money at was taking folks from back East into  
18 the Granite Range on horseback on Alaska Safari. The Delta  
19 Historical Society and of course, the State Museum, has some  
20 old films on videotape, the first films that we know of that  
21 were professional and taken on John's hunts and to our local  
22 Granite Range. A 1928 video and 1930 video. And he took a  
23 fellow by the name of Endicott hunting who brought  
24 professional photographers with him and also wrote a book  
25 later about his hunt.

26  
27 At the time there were two men, he and his friend.  
28 And there is documentation in his book on what they killed in  
29 the Granite Range, Halley's bag, two sheep is his limit,  
30 three caribou limit, two grizzly limit, three black bear, no  
31 limit, one moose limit, one wolf bonus paid by the government  
32 for killing. This was a 21 day hunt. Endicott's bag, two  
33 sheep, three caribou limit, three grizzly limit, one moose  
34 limit, one wolf -- three wolves killed by others, I presume,  
35 the Native handlers and the horse handlers in the group. And  
36 what they saw at that time in the 21 days between our Jarvis  
37 Creek and over to the Robertson River out on the Alaska  
38 Highway now, which wasn't there then, 23 grizzlies, 16 black  
39 bear, 741 sheep, 1,019 caribou, 25 moose, two fox, 12 wolves  
40 and one coyote. And according to Endicott, 1927, the limits  
41 on caribou hunting were as follows, north of the Alaska  
42 Range, three caribou to each hunter, five to each Native  
43 white, and to the Indians to what they needed for food, of  
44 course.

45  
46 Regarding the number of caribou in Big Delta around  
47 that time, a fellow by the name of Frank DuFrame who worked  
48 for the Fish and Wildlife Service, he was a pilot and I  
49 believe that's how he met his death. I believe his plane  
50 went down. Everybody respected him, he was the local game

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1 warden for very wide areas, Fairbanks clean to the Tok Border  
2 -- I mean to the Canada Border. He flew the Delta River and  
3 he told the author which was Mr. Endicott, when he was  
4 writing the book, that in one spot where he could see a  
5 distance of some five to seven miles there was an unbroken  
6 band of caribou. He estimated 80 animals to each hundred  
7 yards and stated that he had probably seen from 250 to  
8 300,000 caribou in one migration that was undoubtedly a  
9 million perhaps millions had passed on up over the Summit  
10 into the southern slopes of the Alaska Range, and this is  
11 around 1927.

12  
13 When my folks came to Delta there were only five  
14 permanent residents in 1939. They came to Delta to open a  
15 roadhouse on the north bank of the Nenana River across from  
16 Reeka's Roadhouse (ph) or the McCarty area. The tourism  
17 business had started, we had small tour buses at the time,  
18 more and more people were coming from the Coast to enjoy  
19 Alaska. We had more and more visitors and of course, more  
20 people were interested in the wildlife.

21  
22 And previous to that we had market hunters in the  
23 Good Pasture area, the Richardson and Tenderfoot area, really  
24 didn't have time to go hunting. They had just a very short  
25 time to use the water that had thawed out for their mining  
26 and they hired the services of market hunters, so did the  
27 Alaska Road Commission, the Railroad, and the hunters also  
28 supplied wild animal meat to the butcher shops in Fairbanks.  
29 And a lot of the hunting was done at Black Rapids along the  
30 ridge of Fairbanks/Valdez trail and now, the Richardson  
31 Highway. Henry Stock was our local market hunter as was John  
32 Hyducavich.

33  
34 John, when he became U.S. Commissioner, he saw that  
35 the moose population in the area had decreased, probably due  
36 to all the people that accessed the area on the steamboats  
37 and via horseback, dog sled, whatever, and so he went to  
38 Washington D.C., and lobbied for the bison to be brought to  
39 the Delta area so about 30 baby bison came by train to  
40 Fairbanks and then to the Delta area. And he envisioned that  
41 they would supplement the moose population, like you could  
42 step out your back door and shoot a bison which we really  
43 can't do, legally, but they took off very well in the area.  
44 And John's horses were running the river bars in the winter  
45 time and eating the venchent (ph) and the wild feed and doing  
46 very well so he figured the bison would to.

47  
48 He really -- the local fellows, the trappers and the  
49 miners, they really wanted the bison to stay on this side of  
50 the river but bison kind of blow with the wind and they

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1 immediately took off for the other side of the Delta River.  
2 In the winter time they dropped hay with the dog sleds to get  
3 them to eat their way across the river and come back. But we  
4 had them for a short time in the fall but they did not stay  
5 here, of course, they wandered over there.

6  
7 Down through the years my father came to Alaska in  
8 1922 from Washington. He came for the hunting and fishing to  
9 Juneau and Ketchikan, became a chef but he also got a license  
10 for a 70 foot boat there. He came to the Delta area and  
11 opened a roadhouse. And he also had a hunting lodge at the  
12 mouth of the Clearwater. He took hunting and fishing parties  
13 with the boat. He had a registered guide's license with the  
14 Federal folks. He probably took most of the people from  
15 Fairbanks that had cabins on the Good Pasture and Clearwater  
16 River, the probably saw those areas for the first time in my  
17 father's boat and then got their own land and went up in  
18 there.

19  
20 My folks married in Fairbanks in '35. When they  
21 didn't have to work in the restaurant for a living my mother  
22 was the first one to race dogs with the men and there were  
23 only man's races in that day, in '37. And they were out in  
24 the Bonafield pursuing wildlife, moose, sheep and caribou.  
25 And they spent a year at the Salcha River living off the land  
26 for their first anniversary, put the dog team in the boat and  
27 went as far as they could until the water froze, lived in  
28 deserted trapper's cabins that winter and lived off the land.  
29 Dad trapped and they hunted caribou at the upper reaches of  
30 the Salcha River.

31  
32 When I came along in 1940 I can remember Blue Creek  
33 here and just about a couple miles above the Tanana Bridge.  
34 There were still caribou horns stuck in the mud. It was a  
35 terrible place, I suppose, to cross and a lot of the caribou  
36 fell down over the bank and there they were forever. And I  
37 can remember almost every year, Daddy, can we go see the  
38 caribou horns, I don't know what there was that was so  
39 interesting about that but there was just a lot of them still  
40 sitting in the mud. So we had big caribou migrations here.

41  
42 My mother came to Alaska in 1928 and she went into  
43 the Kantishna country, McKinley Park with her husband, before  
44 my father, and a fellow had froze his feet, they took over  
45 his gold mine, and so she became a gold miner there in about  
46 '29/30. And she said that when she was going from place to  
47 place, they outfitted out of Nenana, and she hauled freight  
48 for miners by relaying freight out and courtesy mail. And  
49 she said caribou would take a week to go by our cabin, the  
50 migration. And she says that was pretty frightening to get

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1 caught in a bunch of them with her dog team because there  
2 were so many and the wolves were right on their heels.

3  
4 My folks came to the Delta area, the Granites, of  
5 course, was a great place to hunt caribou and then of course,  
6 Unit 13 and the Denali Highway, when it was put in, I guess  
7 I've hunted caribou on the Denali Highway or in that area,  
8 Paxton Lake since I was 20 years old. My dad wasn't a  
9 caribou hunter, he mainly stuck to the River and moose, he  
10 had people at moose camps and moose parties, and hunting or  
11 fishing parties but he didn't go for the caribou. Later I  
12 married a cowboy and I acquired horses and so then I had a  
13 better means of getting into the hills to hunt caribou and  
14 today I have all the toys, a snowmachine, a four-wheeler and  
15 horses and a river boat, so I still hunt.

16  
17 My folks, of course, kept dogs to trap and my dad  
18 trapped in the winter. They closed the lodge in the winter  
19 and he went trapping. They kept a dog team and gathered  
20 salmon at the Tanana Bridge to feed their dogs. They could  
21 net white fish legally, so we lived a subsistence part of the  
22 year even though they had a roadhouse open for three or four  
23 months in the summer.

24  
25 My folks sold the lodge here in Delta and bought  
26 Black Rapids Lodge, I moved them there in '58 and they had  
27 that for 17 years. And of course, it's been a great place  
28 for hunting sheep right behind the lodge, and as I said in  
29 the early days it was built originally in 1904. It was a  
30 paradise for market hunters. But we had seen Native folks  
31 come there and view sheep on the hills behind the lodge, and  
32 in three hours, they went up and killed legal rams and came  
33 back. That's what we've seen in the past.

34  
35 My folks have killed a lot of grizzly trying to get  
36 at their dogs and backyard there at Rapids. So in the later  
37 years my dad kind of went that way, he didn't come back to  
38 the Delta area to do any hunting and fishing. But he's  
39 hunted and been all the way down towards Tok, towards  
40 Richardson and down past Rapids for their means.

41  
42 I would like to -- in the future I would hope that we  
43 have a sustainable harvest and would like to see animals here  
44 for my children and grandchildren. And I'll try to answer  
45 some questions.

46  
47 MR. GOOD: I think you did a great job right  
48 there. It was a very good insight into our area here and I  
49 think the Councilmembers appreciate it.

50

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1 MR. FLEENER: Thank you.

2

3 CHAIRMAN MILLER: Thank you. Nat.

4

5 MR. GOOD: Oh, one other thing, Irene did  
6 bring a number of pictures back there that she has laid out  
7 that shows the old Richardson Trail running down to Valdez.  
8 The only route at that time between Fairbanks and Valdez was  
9 this trail or what we now call the Richardson Highway out  
10 here. We have changed its exact positions, but it was the  
11 one thing that tied Fairbanks to the coast really. And she  
12 has a number of things on trapping prices that were sent  
13 back. And for Craig, she has pictures of the trucks that  
14 brought the buffalo.

15

16 So if anybody gets a chance you'll probably want to  
17 look those over.

18

19 CHAIRMAN MILLER: We'll move on to  
20 Councilmember concerns.

21

22 MR. MATHEWS: Mr. Chairman on that, since we  
23 have quite a few public here that are not familiar with this  
24 type of topic. This is the time where the Councilmembers can  
25 bring up any concerns they have that they can share with the  
26 Council and public and then you and I would note if they need  
27 to be agenda change items. So this is a time to kind of  
28 explore concerns, and that's all, thank you.

29

30 I hope everybody can hear back there. Fine, okay.  
31 If you can't, please let the Chair or I know because it could  
32 get hard to hear some of the people because of the system.

33

34 REPORTER: Mr. Chairman.

35

36 CHAIRMAN MILLER: Yes.

37

38 REPORTER: Just so you know, we don't have  
39 enough microphones for everybody so if Council members and  
40 everybody could make sure that there's a microphone in front  
41 of you then we can hear, okay.

42

43 CHAIRMAN MILLER: Okay.

44

45 REPORTER: And I'm turning the microphones up  
46 and down as you talk because if have them all on we'll have  
47 feedback and everything. So if you're not on right away you  
48 will be in a little bit.

49

50 MR. P. TITUS: Mr. Chairman, I have a concern

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1 on subsistence resources.

2

3 CHAIRMAN MILLER: Go ahead, Philip.

4

5 MR. P. TITUS: That's for the agenda.

6

7 CHAIRMAN MILLER: What's that?

8

9 MR. P. TITUS: Subsistence resources.

10

11 MR. MATHEWS: Now, Mr. Chairman, on that  
12 Philip did contact me on that and we just were never able to  
13 connect. I'm not sure what Philip is leading -- what the  
14 topic is on subsistence resources. So it would help Staff  
15 and others present here what your concern is on subsistence  
16 resources.

17

18 MR. P. TITUS: Fish. Everything we eat.  
19 Everything subsistence put on the agenda that we have a  
20 record -- it's a concern for me.

21

22 MR. MATHEWS: All right.

23

24 MR. P. TITUS: Because the fish go all the  
25 way out to the ocean and back, they don't just stay on  
26 Federal land. I mean all of the animals don't just stay on  
27 Federal land.

28

29 MR. MATHEWS: Okay, thank you.

30

31 MR. L. TRITT: Yeah, I think that goes along  
32 the line of what my concern is. This State needs to start  
33 changing their attitude about the way they deal with fish and  
34 wildlife and everything else that's out there. You can't  
35 take a marketing approach to wildlife. We live out in the  
36 woods and we know how -- we live the way the animals do and  
37 so we relate directly to the land and the animals out there.

38

39 And this fish and wildlife, it's these animals and  
40 plants out there that keeps this planet alive. You have to  
41 realize that people are the ones who are killing this planet.  
42 And the more we deal with minor rights and all that crap, I  
43 mean we're never going -- we're hurting what's keeping this  
44 planet alive. And so we need to change our attitude and we  
45 have to realize that there are more people on this world now  
46 and they're covering more areas. And animal spends all its  
47 time hunting for food. And a lot of times all the  
48 snowmachines and airplanes and all these rackets that are  
49 going on out there are disturbing them. And so they're not  
50 as healthy as they should be. Even in our area we see a lot

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1 of caribou with bad meat, a lot of fish with their insides  
2 all messed up. And it's not just in our area either. A lot  
3 of it goes on in the Bering Sea and you just -- you can't  
4 just chalk that up to some nuclear experiment over in Russia  
5 or something, we're doing it right here. Every time you  
6 drive a Sno-Go out there, every time you drive a car, you  
7 leave a lot of exhaust and a lot of fumes and toxic and all  
8 that stuff all over the darn place.

9

10 So I think we need to start changing our attitude  
11 about how we manage all these animals and games and start  
12 dealing with it realistically.

13

14 Thank you.

15

16 CHAIRMAN MILLER: Are there any other  
17 concerns?

18

19 MR. DAVEY JAMES: I have one here. My name  
20 is Davey James. After coming back from Healy Lake and after  
21 stopping here last night and listening to a couple of  
22 concerns Nat Good had there in Delta area there with timbers  
23 and with the spawning grounds there and after listening to  
24 the Healy Lake there to them on their moose management and  
25 the caribou and concerns that they have over there. It seems  
26 like we have a lot of issues and topics to discuss here. And  
27 in my previous experience and to make a good decision for the  
28 people in the area is that we need to look at another way of  
29 addressing these issues, like to have a one time -- to have  
30 the Board members to get together before the meeting and  
31 discuss some of these issues that's going through -- that we  
32 can discuss thoroughly, so when we come and meet with the  
33 Regions and some of the managers and we -- we're kind of on a  
34 one level.

35

36 You know, it seems like -- I see conflicts of  
37 different directions we're going in, all nine of us -- eight  
38 of us here. And we need to get back together more and find  
39 out what topics in each area that we really need to address  
40 there so we can make a good solid decision. And by being  
41 here and going through this thick book in one day -- and also  
42 some of the issues that -- going over to Healy Lake, hey,  
43 what's going on, why are we going there, you know, and I  
44 heard that from a couple members, what are we going over  
45 there for? So we're all on a different level.

46

47 I propose that we have a working group session  
48 meeting before the actual meeting days for the public there  
49 so we can go through some of these issues here.

50

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1 CHAIRMAN MILLER: Is there any other  
2 concerns?

3  
4 MR. DAVEY JAMES: I have one more.

5  
6 CHAIRMAN MILLER: Okay.

7  
8 MR. DAVEY JAMES: My other concern is, I  
9 don't know, maybe we can bring this up at a later date there.  
10 You know, the dates of the meetings there on the weekends,  
11 Saturdays and Sundays. I don't like the meeting on Sundays  
12 and I told that to our chief and to other people there.  
13 Sunday is my time, you're taking it away, you know. Because  
14 I had plans this weekend to be out with my kids there beaver  
15 trapping and showing them a few odds and ends there, and  
16 that's the only time I have. And there's a conflict of  
17 interest here where other people have there, that needs to be  
18 solved there. I think that needs to be understood when these  
19 people are applying for seats on this board here, that they  
20 need to understand that it's going to take some time away  
21 there, but my time for one day out of the week is Sunday. I  
22 don't like to meet or discuss on any of the issues on Sunday.  
23 My mom doesn't sew -- she says, when you're sewing on Sunday  
24 you're pointing into the Creator, and my doesn't like to go  
25 check trapline or anything on Sunday, we doesn't even hunt  
26 moose on Sundays, that's more like staying home with the  
27 family.

28  
29 So I want to bring this up for the Council to  
30 consider in the future there for the meeting dates there.  
31 Because it's really one of the things in Ft. Yukon that came  
32 up, when people was having a meeting -- see we have those  
33 people down there doing it anyway, and the elderlies are  
34 saying that, they're having the meeting on Sundays and  
35 everybody's going to church and then everybody's going to  
36 meeting there. I think we need to get our priorities  
37 straightened out.

38  
39 MR. GOOD: I'd like to just comment on that,  
40 this is the first time, by the way we've had a weekend  
41 meeting and we did have some problems getting a date for this  
42 particular meeting and that's how we did wind up with this  
43 weekend.

44  
45 MR. NICHOLIA: I'd like to make a comment.  
46 This is about what I see around here, what I seen at Healy  
47 Lake. You know those people from Healy Lake, they depend on  
48 the resources that.....

49  
50 REPORTER: Mr. Chairman, your microphone.

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1 MR. NICHOLIA: The more people that I see  
2 around here. They base their livelihoods where they grow up.  
3 I believe there should be more respect for those Healy Lake  
4 people that is shown to them. I think that we should give  
5 them the opportunity to continue to -- like reemerge your  
6 village. I see a lot of struggle out there.

7  
8 What you guys base your -- how you make your money  
9 and stuff, wood, timber, fish, you guys base that on a  
10 market. It's for money. But what they get that stuff for is  
11 there for a living, there's a difference there. I think most  
12 people don't understand that difference. There's other  
13 people that's out there in this world, it's Alaska other than  
14 you. That's what most of you don't understand. Try to be a  
15 little respectful of one other in this state they call Alaska  
16 if we're going to respect one another.

17  
18 That's all I have to say.

19  
20 CHAIRMAN MILLER: Is there any other  
21 concerns? Okay, hearing none, we'll move down to additions  
22 or corrections to agenda and agenda approval.

23  
24 MR. P. TITUS: Is subsistence resources added  
25 to the agenda somewhere?

26  
27 CHAIRMAN MILLER: Where do you have a place  
28 for that Vince?

29  
30 MR. P. TITUS: Under new business, if we have  
31 new business?

32  
33 MR. FLEENER: Is this going to be a  
34 presentation of some sort that you're.....

35  
36 MR. P. TITUS: It's just a concern and I want  
37 to put it on record.

38  
39 MR. GOOD: Mr. Chairman, it would seem like  
40 this might be just appropriate to address this immediately  
41 prior to going over proposals which are on subsistence.

42  
43 MR. P. TITUS: Very good, Mr. Secretary.

44  
45 CHAIRMAN MILLER: It can fit in there, right,  
46 Vince?

47  
48 MR. MATHEWS: If I understand correctly, the  
49 suggestion is to make it at the end of roman numeral VIII,  
50 just before we get into proposal review and overview by

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1 agency, is that -- okay, that sounds fine.

2

3 MR. FLEENER: Mr. Chairman, I move to adopt  
4 the agenda with the change.

5

6 MR. GOOD: Second.

7

8 CHAIRMAN MILLER: Okay, any question? All in  
9 favor of adopting the agenda with the change signify by  
10 saying aye.

11

12 IN UNISON: Aye.

13

14 CHAIRMAN MILLER: Opposed same sign.

15

16 (No opposing responses)

17

18 CHAIRMAN MILLER: Motion carries.

19

20 MR. MATHEWS: Mr. Chairman, that brings us up  
21 to minutes from the last meeting, October 21st in Minto,  
22 that's under Tab N as in Nulato. And for the public, that's  
23 Tab N and I'm not sure if we have separate copies on the  
24 counter out there.

25

26 In the past what you've done is just kind of looked  
27 them over. You did receive these in the mail. All of the  
28 agencies that are within the Interior received draft copies.  
29 When you review them, if that's how you're going to do it,  
30 the text that is in gray were corrections, comments or  
31 additions that were submitted to me during the time period  
32 for changes. So you may want to look at those. They're  
33 basically clarifying information and substantive changes but  
34 you may want to look at those since they are your minutes.

35

36 CHAIRMAN MILLER: We'll take a few minutes  
37 then.

38

39 MR. MATHEWS: Yeah, like five or so.

40

41 CHAIRMAN MILLER: We'll take five minutes to  
42 read over the minutes of the Minto meeting.

43

44 (Off record)

45

46 (On record)

47

48 CHAIRMAN MILLER: Could we have it quiet  
49 please.

50

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1 MR. P. TITUS: Mr. Chairman, I move to adopt  
2 the minutes.

3  
4 MR. GOOD: I second.

5  
6 MR. MATHEWS: Mr. Chairman, thank you.

7  
8 MR. FLEENER: We're trying to get back to  
9 order.

10  
11 MR. MATHEWS: If I understood correctly that  
12 Philip Titus moved to approve the minutes and Nat Good  
13 seconded?

14  
15 CHAIRMAN MILLER: Yes.

16  
17 MR. MATHEWS: Thank you.

18  
19 CHAIRMAN MILLER: Any questions? No  
20 questions. All in favor signify by saying aye.

21  
22 IN UNISON: Aye.

23  
24 CHAIRMAN MILLER: Opposed same sign.

25  
26 (No opposing responses)

27  
28 CHAIRMAN MILLER: Okay.

29  
30 MR. MATHEWS: Mr. Chairman, this brings us up  
31 to where we have various reports. This is more just  
32 informational but there will be -- this will expand a little  
33 bit when we get into Fortymile Caribou Herd management. But  
34 basically this is a time for the Chairs and other members to  
35 share reports from different groups that they're on, advisory  
36 committees, tribal councils, Native corporations, groups that  
37 are dealing with issues directly related to subsistence.

38  
39 The first one would be an interregional cooperation  
40 meeting with Southcentral Regional Council. And I'll give a  
41 quick background and then, you and Nat were present at that  
42 meeting. We've had, over the years, overlap proposals,  
43 proposals that effect both Eastern Interior communities and  
44 Southcentral communities in the area of the Upper Tanana,  
45 that's one reason why we're meeting here and the Copper River  
46 area. To help with the review of these proposals we had  
47 representatives from the Southcentral meeting and  
48 representatives from Eastern Interior meet in Fairbanks on, I  
49 believe it was February 11th. We had Staff from Bureau of  
50 Indian Affairs there, Fish and Wildlife Service, National

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1 Park Service and we had representations from Tanana Chiefs  
2 Conference, Copper River Native Association, and somebody I'm  
3 leaving out -- oh, Healy Lake Tribal Council and others. And  
4 the meeting was to review the overlap proposals.

5  
6 So that gives a background of how this meeting came  
7 about and it's objective was to get an understanding of each  
8 other's viewpoints. It was not a decisional meeting. It was  
9 -- oh, I know who I forgot -- but anyways, I'll get -- make  
10 sure I do that. But basically it was an information exchange  
11 meeting, not decisional, to get different viewpoints. And I  
12 do apologize to Alaska Department of Fish and Game, the did  
13 have Staff there, both from their Board support section and  
14 from their Subsistence division. And if I left somebody else  
15 out well -- well, I did, authors of the proposals were  
16 present there, including Frank Entsminger and Frank  
17 Entsminger was representing the Upper Tanana Fortymile  
18 Advisory Committee and the Tok Cutoff Advisory Committee.

19  
20 And that's pretty much it and who was present. So  
21 maybe Nat and Chuck could talk about the outcome and what  
22 they felt about the meeting.

23  
24 MR. GOOD: We had in the past had some  
25 conflicts with Southcentral, but I think as a result of what  
26 happened in this meeting, we came much closer together. We  
27 discussed the proposals that did involve conflicts. There  
28 were a number of proposals, particularly I think Chuck and I  
29 felt that Southcentral -- that had been made in Southcentral  
30 that seemed to have conflict with us. They were essentially  
31 limiting people from the north in one respect or another,  
32 erecting boundaries -- artificial boundaries and limiting the  
33 direction that subsistence people could move.

34  
35 After lengthy discussions on all of these I felt that  
36 many were resolved. In fact, we were told a week later, for  
37 instance, that Proposition 22, which Chuck and I had  
38 expressed great concern over had been withdrawn. And many of  
39 the restricted portions of other proposals were amended and a  
40 great deal of the conflict between the two areas taken out.  
41 And I think we'll probably be learning a great deal about  
42 those as we take up the proposals, won't we Vince?

43  
44 MR. MATHEWS: What?

45  
46 MR. GOOD: As we take up the proposals we'll  
47 be picking up on the changes there?

48  
49 MR. MATHEWS: Oh, I didn't know that was  
50 directed to me.

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1 MR. GOOD: Sorry.

2

3 CHAIRMAN MILLER: Sounds good.

4

5 MR. MATHEWS: Okay, we will be discussing  
6 some of the outcomes like Nat did when the proposals come up.  
7 But the main thing is the public is present here, Proposal  
8 22, oh, boy, that was caribou in 13(B) has been withdrawn so  
9 that issue is not before this body or for the Federal  
10 Subsistence Board.

11

12 Well, I'll just do it for the record and we'll go  
13 over it when the proposals come up. But the proposals for  
14 that same area had removal of Chistochina from the  
15 eligibility determinations and that was also withdrawn in  
16 action in January, I believe it was. So we will cover those  
17 for each proposals. If the public has a question on that  
18 then they'll have to talk to us privately if they need to  
19 know before the proposal is before this Council.

20

21 Thank you.

22

23 CHAIRMAN MILLER: Did you want to say  
24 something there, Craig, on that C&T Working Group?

25

26 MR. FLEENER: Thank you, Mr. Chair. I've got  
27 to think back, I haven't thought about it for a while.  
28 Actually it would probably be better if one of the other  
29 members that were there because I've been thinking about  
30 school so much I haven't paid much attention to that so I  
31 wouldn't be able to give a good presentation right now.

32

33 MR. MATHEWS: Mr. Chairman, I don't think  
34 there was another member from this group but there is a  
35 briefing on it under Tab O as in Olin. And there's other  
36 Staff here that can kind of assist, both from the Staff  
37 Committee and others if need be on this. But there is a  
38 summary of the C&T Working Group there but we do need to kind  
39 of review it so everyone understands what transpired.

40

41 MR. FLEENER: Well, actually this jogs my  
42 memory well enough to say a few things, I guess. It's good  
43 to have things in hard copy. Let me look over this for a  
44 half a second and then I'll be ready.

45

46 When we came together for the C&T Working Group  
47 meeting down in Anchorage it was -- this is a personal  
48 opinion -- statement, but it was pretty confusing. I don't  
49 think that a whole lot, in my opinion, got accomplished. I  
50 think that we were still stuck a lot on definitions. And

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1 there was an awful lot of controversy still in what in the  
2 world C&T was. And I was pretty much at a loss during the  
3 entire meeting because it seemed like the Regional Councils,  
4 when we first started discussing the C&T issue were headed in  
5 sort of the same direction on what they wanted to do but when  
6 we came to this meeting there was a little bit of division,  
7 at least with one Regional Council, and that seemed to set  
8 the tone for the meeting to where we -- since one Regional  
9 Council had a couple problems with it, we do absolutely  
10 nothing and keep the status quo and I was pretty upset about  
11 that.

12  
13 I had an awful lot more to say about it but I was at  
14 such a loss because it was headed in a completely different  
15 direction from where I thought it should be going that I  
16 really didn't know what to say.

17  
18 I would also, since I haven't been thinking about  
19 this topic a whole lot, I think it would be good if we could  
20 hear possibly from Ida, if she wanted to get up and say a few  
21 words on it because I know she took some really good notes  
22 and we came to some very similar conclusions about the  
23 meeting.

24  
25 CHAIRMAN MILLER: Go ahead, Ida.

26  
27 MS. HILDEBRAND: Ida Hildebrand, BIA, Staff  
28 Committee member. The work group was called by the Board  
29 Chairman, Mitch Demientieff and there were representatives  
30 from the Regional Councils, Craig Fleener from this region,  
31 Bill Thomas from Southeast region, and Dan O'Hara from  
32 Bristol Bay, and there were also Staff Committee members,  
33 myself and Sandy Rabinowitch and some Forest Service members.

34  
35 The discussion, as Craig stated, entering into the  
36 meeting, there was pretty much consensus or there seemed to  
37 have been somewhat consensus that the Regional Councils were  
38 dissatisfied with the system or the procedure of how the C&T  
39 process was conducted. And at the meeting they seemed to  
40 have lost that focus. And part of the problem, in my  
41 opinion, was that the materials weren't -- the materials  
42 presented to the Working Group weren't truly reflective of  
43 how the Councils had made their decisions and  
44 recommendations. The paperwork stated that the Councils  
45 favored the eight factor or the process of the eight factor  
46 analysis, which wasn't quite true. The Councils did support  
47 having some kind of a C&T process, but when they voted to  
48 support the eight factor analysis, the written materials  
49 presented to the Working Group did not reflect that except  
50 for every region, every Council stated they wanted to

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1 determine how those factors would be weighted or not weighted  
2 and add other things they thought were more important.

3  
4 Because of that omission, it came down with a piece  
5 of paper that said, X amount of Councils voted to keep the  
6 status quo or keep the eight factor system and some Councils  
7 wanted to be more inclusive and other Councils wanted C&T  
8 determination for all species. Which is kind of true but it  
9 leaves off the meat from the bones and therefore, muddied the  
10 waters and as a result it came to almost a stalemate. And if  
11 you get an opportunity I really recommend that you read O to  
12 see some of the issues that were remaining. And the Chairman  
13 of the Board was also dissatisfied that there was kind of an  
14 inaction action. So I don't believe that the discussion is  
15 over. And do believe that the Councils, in their respective  
16 meetings all stated they wanted the Council option or they  
17 wanted to determine how the eight factors were weighted, if  
18 there were, indeed, eight factors or if there were more  
19 factors.

20  
21 CHAIRMAN MILLER: Thank you.

22  
23 MR. MATHEWS: Mr. Chairman, for the new  
24 members and for the public, we're starting to use acronyms  
25 that I need to step in and make sure everybody understands.  
26 C&T is customary and traditional use determinations, which  
27 the way I try to explain to new members and others, is  
28 eligibility to hunt under Federal subsistence regulations so  
29 it's eligibility to hunt to take advantage of the seasons and  
30 harvest limits that are present on Federal lands. And I'll  
31 periodically do this if we get into acronyms because we do  
32 have a pretty good showing of public here and a couple of  
33 members that may use different terms than C&T, for example.

34  
35 I know the Council has in front of them O, they may  
36 want to look at those, there's some key areas of concern  
37 there that are spelled out, and we can leave it up to you to  
38 review on your own unless you have questions about the  
39 importance of traditional knowledge, multiple species  
40 analysis or differences between regions. Ida did focus on  
41 differences between regions, I believe.

42  
43 People are looking at me.

44  
45 I'm a little uncomfortable covering those topics  
46 because I wasn't part of that working group so I'm going to  
47 defer to others to see if they can explain the outcome of  
48 concerns there that are listed. They're in front of you in  
49 paragraph form. I don't.....

50

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1 MR. FLEENER: Mr. Chair.

2

3 CHAIRMAN MILLER: Go ahead, Craig.

4

5 MR. FLEENER: These are areas of concern that  
6 -- well, certainly areas of concern, I guess that's why they  
7 call them areas of concern. But there were other things that  
8 were important that seemed to get brushed under the table.

9 You know, the one thing that our Council and a few other  
10 Councils thought was important was to try to be as inclusive  
11 as possible, you know, to include your next door neighbor,  
12 the village next door, the village 200 miles down the river  
13 or whatever in hunting a specific resource. And that seemed  
14 to be an area of contention at the meeting with the -- and  
15 that is one of the things that brought the -- what I would  
16 have called a good conclusion to a grinding halt, is that, I  
17 guess they determined that since there's one Council that's  
18 against this idea we don't do it but that we be inclusive.

19

20 There's one Council, I guess, at least one person at  
21 the meeting liked the idea of being more exclusive, to  
22 exclude as many people as possible and to only include your  
23 little group, and so since that happened, I was pretty  
24 unhappy with it. I don't think this was a -- I don't think  
25 the meeting turned out the way I wanted it to and I think we  
26 met for a whole year and really accomplished nothing because  
27 ended leaving everything as a status quo when every Council  
28 at the beginning and throughout the year had voiced problems  
29 with the C&T process. Every Council did. And when it came  
30 down to the end, one Council, in particular, said we want to  
31 keep it this way and so we actually had a vote, it came to  
32 leave it at the status quo. I voted against it and a couple  
33 of other people did but it didn't go anywhere.

34

35 MR. NICHOLIA: Mr. Chair. Excuse me, you're  
36 meaning to say that all the arguments we did on this for the  
37 C&T determination, what we figured out they're trying to --  
38 the other C&T determinations, they're automatically excluded  
39 others and that's what you were trying to get -- that was  
40 never settled or anything?

41

42 MR. FLEENER: Well, we can still do the  
43 individual C&T determinations. But when we tried to say, you  
44 know, this group should have a C&T determination, we also  
45 discussed the idea of doing, you know, all the resources  
46 instead of just saying for moose or something like that. But  
47 this one Regional Council said, no, we should do it -- we  
48 should exclude these other villages that's why we want to do  
49 C&T determinations but our Council and several others have  
50 said, no, we don't want to exclude other people.

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1           And so we can still do them it's just going to be a  
2 whole lot more work if we leave it this way. That's what we  
3 voted for down there and that vote passed to leave it at the  
4 status quo, where we have to spend more time trying to  
5 include the village that got left out like Healy Lake,  
6 instead of saying they should automatically be included,  
7 we've got to go through step by step and include each  
8 community, each resource piece by piece. And if I'm  
9 portraying that incorrectly, somebody that was there please  
10 get up and say something.

11  
12           CHAIRMAN MILLER: Go ahead, Ida.

13  
14           MS. HILDEBRAND: Ida Hildebrand, BIA, Staff  
15 Committee member. This statement, I believe, under Tab O, is  
16 to reflect the areas of concern because there was no decision  
17 made by that particular work group. However, leaving it at  
18 the status quo was stated at leave it there at this time and  
19 it would be the call of the Chair to either reappoint a  
20 different group since we came to deadlock in that vote and  
21 regardless of the discussion it wasn't going anywhere. And  
22 go back and look at what did each Council say or recommended  
23 regarding the process and then reconvene a working group to  
24 again look at the issue of C&T.

25  
26           And at that time Mitch was also concerned about fish,  
27 which way was that going to go. Was it going to be State  
28 management, Federal management or what was going on? But the  
29 vote of that work group to leave it as it is for now isn't  
30 the end of the decision. I mean it isn't the last word on  
31 what's going to happen with C&T.

32  
33           MR. FLEENER: The problem I had with that  
34 vote was that when we sent our recommendation back to the  
35 full Board, leave it at the status quo, it was my belief that  
36 the Board would -- I mean of course we're going to probably  
37 argue it and other people may also, but if they were just to  
38 read over the paperwork and see how the vote turned out, the  
39 vote to leave it at the status quo, it didn't -- part of the  
40 vote wasn't to address it further or to look into other  
41 options, it was to leave it at the status quo and I was  
42 concerned that that might be identified as everybody must be  
43 happy with it so.....

44  
45           MS. HILDEBRAND: That's true, that's how the  
46 motion and the vote went. However, the discussion that  
47 surrounded the motion and the vote was that it wasn't over,  
48 but it was definitely deadlocked so either there needed to be  
49 new members appointed or some other avenue of addressing the  
50 issue.

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1 MR. L. TRITT: This is an example of what I  
2 was saying that we need to change our attitude in the way we  
3 work with these things. We need more common sense instead of  
4 messing around with words.

5  
6 When you use traditional and customary use, you just  
7 don't use these seasons, you also have to take into  
8 consideration the situation of the animals out there. You  
9 don't go out there and fish like you do every year if there  
10 is hardly any fish out there, you know. So I suggest as a  
11 member of this Board of whatever, that we start thinking  
12 about all these and start thinking about putting it in our  
13 perspective and start working with it from that angle,  
14 instead of all these fancy words where you'll have to end up  
15 using lawyers, you know, and you can't do nothing with the  
16 wildlife with lawyers, they don't listen to us.

17  
18 CHAIRMAN MILLER: Is there anymore comments  
19 on this? Okay, moving on, Fortymile Caribou Management. Mr.  
20 Craig.

21  
22 MR. MATHEWS: Mr. Chairman, that's going to  
23 be Nat speaking on that, then Craig and then we have parts  
24 that's going to go in with Department of Natural Resources  
25 also. So this is the one that I'm saying, this topic will  
26 expand larger than what's on the agenda here.

27  
28 MR. GARDNER: Craig Gardner, I'm the area  
29 biologist, Fish and Game in Tok and I have the management  
30 responsibility for the Fortymile Caribou Herd. And maybe  
31 just for about 30 seconds, I notice your agenda's pretty  
32 complete, but maybe kind of explain to the newer members kind  
33 of what the Fortymile Plan is.

34  
35 I would call it and Chuck, you were a part in the  
36 very beginning and Nat, probably an example of the most  
37 complete co-management program we have going probably in  
38 Interior Alaska. And what it is is a group of, mainly, you  
39 know, private citizens from basically Dawson over to Delta  
40 here, you know, Tok, Tanacross and then Fairbanks and others,  
41 got this group together to try to recover the Fortymile  
42 Caribou Herd. And there was primarily three management steps  
43 that they kind of suggested or recommended that we do. And  
44 one was to reduce wolf predation which I'll talk about later.  
45 The second one was to reduce harvest during the next five  
46 years. And the last one was to try to come up with ideas how  
47 to maintain a habitat for this herd. I mean, you know, the  
48 thought process was you don't try to increase a herd if  
49 there's nothing for this herd to move into. You know, so  
50 those were probably the three kind of management steps that

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1 was recommended.

2

3 We're in the third year now of the plan and actually  
4 things are really optimistic. The herd has been increasing,  
5 four, 10 and 20 percent over the last three years, and we're  
6 now numbering around 31,000 caribou. Probably the most  
7 intensive step in terms of like management has been the wolf  
8 control and we started that last year. And basically what we  
9 are doing is that we've identified 21 different wolf packs  
10 that inhabit all of or part of the herds summer and calving  
11 ranges, and of those 15 packs can be basically controlled.  
12 And the steps that we're doing is to one, trappers, their  
13 part would be, of course, to continue trapping these packs  
14 and whatever wolves they can remove. And then of those that  
15 are remaining at the end of the season are -- or the time  
16 we're going to deal with them is that we relocate all the  
17 subordinate wolves in the pack to different areas of the  
18 State, at least -- well, now we're finding out we have to  
19 move them 150, 200 miles away minimum so they don't come  
20 back, and then the alpha wolves, or the parent wolves, we  
21 sterilize so they can't have pups.

22

23 So like I said, we started last year. Right now  
24 we're sitting with 12 packs that we have sterilized the two  
25 alpha wolves and one pack we've sterilized the male. Like I  
26 said we're going to do up to 15 packs so next year we'll  
27 finish the last two packs.

28

29 We've now moved, relocated 45 wolves from the area  
30 and then come April we plan to move another 22 to 25 wolves.  
31 Now, one of the questions, of course, is where do you move  
32 wolves, I mean it seems like it's a somewhat odd request to  
33 ask people in the rest of the state to take wolves and even  
34 odder is when they say yes. But actually we've done a lot of  
35 work on what the impacts of wolves when you relocate them to  
36 different areas on the population there, moose and caribou  
37 populations and on people. And what we found is that you can  
38 move a small number of wolves to these areas and actually  
39 they make no impact and, in fact, in some ways there's going  
40 to be some benefits. I mean some of the benefits, of course,  
41 is just to hunters and trappers. I mean what we found is  
42 that these wolves are acting just like wolves that disperse.  
43 And what we found with these wolves is that half of them, 40  
44 to 60 percent, so you know, about half die during the 12  
45 months after they disperse or after they're relocated. And  
46 the greatest cause of the mortality is trapping. You know,  
47 so this isn't any different than what's happening naturally,  
48 so you know, they're pretty much following.....

49

50 The next benefit and the one that I think is the most

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1 apparent to areas that have been taking these wolves is the  
2 Fortymile Caribou Herd used to be one of the greatest  
3 subsistence resources that we had in the Interior. And  
4 definitely it's been -- it used to be used, you know, from  
5 people essentially, from the Yukon over. Now, if this herd  
6 continues to increase, what we're going to see is hunters  
7 that are now traveling all over the state to hunt caribou,  
8 you know, basically up the Haul Road and other places up  
9 North won't have to do that anymore. I mean right now  
10 there's really no road accessible herd that the hunters can  
11 get to. But the Fortymile Caribou Herd, once it grows will  
12 be. And I think what we're going to see is a lot of hunters  
13 then start hunting the Fortymile which should take a lot less  
14 competition from the more, you know, Northern areas.

15  
16           Yeah.

17  
18                   MR. DAVEY JAMES: Could we have a little  
19 quiet out there? I'm hearing two -- it's kind of disturbing.

20  
21                   MR. GARDNER: Thank you.

22  
23                   REPORTER: Thank you, Mr. James.

24  
25                   MR. GARDNER: Geez, and it was doggone Vince,  
26 too.

27  
28                   And so what we did is we actually had a group of  
29 people from the team that worked on trying to find home for  
30 these wolves, a relocation committee, and Gabe Sam was on it  
31 and a few others, Frank Entsminger behind me, Dean Comich  
32 from Delta. And actually we traveled to these communities  
33 and asked people to take wolves. And we've now found homes  
34 for basically all these wolves. Like I say, we've already  
35 moved 45 and we have homes for these next 25 and what we did.  
36 Actually went up to Anaktuvuk Pass and to Barrow and talked  
37 to the Regional Council for the North Slope Regional Council  
38 and the Anaktuvuk Pass City Council and we got permission to  
39 move all 15 wolves up on to the Slope there and we have  
40 permission around Ruby to move five, Coldfoot five, Kenai  
41 Peninsula. So we have different places all over the state  
42 that we're moving these wolves to.

43  
44                   So like I said, once we're done, you know, we  
45 identified 21 packs, we hope to, by the end of April, to have  
46 reduced the wolf population by over 60 percent, you know, for  
47 that whole summer range. And so right now that part of the  
48 program is going quite well.

49  
50                   The harvest side, we reduced the harvest down to 150,

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1 you know, three years ago. You know, basically what we tried  
2 to do was tried to put most of the harvest into the hands of  
3 the subsistence users, people that have shown traditional use  
4 of the herd. Of course, under State regulations, you know,  
5 we do not -- all State residents are subsistence. But when  
6 you look at the harvest today is that right now, 40 percent  
7 of the hunters for Fortymile Caribou are local residents are  
8 now taking over 30 percent of the harvest which is much  
9 different than it was prior, you know, actually to the  
10 reduction. You know, it used to be like 15 percent of the  
11 harvest actually went to local residents. So actually this  
12 change of reduced harvest has actually -- I mean obviously  
13 the subsistence users do not take as many caribou but it's  
14 hurt them much much less. I mean they're taking a bigger  
15 proportion of the harvest and actually if you look at total  
16 numbers it's not that much of a difference.

17  
18 There is now a harvest planning committee. Because  
19 in the year 2001, so in two more years, the harvest is going  
20 to be liberalized again. We're hoping the herd will be  
21 around 45,000 caribou and growing by that time. And what has  
22 happened is that the advisory committees from the Upper  
23 Tanana, which is basically the communities from Dot Lake over  
24 to the border on the Alaska Highway, Eagle, Central, and  
25 Delta and Fairbanks, have now formed a coalition, basically,  
26 and they're kind of developing now a harvest plan, you know,  
27 to be implemented in 2001. And I think people are going to  
28 be quite happy with what's going to happen there. Just  
29 judging on the herd's response right now and the growth  
30 rates, we're going to see harvest that's like three times or  
31 twice as high as what it used to be but yet there's still --  
32 there's enough safeguards in the harvest plan to allow the  
33 herd to continue to grow at 10 percent. And so basically  
34 what this coalition has done is they want this Fortymile  
35 Caribou Herd to keep increasing and hopefully keep increasing  
36 its range so actually people from -- I mean the herd used to  
37 go all the way across the Steese Highway so you'll start  
38 seeing a lot more communities that will benefit from the  
39 Fortymile Caribou and plus in 2001 a much greater harvest.

40  
41 And then the last part, like I mentioned, is we were  
42 talking about is the habitat type -- realizing that, you  
43 know, development is important to many of the communities in  
44 this area, you know, how to basically balance this idea of  
45 development, you know, for economic gain to the villages and  
46 the communities and also to make sure that you don't, you  
47 know, restrict growth of this caribou herd that we're all  
48 working so hard for. We actually had a team meeting these  
49 last two days, and actually this map here, like I said Steve  
50 McGordy will probably come up now. One of the things that's

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1 happening in the Fortymile country now and it's due to Pogo,  
2 you know, kind of the gold strike there, there's been a lot  
3 of interest in the Fortymile country again for mining. And  
4 so we had this meeting and it was actually, I found really  
5 optimistic again.

6  
7           The companies, some of the major companies came and  
8 they gave presentations. DNR came and basically talked about  
9 permitting. And then representatives from Doyon were here to  
10 talk about, you know, what's going on in their lands. And I  
11 think what we're going to see, and definitely this first  
12 year, we're going to develop kind of an information packet, a  
13 map of where the herd calves and we're going to have an idea  
14 of what kind of activity the companies are doing. And you  
15 know, basically what we're probably most interested in is  
16 real low level helicopter work, you know, this -- a lot of  
17 exploration, you know, the 500 foot helicopter work and very  
18 intense kind of transect lines. What we're going to be doing  
19 is working with the companies. You know, we're monitoring  
20 this herd quite closely. There's ways that we can on a  
21 temporal basis and on kind of a site area specific basis that  
22 we can actually come in and say, okay, the herd's in here,  
23 they're somewhat vulnerable, you know, especially the calving  
24 areas and the post calving areas when the cows are quite  
25 small and a lot more vulnerable to predation and separation  
26 from their cow -- to come in and basically ask just basically  
27 a pause. You know, because these caribou herds, I mean you  
28 guys know this better than I do, I mean you've lived this  
29 country, but you know, they just kind of keep moving. You  
30 know, even the big calving -- you know, they kind of get up  
31 in those ridges but they don't stay in any one place, you  
32 know, for very long, you know, they're moving. And so we're  
33 hoping what we can do is work with these companies. Have  
34 them come in and do their exploration, but when those groups  
35 move in just kind of pause move over.

36  
37           And I think it's really optimistic that we can work  
38 this year with that and that's kind of our goals. And  
39 correct me if I'm wrong, Nat, you were pretty much there for  
40 that day.

41  
42           The next thing we're going to do is the teams going  
43 to meet again, this Fortymile team is going to meet again in  
44 July in Tok. And we're going to be discussing both the Yukon  
45 Harvest Plan, you know, because what we're hoping is this  
46 herd's going to move into the Yukon again and First Nations  
47 and the folks there can start benefitting from a herd that  
48 they haven't seen for 30 or 40 years. And so they're going  
49 to have a draft harvest plan and also this advisory  
50 committees are going to have a draft harvest plan for

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1 everybody's review.

2

3 And the plan is is to ask the Eastern Interior  
4 Council to basically look over the draft plan next fall in  
5 your fall meeting to make comment and any kind of changes you  
6 want to do.

7

8 But that's a quick thumbnail sketch of where we're at  
9 and where the herd's at. And like I said, Steve McGordy's  
10 back in the back and he can answer any of the mining  
11 questions, if you have, what's happening in the Fortymile.  
12 Like I said, that map there kind of shows how things are  
13 happening and if you have any questions for him, he's the man  
14 to ask or any questions on the herd, as me.

15

16 MR. GOOD: And one thing, the Federal  
17 Subsistence Council did support the advisory committees  
18 taking over the development of the harvest plan. I think the  
19 subsistence council representatives were not thrilled by the  
20 idea of the overall caribou planning team developing the  
21 harvest plan. They felt that there should be far more local  
22 input and the input of people who would actually be hunting  
23 the caribou. People in the areas. And the best way to do  
24 that was to get the local advisory committees involved with  
25 it. So we definitely supported that.

26

27 It was a controversial at last fall's meeting but it  
28 was adopted, the planning team, there were no problems there.  
29 And as far as the meetings of the past two days, I didn't see  
30 any real conflicts there. There were some people missing  
31 from the meeting, we'll have to see what their input is.  
32 We'd certainly like to have their input whether they were  
33 there or not.

34

35 But the team, there are a lot of projections on this  
36 Fortymile Caribou Herd that could put it into the hundreds of  
37 thousands before -- or within a relatively short time. And so  
38 it could be very big for our Eastern Interior in a very short  
39 time, in terms of years.

40

41 MR. MATHEWS: Mr. Chairman, there is one  
42 thing before Steve McGordy gets up here to talk. It would  
43 be, you have an appointment to that Fortymile Caribou Working  
44 Group which is Nat Good. Nat Good's seat is up this term.  
45 And so you may want to explore an alternate or whatever in  
46 case Nat doesn't reapply or in case Nat doesn't get selected,  
47 that someone else then follows through because I think it's  
48 fair to say that Nat has played a very influential role in  
49 this group and the Council has benefitted from that. So you  
50 may want to discuss finding out if he's going to reapply and

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1 then also an alternate as we go through the selection  
2 process.

3  
4 MR. FLEENER: Mr. Chair.

5  
6 CHAIRMAN MILLER: Craig.

7  
8 MR. FLEENER: Will his seat be up before the  
9 next meeting?

10  
11 MR. MATHEWS: I didn't -- I've been in and  
12 out here, I don't know if the next meeting has been set.

13  
14 MR. GARDNER: July.

15  
16 MR. MATHEWS: No, he serves until replaced  
17 which could go on for a long time. But we should have an  
18 appointment by September but he would still be in -- a full  
19 member until he's either reappointed or replaced.

20  
21 MR. P. TITUS: Does this appointment have to  
22 be a Councilmember?

23  
24 MR. MATHEWS: Yes, it does. I think Craig  
25 has laid that out that there's interest by the Federal  
26 Subsistence Program in this whole planning process and the  
27 Council is -- since I've ever been involved with it starting  
28 in '94/95 has wanted to know about this. It's a major  
29 concern for this area that -- the Fortymile Caribou Herd and  
30 the protection of the -- well, the rural preference for  
31 harvesting that herd, so yes, unless the Council wants to  
32 shift on that. But that would put the Federal Subsistence  
33 Board in an odd position of not being informed by the Council  
34 that's effected by it.

35  
36 And to help you out further, there's two members in  
37 the area that are -- you know, there's the Chair, Mr. Miller,  
38 and Nat that are -- I don't want to say, dependent, but I  
39 suppose that's the best word to say, dependent on that  
40 caribou herd as part of their subsistence needs.

41  
42 MR. NICHOLIA: Mr. Chair.

43  
44 MR. GOOD: Mr. Chair.

45  
46 MR. NICHOLIA: I believe that we should  
47 recognize other user groups, especially people that's living  
48 on the highway that you mentioned. There's a lot of people  
49 that's not being represented, I believe, and we're -- we're  
50 supposed to be sticking up for subsistence or representing

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1 them. I'm from one region, I don't really understand all the  
2 other regions. I mean I'm from one part of this region  
3 that's split between the Western Interior. I don't live down  
4 here but I do make -- help these guys make a lot of decisions  
5 about how these people live their lifestyles on these  
6 resources. And I don't really want to make the wrong  
7 decisions that where it will exclude one user -- one user  
8 group or even one person or even one user family of any of  
9 the resource that may provide for their families for other  
10 avenues like Welfare or nothing, is not going to kick in to  
11 feed their families.

12  
13 MR. MATHEWS: Well, Mr. Chairman, if I can  
14 address what he's brought up there. Part of that is our  
15 fault. We haven't laid out all the leg work that's gone on  
16 behind the scenes in this Fortymile. And I don't know all of  
17 it, but I do know there's been extensive discussions by Nat  
18 Good and Chuck Miller with the communities that are effected.  
19 And Pete can remind me, I believe they both went as Western  
20 Interior representatives for a meeting before last, I  
21 believe. So Healy Lake's interests are -- if that's the  
22 topic at hand, are voiced -- carried forward by the advisory  
23 committee, by this group and I -- I mean I've never gone to  
24 these meetings, but I think they've had a representative at  
25 these meetings.

26  
27 MR. GARDNER: Yeah, Pat Saylor's did come to  
28 one of the team meetings, right.

29  
30 MR. MATHEWS: And so, I think, Gerald, I  
31 think we didn't explain that all to you that there has been  
32 multiple layers of grassroots plug in. And if there was a --  
33 if the plan comes up this fall, if I understood correctly,  
34 then I would encourage you Gerald, to ask those same  
35 questions because then your Councilmember that's appointed is  
36 on the spot to make sure that they can say to you, honestly,  
37 we have talked to these communities, we've had them present  
38 here or whatever it needs to be to your satisfaction. That's  
39 why this is a representative group as far as representing  
40 huge areas. But both, Nat and Chuck, have done quietly,  
41 behind the scenes, which we haven't brought up to you a lot  
42 of outreach on this. And Craig would know more than that. I  
43 just know by phone calls of Nat keeping me informed and Chuck  
44 telling me he's going to different meanings, that's  
45 superficial. But I'm very comfortable with what they're  
46 covering and how they're covering it.

47  
48 MR. GOOD: I think Craig Gardner, as well as  
49 has been trying to get a lot of involvement there. And Healy  
50 Lake should be very definitively involved. They sit there,

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1 the head waters of the Healy River run directly into the  
2 calving grounds on Mount Harper. So they're right in the  
3 heart of the whole thing, right in the middle of it.

4  
5 And as you said, I think Pay Saylor from Healy Lake  
6 has been attempting to get involved as much as possible. I  
7 think he could even -- correct me if I'm wrong here, he could  
8 even be a member of the team, couldn't he?

9  
10 MR. GARDNER: Yeah. Yeah, actually -- I  
11 mean, you know, the membership -- the team, you know,  
12 basically is kind of not closed, but you know try to keep it  
13 at a working number. But there's always an exchange of new  
14 people, and if Pat, I think, really wanted to get on, the  
15 other members, you know, through Tanacross and some others,  
16 you know, I think the possibility is there.

17  
18 MR. GOOD: Now, on the other subject there.  
19 I have not reapplied for a position on this Council. I have  
20 gotten materials from Vince here and I posted them locally  
21 here. I have a sign down at the store that says that this  
22 seat is expiring and I've circled my name so that people  
23 know, locally, that my seat is expiring and there are  
24 applications in an envelope attached below that. I don't  
25 know -- and we'll probably hear later whether or not there  
26 have been any applications. I don't.....

27  
28 MR. MATHEWS: I haven't gotten the report,  
29 but the Anchorage Staff might have brought it out. But we're  
30 still -- the application period goes to the 26th of March.  
31 So generally -- to be honest with you, you know, apply  
32 towards the end. So even if we have a listing now of who  
33 applied, it's not representative of how many would apply or  
34 from where.

35  
36 MR. GOOD: And so I would suggest for an  
37 advisory committee alternative, at least, that Chuck Miller,  
38 who lives at Dot Lake, next door neighbors and relative to  
39 the people serve as the alternative or even perhaps as the  
40 representative.

41  
42 MR. FLEENER: Is that a motion?

43  
44 MR. GOOD: I think -- well, sure I so move.  
45 Is there a second?

46  
47 MR. FLEENER: Sure.

48  
49 MR. GOOD: Is that acceptable to you?

50

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1 CHAIRMAN MILLER: Sure.

2

3 MR. FLEENER: We just appointed you, Mr.  
4 Chair, what do you think?

5

6 CHAIRMAN MILLER: We were going to vote on  
7 this, too?

8

9 MR. GOOD: Yeah. Comments.

10

11 MR. L. TRITT: Yeah, one word kind of caught  
12 my attention while they were talking, that's this, hunter.  
13 You know, I work with construction before, too, and we lost a  
14 lot of equipment by drivers who call themselves operators,  
15 you know. So I'm kind of been wondering if all these hunters  
16 that we're always talking about are really hunters or just  
17 killers out there, you know?

18

19 It seems like these things we ought to keep in mind  
20 in order to manage what's left of the animals out there.

21

22 CHAIRMAN MILLER: Anymore questions?

23

24 MR. C. TRITT: Yes, Mr. Chairman. How much  
25 -- these villages in this area are involved with this  
26 decisionmaking?

27

28 MR. GARDNER: Actually the initial team,  
29 basically we had Chuck, who at that time was representing  
30 TCC. We had representatives from Tanacross. And then we  
31 asked the Village of Northway, Tetlin to be part, and they  
32 actually declined because I guess they looked at, you know,  
33 the two Tanacross members and then Chuck's membership as  
34 adequate, I guess, to look over their interests. And then  
35 from Eagle, we had Issac Junipee in the very beginning, he  
36 was also a part of the advisory committee but also looking  
37 for the Eagle Village. And then we had Ed Cormody, and he  
38 was representing the Chandaquechens (ph) out of Dawson. So  
39 I'd say that from the villages going across the range.

40

41 MR. C. TRITT: What about Tetlin?

42

43 MR. GARDNER: Tetlin actually just basically  
44 declined. We asked them to be part of it and they declined  
45 initially. You know, but they go to the advisory committee  
46 meetings for the Upper Tanana. They're a member of the Upper  
47 Tanana and so they've been kept apprised during those  
48 meetings.

49

50 MR. C. TRITT: I don't know, could we make a

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1 motion to make sure that every village is involved with the  
2 decisionmaking, including Healy Lake. Yeah, I make a motion  
3 that all the villages are involved in some way with  
4 decisionmaking on Fortymile Caribou Herd.

5  
6 CHAIRMAN MILLER: We already got one motion  
7 on the floor to take care of first?

8  
9 MR. C. TRITT: Oh, okay.

10  
11 MR. GOOD: Yeah, we need to vote on the first  
12 motion and then.....

13  
14 MR. C. TRITT: That will take care of it also  
15 or what are you saying?

16  
17 MR. GOOD: Well, the first motion was to make  
18 sure we had a member of this Council on that team so we need  
19 to do that and then your motion can be next.

20  
21 MR. C. TRITT: Yeah, right, that's what I'm  
22 saying.

23  
24 MR. GOOD: Yeah.

25  
26 MR. C. TRITT: So we're going to vote on that  
27 first motion, right?

28  
29 MR. GOOD: Right.

30  
31 MR. C. TRITT: Okay, let's do that.

32  
33 CHAIRMAN MILLER: Okay. All in favor signify  
34 by saying aye.

35  
36 IN UNISON: Aye.

37  
38 CHAIRMAN MILLER: Opposed same sign.

39  
40 (No opposing responses)

41  
42 CHAIRMAN MILLER: Motion carries.

43  
44 MR. C. TRITT: Now, mine. Okay, I make a  
45 motion that every village concerning Fortymile Caribou Herd  
46 be involved with the decisionmaking; is that good enough?

47  
48 MR. L. TRITT: Second.

49  
50 CHAIRMAN MILLER: Questions?

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1 MR. FLEENER: I think that you guys basically  
2 do include everybody or at least give everyone the  
3 opportunity, right, and some people have turned down the  
4 opportunity to be part of the decisionmaking?

5  
6 MR. GARDNER: They declined to be on the  
7 actual team and how, I guess, they're staying involved is  
8 through, either one, the advisory committee which takes in  
9 Northway, Tetlin, Tanacross, Dot Lake and Healy Lake, that's  
10 all the Upper Tanana Advisory Committee, as well, as Tok. So  
11 that's the one place where those villages, you know, keep  
12 apprised of what's going on. And then Eagle is part of their  
13 own advisory committee and they have a seat on the team.

14  
15 MR. FLEENER: And do you know if any of the  
16 communities that have traditionally, at least within the --  
17 where these animals go, are there any communities in that  
18 area that have not been contacted?

19  
20 MR. GARDNER: We are probably a little bit  
21 delinquent in Central and Circle on the far northwestern side  
22 of the range but we have now brought them in -- you know,  
23 basically the last four or five months. But probably they're  
24 the ones that have probably been most left in the dark.

25  
26 MR. C. TRITT: I'm pretty sure, you know, the  
27 region I'm talking about if I said Fortymile Caribou Herd  
28 region?

29  
30 MR. GARDNER: Uh-huh. (Affirmative)

31  
32 MR. C. TRITT: That would cover the whole  
33 villages?

34  
35 MR. GARDNER: Uh-huh. (Affirmative)

36  
37 MR. C. TRITT: So this motion would guarantee  
38 that every village will have the opportunity to play.....

39  
40 MR. GOOD: Just a comment. You know,  
41 currently they do have the opportunity to do so but what we  
42 would be doing is supporting the process.

43  
44 MR. C. TRITT: But a motion would guarantee  
45 it.

46  
47 MR. GOOD: Yeah, we're supporting it.

48  
49 MR. C. TRITT: Okay.

50

00033

1 MR. FLEENER: Questions.

2

3 CHAIRMAN MILLER: Okay, question's been  
4 called. All in favor signify by saying aye.

5

6 IN UNISON: Aye.

7

8 CHAIRMAN MILLER: Opposed same sign.

9

10 (No opposing responses)

11

12 CHAIRMAN MILLER: Motion carries. Go ahead

13 Vince.

14

15 MR. MATHEWS: Mr. Chairman, with your earlier  
16 motion to appoint Chuck Miller, I believe that was a motion  
17 to the Fortymile group, there's an open question that there  
18 may need to be an additional seat on the Fortymile Planning  
19 Group; is that correct? Because Nat was serving two seats,  
20 were you not?

21

22 MR. GOOD: No, just Eastern Interior.

23

24 MR. MATHEWS: Okay. So you were not a Delta  
25 rep so we do not have to request an additional seat then?

26

27 MR. GARDNER: No.

28

29 MR. MATHEWS: Okay, thank you.

30

31 CHAIRMAN MILLER: Is there anything else,

32 Craig?

33

34 MR. GARDNER: A questions here?

35

36 MR. DAVEY JAMES: Yeah.

37

38 CHAIRMAN MILLER: Yeah, go ahead, Dave.

39

40 MR. DAVEY JAMES: Craig, did you mention  
41 that, you know, the local residents takes about 30 percent of  
42 the harvest?

43

44 MR. GARDNER: Right now they do.

45

46 MR. DAVEY JAMES: Of 30,000?

47

48 MR. GARDNER: Well, the harvest actually  
49 during this last three years is only 150 a year.

50

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1 MR. DAVEY JAMES: 150 a year?

2

3 MR. GARDNER: Yeah, so they're taking around  
4 50 of those caribou.

5

6 MR. DAVEY JAMES: Oh, okay. The other one,  
7 you identify wolf as your main predator?

8

9 MR. GARDNER: Right. Basically we did a lot  
10 of years of kind of researching the herd and what we found,  
11 of course, you have wolves, grizzly bears, golden eagles, you  
12 know, sometimes black bears, not often wolverine, and  
13 basically we looked at all of those and what we have found,  
14 it wasn't so much predation on adult animals that was  
15 limiting the herd growth, but actually on calves and  
16 basically just for a short period. And then when we went in  
17 and actually looked at which one of those predators had the  
18 greatest influence on the calf mortality then it became wolf.

19

20 Yeah.

21

22 MR. DAVEY JAMES: Do you have any problem  
23 with snow condition or weather on the population of herds?

24

25 MR. GARDNER: Yeah, great question. Actually  
26 we've been doing a lot of nutritional work and pregnancy rate  
27 work on the herd and also kind of winter diet, you know,  
28 percent likens, you know, basically their candy for winter  
29 food. And what we found for the Fortymile Caribou Herd, at  
30 least, winter range, it's one of the most high quality winter  
31 ranges for all the caribou herds in the state.

32

33 And in fact, if you think of the Nelchina Herd, which  
34 is kind of this big herd south of here, it actually gains  
35 weight -- it's now been moving up to the Fortymile Range the  
36 last three or four years, well, actually longer than that,  
37 but they're deep in the Fortymile Range right now, and  
38 they're gaining weight on winter range up there.

39

40 The pregnancy rates are high, calf weights are high,  
41 so nutritionally, you know, this herd is really good. We've  
42 had one bad snow year and it did effect the herd but it's  
43 just been one. And it continues to grow right now.

44

45 MR. NICHOLIA: Besides wolves, what other  
46 predators are there that preys on them when they're calving?

47

48 MR. GARDNER: Grizzly bears are probably the  
49 second leading predator. Then it kind of falls right off.  
50 Some years the herd will calve actually in the trees.

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1 MR. NICHOLIA: How bad is the grizzly bear  
2 problem?

3  
4 MR. GARDNER: Oh, probably it's, if you look  
5 at percentages wise, and the overall for calving, they  
6 probably take half of what wolves take.

7  
8 MR. NICHOLIA: Like I don't do State side or  
9 Federal sides, but I know grizzly bears around Tanana, they  
10 do hang around calving grounds and moose and stuff.

11  
12 MR. GARDNER: Uh-huh. (Affirmative)

13  
14 MR. NICHOLIA: The same bears have the  
15 same.....

16  
17 MR. GARDNER: Now, an incredibly efficient  
18 predator -- if you think of moose and caribou, you know, even  
19 here, you know, like where I work, grizzly bears were the  
20 leading predator on moose calves. You know, wolves weren't  
21 even a close second.

22  
23 But caribou calves are a little bit different of a  
24 beast, basically, and they mature must faster. And you know,  
25 they're so much more mobile. Basically what we're finding  
26 that bears are a very efficient predator in calves first 10  
27 days, two weeks of life and after that the little guys can  
28 outrun them. And so basically the grizzly bear predation  
29 falls right off and that's basically.....

30  
31 MR. NICHOLIA: So it's just a short little  
32 period?

33  
34 MR. GARDNER: Yeah, short period.

35  
36 MR. FLEENER: What percentage then?

37  
38 MR. GARDNER: Oh, they take good numbers. I  
39 mean like I said, they probably, during the years -- I got  
40 the data actually behind me, but it's around 20. Of the  
41 total calf mortality, I'd say they take about 20 percent.

42  
43 MR. FLEENER: And what's an average calf --  
44 calving each year, what's the number for the herd do you  
45 think?

46  
47 MR. GARDNER: Right when we started this  
48 program they probably were producing like 8,000 calves and  
49 now they're probably producing closer to 10,000 calves. So  
50 you can kind of see how many calves we have, about 2,000 go

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1 to grizzly bears, yeah.

2

3 MR. GOOD: One thing there that might be  
4 brought out. Currently, because of the reduced harvest,  
5 there was 150 -- you know, we might mention what the  
6 projections are for tentative harvest for 2001.

7

8 MR. GARDNER: Yeah, you know, basically it's  
9 somewhat of a paper game. You know, we were kind of  
10 projecting if the herd keeps continuing like it has been,  
11 we'd be looking at an Alaskan harvest initially, you know,  
12 800 to 900 caribou for the Alaskans. And then if the herd  
13 has moved into the Yukon, you know, it's reached the size  
14 where they actually start progressing over there, that they  
15 would be looking at a harvest of around 350.

16

17 So basically prior to the recovery program, harvest  
18 was around 450 maximum on an annual basis, zero in Canada.  
19 And so you know, it is quite the -- benefits to subsistence  
20 hunters and others.

21

22 MR. NICHOLIA: Is it taken into account that  
23 if the herd does cross the border, does it take into account  
24 that some people out there might be harvesting off this herd?

25

26 MR. GARDNER: Uh-huh. (Affirmative)

27

28 MR. NICHOLIA: It's taken into account?

29

30 MR. GARDNER: Yep. We've been working with  
31 the First Nation there and with the Yukon Management  
32 Government.

33

34 MR. DAVEY JAMES: One quick question. Like  
35 in the C&T there, we had the discussion on, traditional  
36 knowledge.

37

38 MR. GARDNER: Uh-huh. (Affirmative)

39

40 MR. DAVEY JAMES: How do you guys implement  
41 your traditional knowledge in this plan; where's it at?

42

43 MR. GARDNER: Okay, actually -- actually  
44 there's been quite a bit even in -- a lot in the ground work.  
45 You know how we try to base how much loss is happening when  
46 the herd declined and so there's been -- actually there's a  
47 whole -- like a 30 page document. And what people did is  
48 gone through all the elders, basically primary through  
49 Central Yukon to Western Yukon, talking to all the elders  
50 from all the First Nations on basically how the caribou used

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1 to move and when they'd come in and how many they used to  
2 take and see. So basically we've been able to -- a real  
3 accurate movement pattern for the Fortymile Caribou Herd and  
4 how they used to use the Central Yukon. And we also did that  
5 for the Eastern Interior.

6  
7 So we've kind of built this kind of a -- you know, we  
8 had these kind of estimates, you know, periodic estimates  
9 from guys like Scoog and Miri and stuff, but what we really  
10 had was traditional knowledge. I mean that's really what --  
11 how to really base how the range use was used. I mean we  
12 didn't monitor this herd all that well and there were just  
13 about -- you know, the other guys, so no, traditional  
14 knowledge was used a lot there.

15  
16 Now, the last one and actually was the most  
17 complicated was -- I mean you guys, I'm sure heard it, we are  
18 fertility controlling, sterilizing wolves out there. That  
19 actually was quite controversial especially with the First  
20 Nations and with the villages. And what we did there was  
21 one, this program's used been once before and it's still  
22 ongoing. It's over in the Champaign/Ashak First National  
23 area over in Yukon. And what we did, we actually had a  
24 meeting with the elders there and kind of went through, you  
25 know, how the -- you know, how they could come to accept this  
26 kind of -- you know, basically control activities of wolves.  
27 And we had them talk to elders from Tanacross and Eagle and  
28 had a meeting there, so we kind of went through how to use  
29 that in wolf control and how to, you know, bring the most out  
30 of it.

31  
32 MR. DAVEY JAMES: Thank you.

33  
34 CHAIRMAN MILLER: Go ahead, Philip.

35  
36 MR. P. TITUS: I got a question on the  
37 traditional knowledge where it said, predator control, when  
38 they go denning.

39  
40 MR. GARDNER: Uh-huh. (Affirmative)

41  
42 MR. P. TITUS: Maybe it should be considered  
43 to redo the practice.

44  
45 MR. GARDNER: Yeah, thanks, Philip. We  
46 talked about denning and actually we asked them where they  
47 used to den. And it was kind of ironic because the same  
48 problems we're having today, you know, a lot of people ask  
49 how come trappers aren't doing more, you know, in the area of  
50 the calving and summer range and it was actually because of

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1 access. I mean it's so far away and the country's so rough  
2 that even when we talked to all these people, they didn't  
3 used to den even these packs. They didn't get there. I mean  
4 this country -- I mean if you think, here we are surrounded a  
5 little bit by a road system but yet kind of right where this  
6 herd comes, you know, even the -- the villages, the First  
7 Nations, the bounds, it didn't get there. You know.

8  
9 MR. P. TITUS: Remember in Tanacross that old  
10 lady said she went to the den with her dad.....

11  
12 MR. GARDNER: Uh-huh. (Affirmative)

13  
14 MR. P. TITUS: .....and she thought she was  
15 going to bring them pups home.

16  
17 MR. GARDNER: Yeah.

18  
19 MR. P. TITUS: So you're saying that these  
20 calving grounds, this caribou is pretty remote?

21  
22 MR. GARDNER: Right.

23  
24 CHAIRMAN MILLER: Questions?

25  
26 MR. L. TRITT: Yeah, about this sterilization  
27 and all that stuff, back in the old contact, our people when  
28 they hunt, after the butcher the caribou and everything, they  
29 make sure even the land and the ground is clean, you know,  
30 there's no blood or anything because some predators might  
31 come around and by the time some other animal come around  
32 that blood would be contaminated and it would spread disease  
33 and all that.

34  
35 MR. GARDNER: Uh-huh. (Affirmative)

36  
37 MR. L. TRITT: And a lot of these rabies and  
38 stuff like that that's going on is as a result of a lot of  
39 those poisoning that they used to do back in the old days,  
40 the early trappers.

41  
42 MR. GARDNER: Uh-huh. (Affirmative)

43  
44 MR. L. TRITT: So when you introduce  
45 chemicals and all that stuff to the wildlife out there,  
46 you're, in effect, contaminating them. That's why the elders  
47 are so riled up about these things. So instead of writing  
48 all these elders instructions down, maybe it would be easier  
49 to learn it, you know. And maybe that way you'd get to know  
50 the animals like you know your neighbor.

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1 And that's all I have to say.

2

3 CHAIRMAN MILLER: Anymore questions?

4

5 MR. C. TRITT: I just wanted to express my  
6 disappointment on the sterilization. At the last meeting we  
7 discussed that at Dot Lake and I was disappointed about that  
8 but still it went on. But it's just a personal thing, you  
9 know, being Native, that nature should take its course.

10

11 MR. GARDNER: Uh-huh. (Affirmative)

12

13 MR. C. TRITT: From the time I remember, as a  
14 Native person, our elders always tell us to leave animal as  
15 they are. Nobody can live out in the woods in 50 below  
16 weather, you know, stuff like that. So you know, it just,  
17 personally, I'm disappointed on the issue.

18

19 I just wanted it for the record.

20

21 CHAIRMAN MILLER: Well, thank you, Craig. Do  
22 you want to take a five minute break and then we'll get to  
23 these?

24

25 MR. MATHEWS: Yes, we need to do the public  
26 comments for those that need to, at 11:00 and then Steve  
27 McGordy to talk about DNR.

28

29 (Off record - 11:09 a.m.)

30

31 (On record - 11:34 a.m.)

32

33 CHAIRMAN MILLER: Call the meeting back to  
34 order.

35

36 MR. MATHEWS: Okay, could everybody settle  
37 down, I just need to cover one logistics item. We did  
38 announce at this meeting at 11:00 o'clock and 5:00 o'clock if  
39 anybody needed to testify testimony and wanted to testify at  
40 a specific time instead of the issue. We've gone a little  
41 bit beyond 11:00 o'clock, but maybe if there is somebody who  
42 was targeting 11:00 o'clock to comment, this would be a time  
43 to allow them to come up and comment about any of the  
44 proposals or agenda items.

45

46 If not, then we'll go right into the Department of  
47 Natural Resources presentation by Steve McGordy, if I  
48 pronounced that right, I'm not sure. I did? Boy, I did  
49 something right.

50

00040

1           Okay, seeing no one raising their hand and that,  
2 Steve McGordy's from the Department of Natural Resources.  
3 And I believe we get over feedback, Department of Natural  
4 Resources Mining and Water Management, and he's been invited  
5 here. The history behind this and maybe Nat can fill in the  
6 details if I miss. We had a Fortymile Caribou subcommittee  
7 meeting plus a bunch of other topics at that same meeting.  
8 But it was discussed during that, concerns that the Council  
9 wanted to understand the permitting process and that all  
10 agencies were working together. And this is where Nat's  
11 going to have to help me, I believe, on the Good Pasture.

12  
13           And the relationship, why I, as your coordinator,  
14 allowed this to continue to be part of your agendas, that is  
15 the calving area for the Fortymile Caribou Herd. Because the  
16 area in question physically, if Nat confirms it, is all State  
17 land so you wouldn't have any direct jurisdiction over the  
18 land and the use thereof but you have a vested interest in  
19 the Fortymile Caribou Herd. So with that I'll drop out.

20  
21           MR. GOOD: Yeah, that's very accurately  
22 stated. The exploration areas haven't reached Mount Harper  
23 yet but they are stretching further and further east. They  
24 could.

25  
26           MR. MCGORDY: My name's Steve McGordy. I'm a  
27 mining engineer. I work for the State, Division of Mining  
28 and Water Management, part of the Department of Natural  
29 Resources in Fairbanks. I'd like to thank this group or the  
30 opportunity to come down this morning and to sit back and  
31 listen to some of your concerns and educate myself. I  
32 appreciate the opportunity to present a little bit of  
33 background in terms of what the Division of Mining does. The  
34 various stages of mineral development. Talk about some of  
35 the claimstaking activity that's currently going on in  
36 Eastern Interior and answer any of your questions that you  
37 may have for me and if I can't answer them I'll try to find  
38 someone who can.

39  
40           The Department of Natural Resources, Division of  
41 Mining's job I think is twofold. When an individual states a  
42 mining claim on State land, they're guaranteed the right to  
43 access that land and use the surface for the purposes of  
44 mineral exploration and development. Our job is to try to  
45 provide reasonable access to that land while protecting the  
46 other resources on the State, the fish and game and the land  
47 itself. In order to achieve that on some of these larger  
48 hard rock projects, the State has developed an agency team  
49 approach. For any given project there will be a specific  
50 team set up from members from Fish and Game habitat, U.S.

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1 Fish and Wildlife Service, the Army Corp of Engineers, the  
2 USEPA, members of the Department of Natural Resources and I'm  
3 sure I'm forgetting someone.

4  
5 The various stages that a mining claim may go through  
6 from initial work through the development of a mine, there's  
7 about five different distinct phases that overlap a little  
8 bit. Regional exploration which can be conducted on State  
9 lands without permits from the State consist of geologists  
10 walking ridges, taking rock samples, mapping the geology,  
11 taking stream sediment samples. Some of the other activities  
12 that could occur are the airborne geophysical surveys similar  
13 to what occurred over in the boundary area this past year.

14  
15 These activities typically do not require permitting  
16 from the agency that I work for. They are generally allowed  
17 uses on State land. What I learned Thursday meeting with the  
18 Fortymile Caribou Herd Management Plan Team is that there are  
19 certain critical areas and certain critical times of the year  
20 where some of this activity, particularly the airborne  
21 geophysical surveys where you have more or less intensive  
22 helicopter overflights, fairly low to the ground, where that  
23 activity could have a negative impact on the herd. We will  
24 be working with the Miners Association, the mining companies  
25 and the management team, meeting to try to understand what  
26 restrictions should be placed on that activity so that we can  
27 educate the companies and the Mining Association as to the  
28 need for the self-policing of their membership. To  
29 voluntarily avoid certain activities in certain areas at  
30 certain times.

31  
32 I think that the Alaska Miners Association and the  
33 mining companies will find that that is in their own self  
34 interest. I think that what is lacking right now is the  
35 education of that group as to the needs for them to consider  
36 that specific impact of their activities.

37  
38 As I mentioned there are various stages that a mining  
39 claim may go through. The first would be regional  
40 exploration. That's been going on in Eastern Interior for  
41 decades. Typically a company will come in they'll look at a  
42 perspective part of the state for geologic resources.  
43 They'll establish a summer base camp. any base camp  
44 established for any commercial purposes over 14 days on State  
45 land does require permitting. They'll helicopter in and out  
46 of that camp. That level of helicopter support, generally  
47 it's not localized and it's not intensive enough, I believe,  
48 to probably impact the herd, and again, we're going to rely  
49 on Fish and Game's expertise in this area to educate us as to  
50 what activities we really need to be concerned about.

00042

1           The next level in terms of activity would be, say,  
2 early property stage exploration. Where a mining company has  
3 staked a block of mining claims. It may be a couple of  
4 square miles, it may be 10s of square miles of area that  
5 they've established mining claims. The actual staking of  
6 mining claims involves the placing of four posts on a 40 acre  
7 square parcel so there's limited impact to the actual  
8 staking.

9  
10           Once in the early property evaluation stage, it's  
11 really the same activities as during the regional exploration  
12 phase only on a much more intensive, even localized nature.  
13 If they find evidence of mineralization that causes them to  
14 go further, the next phase would be, say, a mid-level  
15 exploration phase where they're helicopter supported, diamond  
16 drill coring rigs where they'll take a rock sample from a  
17 drill hole that's about maybe three inches in diameter for  
18 geologic evaluation. And perhaps a helicopter mobilized  
19 trenching divide to dig a trench to see the bedrock. That  
20 level of activity does require a land use permit and a  
21 reclamation plan approval by the State. What we're  
22 interested in is seeing that they minimize the disturbance  
23 caused by their activities and that they reclaim the area in  
24 such a manner that there's going to be minimal impacts, long-  
25 term.

26  
27           If the property advances, you would go into an  
28 advanced property evaluation stage where, again, the drilling  
29 and the trenching is more intensive and more localized.  
30 Somewhere between the mid-stage and the advanced stage is  
31 where typically the Department will reach out to the public  
32 for public input into the process and the permitting process.

33  
34           Once a property goes beyond the advanced stage they  
35 would enter mine permitting. The mine permitting stage can  
36 take from three to four years to permit a project after all  
37 of the exploration has already occurred.

38  
39           For a large hardrock project or mineral development,  
40 there are a number of permits that are required from a number  
41 of agencies and again, we have this team approach where Fish  
42 and Game and Fish and Wildlife provide the biological  
43 expertise. For a large mine, from the Division of Mining and  
44 Water Management, they would need on State land, a plan of  
45 operations approval where we can review and limit how they  
46 conduct their activities and a reclamation plan where we  
47 review and specify how they're going to reclaim the area when  
48 they're finished with their activities.

49  
50           If I could talk just briefly about the Pogo Project

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1 because that's been a project that's been in the papers,  
2 there's a lot of interest. Pogo property is a joint venture  
3 by Tech and Sumatomo Corporations. It's on the north fork of  
4 the Good Pasture River. It is entering into what would be  
5 considered the advanced exploration phase. The property was  
6 originally discovered during regional exploration back in  
7 1981. The data sat dormant until '91 where they started the  
8 early property evaluation stage. In '94, it entered the mid-  
9 level stage where they started drilling holes on the  
10 property. And this -- over the past year and a half they've  
11 been attempting to permit the advance stage where they will  
12 drive a tunnel into the hill in order to examine the ore body  
13 underneath the hill itself.

14  
15 The Pogo deposit is fairly unique to Alaska and  
16 perhaps the world, geologically. It represents a gold  
17 resource at this point of about 5 million ounces. It has  
18 generated a lot of the interest of the Eastern Interior that  
19 has caused the current claimstaking activity which is fairly  
20 widespread in the Upper Good Pasture which you'll see is the  
21 purple in the center of the map. There's also been  
22 additional claimstaking over in the very Eastern Interior in  
23 the boundary area.

24  
25 I would like to open it up for any questions. I'm  
26 not -- once I get talking about mining I can go on for  
27 probably longer than anyone wants to listen to me.

28  
29 MR. GOOD: Steve, one of the things you've  
30 done is supply a list of the different outfits that have been  
31 making claims out in this area to the Fortymile Caribou Team  
32 and they're going to develop some materials to send to all of  
33 them. But one of the things that Steve also pointed out is  
34 that the exploration doesn't have the same types of controls.  
35 You don't necessarily know who's out there, the early  
36 exploration?

37  
38 MR. MCGORDY: That is correct. Typically  
39 when I learn of hardrock exploration in the Eastern Interior  
40 is when an application to conduct drilling or trenching  
41 crosses my desk. I'm aware of activity just because of the  
42 mining community's grapevine. What I will be doing on State  
43 lands and I believe BLM will be doing on the Federal lands is  
44 we will be working with Craig, Craig will supply us a land  
45 description in terms of township, range and section of these  
46 critical areas, the calving grounds and the post calving  
47 ground congregating areas, if you want to call it that.

48  
49 Once we know those areas, then we'll check our land  
50 records, claim records to determine the claim owners in that

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1 area and then we can work with the Fortymile Team to provide  
2 an informational packet to educate them about the need to  
3 schedule their activities to avoid these areas and times.

4

5 CHAIRMAN MILLER: Anymore questions?

6

7 MR. DAVEY JAMES: I have one.

8

9 CHAIRMAN MILLER: Go ahead, Dave.

10

11 MR. DAVEY JAMES: One of your comments back  
12 there, you mentioned about low airplanes might have an  
13 advanced impact on the herds or the animals? You kind of  
14 mentioned a little bit about -- how did you come about that?  
15 I mean is there a document -- seen airplanes really effected  
16 the herds?

17

18 MR. MCGORDY: Actually what I'd like to do is  
19 defer that question to Craig because that's where I learned  
20 it from.

21

22 MR. DAVEY JAMES: Well, I have one more for  
23 you before you go.

24

25 MR. MCGORDY: Certainly.

26

27 MR. DAVEY JAMES: The other one there is  
28 these mining claims, some of the processes that they go  
29 through. Do work with the Fisheries Division on their  
30 spawning grounds?

31

32 MR. MCGORDY: We work with the Habitat  
33 Section. Any application that Division of Mining receives  
34 for either placer mining, where bulldozer type operations are  
35 extracting gravels and processing gravels, either adjacent to  
36 a stream or perhaps suction dredging like occurs on the  
37 Fortymile River or hardrock exploration; any of those permits  
38 we send copies of all of them to Fish and Game Habitat  
39 Section for their evaluation. Any activity that occurs in  
40 either a resident or anadromous fish stream requires  
41 authorization by Fish and Game and they can place timing  
42 restrictions or activity restrictions on the applicant to  
43 protect the fisheries.

44

45 CHAIRMAN MILLER: Anymore questions?

46

47 MR. L. TRITT: Yeah, are there a lot of  
48 chemicals involved in mining?

49

50 MR. MCGORDY: It would depend upon whether

00045

1 you're speaking to the small placer mining operation, such as  
2 you might see along the Taylor Highway or a large hardrock  
3 operation.

4  
5 In the placer mining, typically the separation of the  
6 gold is by gravity concentration techniques where you would  
7 have a sluice box and water or a jig plant and water to  
8 separate and then extract the gold, and no, there would not  
9 be any chemicals involved in that. In terms of hardrock  
10 mining, there's some, depending upon the specific metal  
11 that's being extracted. It may be gravitational techniques  
12 for separation. But typically it is a chemical extraction  
13 process. At the Fort Knox Mine outside of Fairbanks, the  
14 rock is excavated by drilling and blasting. It goes through  
15 a series of crushers and then grinding circuits to turn it  
16 into somewhere between a talcum powder and a sand  
17 consistency. It is then placed -- or pumped into leech tanks  
18 where it is leached with a sodium cyanide solution. Once  
19 that extracts the gold there, other chemical processes that  
20 are used to turn it into a gold bar. Other metals, such as  
21 lead and zinc are typically extracted through what's called a  
22 Froth Floatation process, again, different chemicals are  
23 involved. Anytime that type of activity occurs, one of the  
24 permits that they're required to get is a Department of  
25 Environmental Conservation solid waste disposal permit  
26 because this activity creates waste that have to be dealt  
27 with.

28  
29 Every hardrock project and deposit has it's own  
30 unique geochemistry. There would be similar extraction  
31 processes but each property you have to look at individually.  
32 For example, on the Pogo Project on the Good Pasture, their  
33 initial application to the State team which was submitted a  
34 little over a year ago, they requested permission to drive a  
35 tunnel into the mountain so that they could access the ore  
36 body and investigate it more fully. We asked how they  
37 intended to treat the groundwater that was going to be  
38 discharged from that. That caused them to go back, evaluate  
39 that, propose a treatment system, and they will be installing  
40 a water treatment plant under ground to treat the water  
41 before it's discharged. So that's kind of a long way of  
42 saying yes, chemicals are involved, but it is something that  
43 the agencies look at carefully for each operation.

44  
45 MR. L. TRITT: And what happens to it after  
46 it's used?

47  
48 MR. MCGORDY: One of the things that the  
49 agencies look carefully at is what is going to be the long-  
50 term stability of those waste products, geochemically once

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1 they're placed. Is there going to be a long-term  
2 remobilization of metals or other products from those wastes  
3 and that's something that is looked at carefully.

4  
5 MR. GOOD: One thing you might -- you  
6 mentioned the mining in Fairbanks but it's distinctly  
7 different in terms of its footprint. You might cover there  
8 the impact that it has visually, say -- or in terms of the  
9 area?

10  
11 MR. MCGORDY: Okay. Good question, thank  
12 you. The area of physical disturbance that typically occurs  
13 from one of these drilling programs, it will be a helicopter  
14 assisted drilling program on these remote areas where they'll  
15 bring in a drill rig. They basically just need a level place  
16 to set it up that's about the size of these two tables. They  
17 may use hand learning techniques to cut the trees and dig  
18 into the hillside. If they can they'll use cribbing to drill  
19 off of. And when they're finished with the hole, they plug  
20 the hole so that it doesn't represent a possible conduit to  
21 contaminate groundwater.

22  
23 That's a minimal impact. It's very localized. When  
24 you get into the advanced exploration stage you're going to  
25 see more of that in a denser pattern. The development of an  
26 ore body, certainly if it's a surface mining technique there  
27 is going to be a significant disturbance to the surface. The  
28 Fort Knox ore body is approximately one mile in length and a  
29 half mile in width, so that's going to be a very large hole  
30 in the ground when it's finished. What the Department of  
31 Natural Resources does with the community is to try to  
32 evaluate what is the appropriate post mining land use for the  
33 area. If it's a remote area and the primary use is wildlife  
34 habitat, we keep that in mind as we look at the reclamation  
35 plan to try and minimize the long-term impacts to the habitat  
36 and to the wildlife.

37  
38 The Fort Knox mine adjacent to Fairbanks, they have  
39 created a freshwater reservoir to supply water to the mine.  
40 The company established a trust fund to pay for the  
41 maintenance -- long-term maintenance of the dam associated  
42 with that lake and eventually it will be a sport fishery for  
43 the Fairbanks area.

44  
45 I don't know if that helps answer your question or  
46 not.

47  
48 MR. GOOD: There's one other area as I  
49 understand, just recalling, we have presently Pogo, but then  
50 to the east something else has happened. Tech has also

00047

1 invested in Doyon land, which is, you know, pushing -- any  
2 time you move eastward, they're pushing backwards toward the  
3 calving area. We don't know what's going to happen there?

4  
5 MR. MCGORDY: For the last, I don't know if I  
6 can -- I'll try to speak loud so everyone can here me. This  
7 is really the Pogo claim block and it's called that simply  
8 because it was the Pogo discovery which prompted this  
9 claimstaking run. Pogo's located approximately right here on  
10 the Northfork of the Good Pasture. In this portion of the  
11 claim block, there's been some historic mining activity in  
12 the Tibbs Creek area, Divide Creek, Cary Creek. There's been  
13 some recent mid-level property evaluation projects the last  
14 couple of years. WGM, an exploration firm out of Anchorage  
15 has had a camp in that area, they've had helicopter assisted  
16 drills where they were drilling holes on various parts of the  
17 property.

18  
19 A couple of -- two years ago, on Doyon land, I  
20 believe, there was some drilling up here in the Champion  
21 Creek area. This claim block here is, I believe, a direct  
22 result of the Division of Geological and Geophysical Survey  
23 doing an aerial overflight and providing that airborne  
24 geophysics data available.

25  
26 What we're seeing is that when DGGS indicates there  
27 they're going to be flying an area, mining companies are  
28 staking claims in advance to get a position in the area  
29 should a major discovery occur as the result of that  
30 geophysical survey.

31  
32 MR. GOOD: I guess the last thing about it  
33 is, all this area isn't Federal land and we are talking about  
34 State lands in this area so it's.....

35  
36 MR. MCGORDY: Yes.

37  
38 MR. GOOD: .....directly effect.....

39  
40 MR. MCGORDY: Well, one of the things that I  
41 wanted to leave the group with is that on -- there's probably  
42 50,000 State mining claims in the state. We only have about  
43 five operating mines. The chances of any individual mining  
44 claim becoming a mine are just about zero. You'd do better  
45 taking your money to Las Vegas.

46  
47 The chances that within these claim blocks there will  
48 eventually be a mineral deposit discovered and a mine  
49 developed, I can't predict -- I can't predict that. The  
50 likelihood's better than zero less than 100 percent. That's

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1 something I just can't see into the future and predict. What  
2 I can say is that from the initial discovery to the point of  
3 production on these other mines it's typically been 10 years  
4 or more than 10 years at the different stage of increased  
5 development or activity. There are opportunities for  
6 outreach to the public and public input into how -- how can  
7 the impacts of this development be minimized and how can the  
8 benefits be maximized.

9  
10 Again, I appreciate the opportunity to come down and  
11 speak with you. And David, I believe you had one question  
12 that I handed off to Craig.

13  
14 Thank you very much.

15  
16 CHAIRMAN MILLER: Thank you.

17  
18 MR. GARDNER: Could you restate it please?

19  
20 MR. DAVEY JAMES: The question of low  
21 aircraft might have an adversely effect on the birds or the  
22 animals?

23  
24 MR. GARDNER: Okay, that's actually a really  
25 good point. We discussed that with the team at length, you  
26 know, because you don't want to make any company, mining  
27 company or whoever, you know, to jump through a lot of hoops  
28 if you can't show any kind of effect, you know. And so  
29 there's been actually, not a lot of work, but some work with  
30 helicopter traffic, let's say in the oil fields in Prudhoe  
31 and caribou reaction to low flying helicopters. And I guess  
32 our, probably our fear, not maybe our fear but we think may  
33 happen -- when you think how caribou -- again, post calving,  
34 you know, they come to these huge, big congregations. You  
35 know, you get these huge groups, you know, and they're mainly  
36 cow and calf groups, okay. And what we would fear is these  
37 -- especially when they're doing low level exploration work  
38 and they're doing really intense grid patterns, you know,  
39 with that helicopter, you know, these caribou, you know, just  
40 will run off. You know, that separation of that cow and calf  
41 will do a lot of things.

42  
43 You know, one, the calf is going to be a lot more  
44 open to predation and one, the separation, for that calf to  
45 find that cow, and so it increases the mortality of the calf.  
46 So that's probably what we're looking at more -- more  
47 closely.

48  
49 But yeah, there's definitely been some evidence that,  
50 you know, low flying caribou -- or helicopters will effect

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1 caribou or low flying caribou will also. That would really  
2 bother them.

3

4 CHAIRMAN MILLER: Is there any more  
5 questions? Well, seeing as it's lunch time, say we break for  
6 lunch.

7

8 MR. MATHEWS: Mr. Chair, what time would you  
9 like everyone back so we.....

10

11 CHAIRMAN MILLER: 1:15.

12

13 MR. MATHEWS: Yeah, 1:15 sounds good.

14

15 (Off record - 12:02 p.m.)

16

17 (On record - 1:29 p.m.)

18

19 CHAIRMAN MILLER: I'd like to call this  
20 meeting back to order.

21

22 MR. MATHEWS: Mr. Chair, the next item is  
23 kind of a short item. This is something that one of the  
24 subcommittees, I believe it was the Fortymile Group,  
25 subcommittee, discussed having because of the fact that we  
26 were meeting in Delta Junction and the land status in this  
27 area, that this was added on, which is basically a lands  
28 status overview by agency -- Federal agency for the area, so  
29 everyone would understand, including the Councilmembers and  
30 public here where your actions, if they were adopted by the  
31 Federal Subsistence Board, would apply.

32

33 So basically each agency has been contacted and asked  
34 to present maybe five to 10 minutes, an overview of the  
35 region. Where their lands are and kind of the mission for  
36 the lands. Basically I kind of talked during breaks to a  
37 couple of them and the order we suggested was possibly Fish  
38 and Wildlife Service for Eastern Interior go first, followed  
39 by the National Park Service and then Bureau of Land  
40 Management. And basically, it's just to cover the materials  
41 and if people in the public have specific questions, they may  
42 want to talk to the Staff that are presenting during breaks.  
43 And then if you have specific questions during the  
44 presentation, if it's related to proposals and that then we  
45 would field them or try to put them toward breaks.

46

47 So with that, I think Greg is going to cover the --  
48 Greg McClellan is going to cover the refuges in the northern  
49 part of Eastern Interior. And I didn't get a chance to talk  
50 to Bob, but he'll have to follow Greg for the Tetlin Refuge.

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1 And there is an overhead to your left for the public and  
2 there's a couple of maps that are out there. And I know the  
3 Park Service has some really impressive maps of their units  
4 -- conservation units, excuse me.

5  
6 Also, Mr. Chairman, we've kind of changed the order  
7 of the book, and I gather as I get older I'm a little less  
8 flexible but in the book under Tab P there's also a map  
9 that's exactly the same as the one that's being projected.  
10 And again, this is giving you an idea -- we have noticed over  
11 time, not just with you individually, but also with our  
12 conversations, that we start talking about areas and we never  
13 get back to the actual land status for the area, and  
14 sometimes that's really critical to do throughout instead of  
15 finding at the end that there's really no or very little  
16 Federal land in the area in question. So that is the other  
17 objective for this topic.

18  
19 MR. GOOD: And one of the other things we  
20 were looking at was being to identify all the communities  
21 that were involved. You know, if we look at that we can see  
22 in 20(D) we've got a big hole there with Dot Lake, Healy Lake  
23 and Delta, you know.

24  
25 CHAIRMAN MILLER: Uh-huh. (Affirmative)

26  
27 MR. GOOD: Just as a little notation. One of  
28 the problems we had earlier was, as I recall, three years ago  
29 when I came on the Board, there was confusion between Healy  
30 and Healy Lake so I think it would be a good idea to get them  
31 on any maps that we can.

32  
33 MR. MATHEWS: And when we do proposals today  
34 I'll be over by the overhead like we did last year, but the  
35 new members weren't here, I'll have maps for each unit and in  
36 an overhead of the executive summary. The basics of each  
37 proposals. So if at any time you need that map back up, just  
38 ask for it back up and then we can point out areas because it  
39 is going to be important if we discuss in detail proposals  
40 down in the area that Nat's talking about, to have a map up  
41 there, so people understand the relationship of the land  
42 status to the question at hand.

43  
44 CHAIRMAN MILLER: Greg.

45  
46 MR. McCLELLAN: Mr. Chairman, Council, my  
47 name's Greg McClellan. I'm the Subsistence Coordinator for  
48 both the Yukon Flats and Arctic National Wildlife Refuge and  
49 I'll just give a short overview of the two refuges.

50

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1 Just real quick, the Yukon Flats and Arctic Refuge,  
2 as most folks know are these two large pink areas up there on  
3 the top of the map. The Yukon Flats National Wildlife  
4 Refuge, the public lands within the Yukon Flats have always  
5 been part of the public domain and they were first organized  
6 in 1978 and designated as the Yukon Flats National Wildlife  
7 Monument. It comprised about 10.6 million acres. With the  
8 passage of ANILCA in 1980 it was transformed into the Yukon  
9 Flats National Wildlife Refuge. And the external boundary  
10 currently encompasses about 11.2 million acres, of which 8.5  
11 million acres is owned by the Federal government and that's  
12 about 76 percent of the acreage. And then the remaining 2.7  
13 million acres is owned or selected by village or regional  
14 corporations or Native allotments.

15  
16 There's five villages located with the external  
17 boundaries of the Yukon Flats Refuge. Stevens Village --  
18 kind of going up the Yukon River, Stevens Village, Beaver,  
19 Fort Yukon, and then Chalkyitsik on the Black River and Birch  
20 Creek and then the Village of Circle and Venetie are just  
21 outside the boundaries.

22  
23 The Yukon Flats is the third largest National  
24 Wildlife Refuge in the nation. It is considered one of the  
25 most productive waterfowl breeding grounds in North America  
26 producing over 200,000 ducks annually. The four purposes for  
27 which the Yukon Flats National Wildlife Refuge was  
28 established and managed is to conserve fish and wildlife  
29 populations and habitats in the natural diversity including,  
30 but not limited to gamitsback, migratory birds, bears, moose,  
31 furbearers and salmon, fulfill international treaty  
32 obligations, provide the opportunity for continued  
33 subsistence uses by local residents, and then to ensure water  
34 quality and necessary water quantity.

35  
36 And then the Arctic National Wildlife Refuge borders  
37 to the north of the Yukon Flats National Wildlife Refuge.  
38 There's two villages that are within the external boundaries  
39 of Arctic National Wildlife Refuge. Arctic Village, within  
40 the Eastern Interior Subsistence Region, and then on the  
41 northern end of the Refuge which is off the map on the  
42 overhead and the North Slope Region, there's Kaktovik. But  
43 the Arctic National Wildlife Refuge was originally  
44 established in December 6, 1960 through a public land order  
45 that withdrew 8.9 million acres. And the purpose for  
46 establishing the range was to protect the unique wildlife,  
47 wilderness and recreational values.

48  
49 Again, when ANILCA was passed in 1980 it more than  
50 doubled the size of the Refuge to 19.5 million acres and

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1 designated 8 million of those acres as wilderness. Currently  
2 the external boundary encompasses 19.8 million acres of which  
3 19.6 million is owned by the Federal government or about 99  
4 percent of the acreage. The Arctic National Wildlife Refuge  
5 is the largest Refuge in the nation. And as I had mentioned,  
6 the Brooks Range splits the Refuge in half -- half of the  
7 Refuge is in the North Slope Federal Subsistence Region and  
8 the southern half is within the Eastern Interior Subsistence  
9 Region.

10  
11 The Refuge includes almost the entire range within  
12 Alaska of the Porcupine Caribou Herd. And the four primary  
13 purposes for the Arctic National Wildlife Refuge was  
14 established and managed is again, to conserve fish and  
15 wildlife populations and habitat in the natural diversity  
16 including Porcupine Caribou Herd, polar bear, muskox, dall  
17 sheep, peregrine falcons, and then to fulfill international  
18 treaty obligations, provide opportunity for a continued  
19 subsistence use by local residents and to ensure water  
20 quality and water quantity.

21  
22 And the things I summarized were the handouts that I  
23 gave to the Councilmembers. And that's all I had unless  
24 there were any questions.

25  
26 MR. FLEENER: Mr. Chair.

27  
28 CHAIRMAN MILLER: Go ahead, Craig.

29  
30 MR. FLEENER: Was the reason for expansion  
31 from 10 million to 11 million to be inclusive of the  
32 Porcupine National Forest when that was proposed; do you  
33 know?

34  
35 MR. McCLELLAN: Porcupine National Forest?

36  
37 MR. FLEENER: You don't know much about that?

38  
39 MR. McCLELLAN: No, I'm not.....

40  
41 MR. FLEENER: You don't know anything about  
42 that, all right, never mind.

43  
44 CHAIRMAN MILLER: Dave.

45  
46 MR. DAVEY JAMES: I have a question. You  
47 know, underneath the Yukon Flats National Wildlife Refuge,  
48 paragraph, number 3, you said to provide and manage  
49 consistent with the purpose set forth in subparagraph 1 and  
50 2.

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1 MR. McCLELLAN: Uh-huh. (Affirmative)

2

3 MR. DAVEY JAMES: One of them is the  
4 opportunity for continued subsistence use by local residents.

5

6 MR. McCLELLAN: Uh-huh. (Affirmative)

7

8 MR. DAVEY JAMES: Were you aware that a  
9 proposal has been passed by the Fish and Game Board there  
10 that close the subsistence takes on the Birch Creek River  
11 from June 1st to September?

12

13 MR. McCLELLAN: I guess I'm not familiar with  
14 that.

15

16 MR. DAVEY JAMES: It's a regulation passed by  
17 the Fish and Game Board there and it states right here, in  
18 the regs there, they have closed the Dall River, Birch Creek  
19 and three other rivers. They repealed Dall River and those  
20 other three but Birch Creek is still on the books. Have  
21 you.....

22

23 MR. McCLELLAN: I wasn't aware of that  
24 regulation, no.

25

26 MR. DAVEY JAMES: Yeah, maybe Terry Haynes  
27 could probably explain that a little more about that.

28

29 UNIDENTIFIED VOICE: What's the question?

30

31 MR. DAVEY JAMES: The question here, the  
32 Federal says that they provide in consistency with the  
33 opportunity for continued subsistence by local residents.  
34 And the Fish and Game Board passed a subsistence -- no take  
35 of subsistence fish on the following river from May 1st to  
36 September 1st, 1997. It's in the regs, the Fish and Game  
37 regs. How well do you coordinate with the fisheries on these  
38 -- you know, on the subsistence or is there any coordination?

39

40 MR. McCLELLAN: Well, there's definitely  
41 coordination. And I don't know if Terry is specifically  
42 familiar with that regulation or the history.

43

44 MR. MATHEWS: Mr. Chairman, just to make it  
45 clear for the record, I understand the question and, et  
46 cetera, but at present, you know, we have no jurisdiction  
47 over fisheries. So I'm just acknowledging that so it's on the  
48 record. And there is a representative here from the Sport  
49 Fish Division that might be able to answer that question,  
50 too, but.....

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1 MR. P. TITUS: We got no right, no  
2 jurisdiction over fish but yet they got jurisdiction over  
3 subsistence. You're denying the no use fish for  
4 subsistence?

5  
6 MR. MATHEWS: Correct. We've had Philip --  
7 Mr. Titus we talked about this earlier, that the Staff here  
8 and others clearly understand the subsistence lifestyle, you  
9 cannot divide the resource up by that. That it is based on  
10 cultural and nutritional needs. But the reality is is that  
11 the jurisdictions of the two governments force us to be  
12 separate. And at this time I just needed to advise you of  
13 that and I just did my duty on that.

14  
15 In case you decide to take an action, then it's clear  
16 on the record that you've been advised that your comments or  
17 whatever would be into a different system that has its own  
18 standards and et cetera.

19  
20 MR. HAYNES: Mr. Chairman, Terry Haynes,  
21 Department of Fish and Game, Subsistence Division. What you  
22 have here is -- Councilmember James, is information out of  
23 the Alaska Administrative Code. What you read is that there  
24 is a closure within 500 feet of the mouth of the Birch Creek.  
25 And what we would need to do is just look at this a little  
26 closer, why don't we do that at a break and get the right  
27 answer for you.

28  
29 MR. DAVEY JAMES: Yeah. The other question,  
30 you know, is -- what I'm relating to is, how do you guys  
31 coordinate together on some of these regulations that are  
32 coming through? That was my previous question to my  
33 comments, anybody can present the proposals. And if one  
34 agency said they're overlooking subsistence protection and  
35 the other agency say they're over subsistence protection but  
36 it just goes through the loopholes there. And I just want to  
37 see, who has the oversight? You know, how do agencies  
38 coordinate together? There seems to be a void someplace  
39 along in information sharing, you know, maybe more of this  
40 could be discussed later, I guess.

41  
42 But the other one is fulfillment of the international  
43 treaty of the United States. Can you kind of explain that  
44 one?

45  
46 MR. McCLELLAN: Well, like there's the  
47 International Migratory Bird Treaty Act would be an  
48 international treaty that we would have to fulfill. There's  
49 an International Treaty I believe on the Yukon River  
50 concerning salmon fishing. So any time there's international

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1 treaties between the U.S. and any other country where there's  
2 wildlife matters involved, then we have to fulfill whatever  
3 requirements that are listed in those treaties.

4

5 MR. DAVEY JAMES: There's treaties back in  
6 1900s, that treaty is still in effect on the books, right?

7

8 MR. McCLELLAN: Yeah, like the Migratory Bird  
9 Treaty Act was originally signed in 1916, and that's still in  
10 effect. It's been amended over the years a couple of times.

11

12 MR. DAVEY JAMES: I think I've got another  
13 issue. I'm going to speak as -- you know, I live off of  
14 Arctic National Wildlife Refuge there caribou migration and  
15 also on the Yukon Flats, a big concern came up with the  
16 people this last year with the loss of muskrats. What is the  
17 Yukon Flats manager's position on trying to retrieve some of  
18 the ecosystems there? We have enough water going through,  
19 you know, there's documentation of enough water of 50 years  
20 ago but the ground is building up somehow and one of our main  
21 subsistence diet, muskrat, is pretty near gone now. And then  
22 the other one there is the migration of the caribou.

23

24 MR. McCLELLAN: Uh-huh. (Affirmative)

25

26 MR. DAVEY JAMES: I see in the minutes there  
27 from last October where Frank Myer or whatever his name is,  
28 he said that there has been other thinking that the fossil  
29 (ph) in the Arctic Village area might be why the herd had not  
30 seen around the village. And I think I'm just kind of  
31 rementioning it again as respecting our traditional knowledge  
32 that the people -- elderlies and our grandfathers, mothers  
33 and fathers are not sitting there just lying and bullshitting  
34 to us. The difference between that is we live off the food  
35 and the difference between you guys, we survive off the  
36 animal. That's a big difference and I've mentioned that over  
37 in Finland with the scientists and researchers. You know you  
38 research things and try to manage things, we live off the  
39 animal, survival. Have you ever tried survival? I think  
40 that would be a good experience for managers to try to do.

41

42 The thing here is the people in Arctic Village have  
43 no resources, not for the last five or six years. My  
44 grandfather comes from there and I go up there and hunt  
45 there, too, and I hunt -- Fort Yukon, hunt caribou, a lot of  
46 caribou, over a hundred caribou came up from the border but  
47 that was after -- just keeping a couple hours ahead of the  
48 ice in late fall. But the thing is we really need to  
49 implement and you guys really need to listen to our  
50 traditional knowledge. And I'm really glad that -- what

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1 Craig had to say on that Fortymile Herd there, that's why I  
2 asked about the traditional knowledge, how is that being  
3 implemented?

4  
5 MR. McCLELLAN: I mean it's, I think, we're  
6 all interested in preserving and protecting the resource,  
7 that's going to benefit everybody and that's what we're all  
8 trying to do. And we're all trying to work together to  
9 accomplish that common goal, and you know, that's what we  
10 want to do and that's what we're trying to do.

11  
12 MR. FLEENER: Mr. Chair.

13  
14 CHAIRMAN MILLER: Craig.

15  
16 MR. FLEENER: One really interesting topic  
17 that Davey brought up was the muskrat. I guess there's been  
18 a decline in muskrat population throughout a lot of Alaska  
19 and a lot of people do depend on muskrat for food and for  
20 finances. If it's determined, if people start doing studies  
21 and try to figure it out, what's happening, and if it's  
22 determined that nobody knows why they've disappeared and they  
23 don't start coming back soon, since that is part of one of  
24 your four principles or purposes for the Refuge is to  
25 conserve fish and wildlife populations in their natural  
26 diversity, does that mean that you would not be willing to do  
27 something to bring the muskrat population back up since it  
28 can't be determined whether it's man caused or natural?

29  
30 MR. McCLELLAN: No, it's definitely something  
31 that we need to look at and we'd be willing to talk with the  
32 local folks and see what ideas they have as far as what the  
33 problems are and what the possible solutions are. I don't  
34 think we've ever, you know, bluntly said, no, we don't want  
35 to work with you. If there's a problem, we definitely want  
36 to hear about it and try to talk with you and try to.....

37  
38 MR. FLEENER: No, I'm not trying to bring up  
39 any deviceivness for not wanting to work with people. I know  
40 that you guys have made yourselves available in the past.  
41 But I'm just really interested in the natural diversity  
42 question for this and a wide variety of other reasons as you  
43 probably know.

44  
45 MR. McCLELLAN: Uh-huh. (Affirmative)

46  
47 MR. FLEENER: But as far as natural diversity  
48 goes, if it's determined that this population has declined  
49 for natural reasons, would the Refuge be interested and  
50 willing to help us, locally, try to elevate those

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1 populations?

2

3 MR. McCLELLAN: Well, it's still a part of  
4 the ecosystem and still a part of the natural diversity and I  
5 think we would be interested in talking with you and seeing  
6 what the problem is and see if we could do something about  
7 it.

8

9 MR. FLEENER: So if we could come up with a  
10 plan that said, yes, we think we can get the population back  
11 up, the Refuge would be willing to work with local people to  
12 try to get those populations up to huntable numbers again?

13

14 MR. McCLELLAN: Back to numbers of natural  
15 diversity whether.....

16

17 MR. FLEENER: Well, right now they're  
18 naturally at a low, at least, we believe it's natural,  
19 nobody's poured sodium cyanide on it.

20

21 MR. McCLELLAN: Oh, yeah.

22

23 MR. FLEENER: You know, it's -- maybe Ted  
24 might want to -- I don't know if Ted wants to pitch in or  
25 not. But it's a question of some importance. Because if a  
26 population that a community is depending on is decreasing  
27 naturally, would you guys be willing to help us get the  
28 population up so we could utilize that resource again?

29

30 MR. HUER: Mr. Chairman, my name's Ted Huer.  
31 I'm the Refuge Manager of the Yukon Flats National Wildlife  
32 Refuge. to answer your question, we don't know what's  
33 happened to the muskrat. If we had more information I could  
34 probably give you a better answer.

35

36 I think if -- we know that muskrat occur out there  
37 naturally. It's part of one of the species -- part of the  
38 natural diversity. If the populations are depressed and we  
39 can find out what the reason is and if there's something we  
40 can actually do to improve the population, we'd certainly  
41 consider that. We have basically no information on muskrat  
42 really.

43

44 MR. FLEENER: Well, then some of the hip-  
45 pocket interviews I've done with some elders in the Flats and  
46 some people in Canada, they really haven't -- at least none  
47 of the people I've talked to have seen the muskrat population  
48 ever dip this low and around Alaska for that matter. And a  
49 lot of people are pretty concerned. And they really don't  
50 know why, most people are really just amazed that the muskrat

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1 are almost gone. And instead of there being pushups on --  
2 several pushups on every lake, you know, it's every 10th or  
3 15th lake you might see a pushup. And it may have been  
4 worse, since I've been gone from Fort Yukon since May, I  
5 don't know what it's become. But I know that the  
6 population's been really low and that would be an area of  
7 extreme interest to local people.

8  
9 MR. HUER: We don't have population  
10 information on muskrat. We do do annual beaver surveys on  
11 food caches for beaver. And we did notice last year during  
12 this survey that we did this past fall that the beaver  
13 numbers were done, too. But it's not a species that we spend  
14 a lot of time on. We're spread kind of thin and we have to  
15 -- you know, we have to budget our time and resources on the  
16 most important issues, and muskrat, to be honest, haven't  
17 been a big issue for us.

18  
19 MR. FLEENER: Well, historically the numbers  
20 have stayed pretty high so.....

21  
22 MR. HUER: Yeah.

23  
24 MR. FLEENER: .....at least what I've heard.  
25 All right, thanks.

26  
27 MR. DAVEY JAMES: The other question is the  
28 migratory birds. There's reports in our area, the amount of  
29 birds coming in is real low this spring and they've been  
30 getting lower and lower every year. Well, that's what I was  
31 leading to on the ecosystem, if one species disappears and  
32 we're not addressing it or there's no long range or short  
33 range plan, then another specie dependent on that specie that  
34 disappeared, circle of life, you know. I'm sure we all  
35 believe that, in a circle. One specie dependent on another  
36 as we move, you know. That's what we have to keep our -- you  
37 know, never get our focus away from that.

38  
39 You know, if one specie is gone then the other two is  
40 going to be gone, too, pretty quick, you know. And that's  
41 what's happening in our area. This ain't going to be the  
42 largest breeding ground for the wildlife -- for the migratory  
43 birds pretty quick. Our people are saying that. You know,  
44 people that live out there 24 hours a day, they see it, you  
45 know, and we need to capitalize on it before the situation  
46 runs away from us.

47  
48 The other one I'd like to make a request, is there  
49 any plans for the Arctic National Wildlife Staff to do a  
50 study on the focus of the caribou, on their eating ground

00059

1 around Arctic Village? Why they're not coming into Arctic  
2 Village? Is there?

3

4 MR. McCLELLAN: I think as Fran mentioned at  
5 the last meeting, you know, he was not aware of any forage  
6 quality data or study currently underway in Arctic. As far  
7 as I'm aware, I'm not aware that they have any plans, but I  
8 can definitely bring that concern back to Arctic Refuge and  
9 I'll let you know if we can't put some plan in the future to  
10 try to look at the forage around Arctic Village.

11

12 MR. NICHOLIA: All the foundation stuff on  
13 ANILCA, you know, help people with their subsistence  
14 resource, instead of you're going to do it later, why don't  
15 you people just do it now because spring time is coming. By  
16 next year it might be too late to even find muskrat. Because  
17 around Tanana we don't even see them no more. We usually see  
18 them come down with the Tanana River ice come down with the  
19 Yukon River -- you don't see nothing that way anymore. I  
20 used to go fish -- name a lot of places on the Tanana River  
21 where you don't see muskrat anymore. I think this would be a  
22 serious issue that this Council is making that you guys  
23 should look into more deeply. If you guys are going to base  
24 your foundation on ANILCA, I think you should be living up to  
25 Title VIII for these Yukon River people that's from within  
26 your region.

27

28 MR. McCLELLAN: To respond to that, I think  
29 when we do get concerns raised to us, we try to address them  
30 as quickly as we possibly can. But sometimes budgeting or  
31 personnel or other things, sometimes we can't get to them as  
32 quickly as we'd like to but I think we do try to address and  
33 answer concerns as they are raised.

34

35 MR. NICHOLIA: Did you guys ever consider co-  
36 managing with the Tribal Councils or Village Councils, to get  
37 their input, too?

38

39 MR. DAVEY JAMES: You know, I do think  
40 they're doing a good job out there (inaudible - away from  
41 mic) some issues, you know, there on that bear monitoring  
42 projects and on the moose. You know, you guys are really  
43 moving forward. But one of my main recommendations is that  
44 maybe we need to look at the tribals of the communities,  
45 priorities and the Fish and Wildlife priorities and see where  
46 we cross, you know, and maybe if we could start from there.

47

48 I just want to congratulate you guys on that moose  
49 management as far as you guys are doing and really good  
50 information and people are getting more.

00060

1 MR. McCLELLAN: That's a good suggestion.

2  
3 MR. L. TRITT: They had this program on the  
4 Alaska Rural Communication Network, there's a TV in the  
5 village. And they had the so-called Native Environment Group  
6 out of Anchorage. And they say they go out there and get all  
7 the inputs from the elders, you know, but then before the --  
8 an interview is just that -- in effect, she said that all  
9 this input from the elders don't mean nothing until some  
10 scientist say they're right, you know. And that's the kind  
11 of communications that we have out there. And so we need to  
12 break that down.

13  
14 Back in the '80s I wrote something in our language --  
15 in my language for the University, the Language Center, and  
16 some White guy had to correct my writings, you know, my  
17 language. And that's why a lot of our, the elder's input  
18 don't go too far because they have to go through a certain  
19 approval or something. So I think that we need to work more  
20 on our communications and work together more.

21  
22 MR. McCLELLAN: Uh-huh. (Affirmative)

23  
24 CHAIRMAN MILLER: Go ahead, Philip.

25  
26 MR. P. TITUS: What you need for notice --  
27 could this be a notice that the muskrat is declining, there's  
28 your notice.

29  
30 MR. McCLELLAN: Yeah.

31  
32 MR. P. TITUS: And you know, your job is to  
33 manage and if there's no resource to manage, you'll have no  
34 job. So you should just go back to the people that have been  
35 there long before there was any kind of scientific people  
36 walking on this continent, they've been living off that land,  
37 you should just utilize that knowledge. It's logical to do  
38 that instead of saying we got no money to find out when it's  
39 already there. It's just like -- I don't know what it's just  
40 like, it's just like the government, I guess.

41  
42 MR. C. TRITT: Correct me if I'm wrong, this  
43 is Calvin Tritt, a couple of meetings ago we mentioned about  
44 changing the caribou opening season from July 1st to August  
45 1st, give it time for migration? Vince, maybe you could help  
46 out I guess. Do you know what ever happened to that?

47  
48 MR. McCLELLAN: Well, there was a proposal  
49 like that that was brought before the Board of Game last year  
50 at the spring meeting.

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1 MR. C. TRITT: State?

2

3 MR. McCLELLAN: The State, State Board of  
4 Game. And the proposal was not approved by the State Board  
5 of Game. A similar -- I'm not aware of a similar proposal  
6 being brought forth before the Federal.

7

8 MR. MATHEWS: No, Mr. Chairman, what we were  
9 doing is with Davey James and the Council of Athabaskan  
10 Tribal Governments and Calvin is that we, meaning Greg and I  
11 and others had been dialoguing on the issue and left the  
12 options open to submit a proposal to the Board of Game if the  
13 effect is to really change the season for all hunters, it  
14 would have to go to the State Board of Game. Otherwise, the  
15 Federal Board would just be restricting Federally qualified  
16 subsistence users. So that was the dialogue we've had.  
17 There's not been one submitted to the Federal Subsistence  
18 Board. That is an option. But the effectiveness of it, if  
19 it were to be passed is limited unless you can show that  
20 there is a reason for the Federal Board to close the other  
21 seasons, meaning the State seasons. To my knowledge, the  
22 herd is not in any way in biological concern so that's one  
23 factor that has to be looked at.

24

25 So that's the history behind it. And again, back to  
26 -- I can't remember who it was, it was Davey, on  
27 coordination, that's a perfect example. Greg was tracking --  
28 well, the Refuge was tracking that proposal through the State  
29 system in consultation with State Staff. So that's an  
30 example of when you were asking how does the Refuge  
31 coordinate with the other processes, like the State actions,  
32 there's an example there of how that's done.

33

34 MR. C. TRITT: A suggestion that was put out  
35 on the floor that there should be a monitor study of Upper  
36 Sheenjek with the caribou migrating, with all the hikers,  
37 hunters, whoever goes up there. Does that ever cumulate?

38

39 MR. McCLELLAN: Well, we've never had any  
40 monitoring program set up. Jim Kurth, we went to a meeting  
41 up in Venetie, you know, a couple years to talk about that  
42 proposal and the way my memory was, I mean we discussed it  
43 but there wasn't any agreement on the best way to monitor it.  
44 So there hasn't been any study but we've had ongoing dialogue  
45 with Venetie. And then this last spring again, Jim Kurth went  
46 up to Arctic Village, Sara James had requested him to come up  
47 to a meeting and again talk about that same issue. So  
48 there's been ongoing dialogue on it.

49

50 MR. C. TRITT: Okay, thanks. There's just

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1 one more. What's the excuse for Jim Kurth not being here?

2

3 MR. McCLELLAN: Well, Jim Kurth is the Refuge  
4 manager for Arctic National Wildlife Refuge. There is a  
5 meeting in D.C. with the Regional Director and some other  
6 folks from the Service that were specifically talking about  
7 Alaska issues. I've said this before at other meetings, but  
8 you know, whenever an invitation has been extended to either  
9 myself or Jim Kurth to come up to a meeting in Venetie or  
10 Arctic Village to discuss specific issues about the Refuge  
11 we've always been -- tried to coordinate that and come to any  
12 of the meetings that -- the last meeting in Minto for the  
13 Regional Council, you know, there was a request to talk about  
14 the caribou migration and Fran Mower, the biologist for the  
15 Arctic Refuge was at that meeting. And normally the fall  
16 meetings are a normal time period to -- you know, where these  
17 winter meetings are more to talk about the proposals before  
18 the Council.

19

20 MR. C. TRITT: Okay. I just feel that as a  
21 manager he should be at the meeting. I mean we get together  
22 only twice a year.

23

24 MR. McCLELLAN: Uh-huh. (Affirmative)

25

26 MR. C. TRITT: So I'm sure that, you know, he  
27 should make time for us. That's all I got to say.

28

29 CHAIRMAN MILLER: Anymore questions? Thank  
30 you.

31

32 MR. McCLELLAN: Thank you.

33

34 CHAIRMAN MILLER: The Park Service.

35

36 MR. MATHEWS: The next will be the Park  
37 Service, I believe. No, no, Tetlin. I'm sorry, I apologize.  
38 And again, the map's up there but he's bringing some more  
39 detailed maps and you do have a map under Tab P as in Paul.

40

41 MR. SCHULTZ: Good afternoon. My name is  
42 Robert Schultz. I'm the Deputy Refuge Manager for the Tetlin  
43 Refuge.

44

45 The Tetlin Refuge is located in the southeast corner  
46 of the Eastern Interior's Federal subsistence region. There  
47 our lands are within the State Game Management Unit 12, so  
48 anything -- any proposals that you deal with in Unit 12 will  
49 directly effect the subsistence resources on the Tetlin  
50 Refuge there.

00063

1 I have this map here, it will be posted on the wall.  
2 It shows the general ownership of lands within the Tetlin  
3 Refuge boundary. Just to give you a quick rundown on where  
4 we are. On the east we're bounded by the Yukon Territory.  
5 On the north we're bounded by the Alaska Highway. On the  
6 west we're bounded by the Tetlin Reserve lands that are owned  
7 by the Tetlin Native Corporation. On the south we're bounded  
8 by the Wrangell-St. Elias National Park and Preserve. The  
9 entire south boundary of it aligns with the Preserve lands.  
10 We do not touch any of the hard park lands per se.

11  
12 Basically we work with five communities in the Upper  
13 Tanana area. Northway, Tetlin, Tok, Tanacross, Dot Lake and  
14 Mentasta Lake. In 1980 Congress authorized or established  
15 the Tetlin Refuge. The boundary that they drew then  
16 encompassed 924,000 acres. After selections by State and  
17 Native Corporations and individual allottees we ended up with  
18 about 730,000 acres there. We're pretty fortunate that the  
19 majority of that land is within one block, it lays in the  
20 southern portion of the authorized boundary for the Refuge  
21 there. We have two smaller areas up here along the Tanana  
22 River also up on the northern portion of it. The Village of  
23 Northway is right in the north central portion of the Refuge.

24  
25 Some of the things we have going on on the Refuge  
26 relating to subsistence. I think in the winter meeting in  
27 '97, Polly Hysop from Northway, the refuge information  
28 specialist, reported on a traditional workshop that we held  
29 in Northway. It was in conjunction with the State Fish and  
30 Game with the First Nation's people out of Beaver, Yukon and  
31 the Northway Village and Northway Corporation lands. Since  
32 that time, Polly has been busy conducting oral interviews  
33 with the village elders in the Northway area. She's also  
34 been working with the school children in the Walter Northway  
35 School, having them go out and collect oral information on  
36 subsistence issues there from the elders. Most of the time  
37 the kids go out and interview their grandparents.

38  
39 In 1999, this summer, we hope to work with these  
40 elders, work with the Northway Native Corporation in Northway  
41 Village in developing a couple of interpretative panels that  
42 will be placed along the Alaska Highway. They will deal  
43 strictly with -- or entirely with subsistence of the Northway  
44 people there. Hopefully we can inform the people that are  
45 coming up and visiting the area on some of the subsistence  
46 history and some of the concerns that the Northway people  
47 have there. In '98 we conducted whitefish survey on five of  
48 the tributaries. We selected five of the tributaries of the  
49 Tanana River that had historic use of white fish. Hopefully  
50 in '99 we'll receive some more money so we can continue on

00064

1 that study. A couple of things that we found last year in  
2 literature and talking to the elders, they talked about four  
3 different species of white fish in the area. We've only  
4 captured one of them, the humpback white fish. In one of the  
5 selection areas or one of the sampled areas, Ten Mile Lake  
6 area there, we found that a majority of those fish are all 20  
7 years of age or over. We're going to be continuing on  
8 analyzing that data. We're looking at the DNA of those fish  
9 to try to determine if we're looking at one specie -- or one  
10 population of humpback white fish or if each of the five  
11 areas are individual populations so that we can start  
12 developing some management strategies of it.

13  
14 Our fire program, last year, we burned several  
15 margins along the lake shores to improve waterfowl and  
16 nesting habitat. We're going to expand that in '99. We're  
17 going to try to do two things. One, to improve the nesting  
18 quality for waterfowl that use those areas but yet we're  
19 going to burn one near the Alaska Highway and use it as an  
20 interpretative place so that we can inform people of the role  
21 of fire, not only in the ecosystems for improving moose  
22 habitat but also for improving waterfowl habitat.

23  
24 CHAIRMAN MILLER: Any questions?

25  
26 MR. SCHULTZ: Yes, Philip.

27  
28 MR. P. TITUS: You have a muskrat problem,  
29 too?

30  
31 MR. SCHULTZ: We have a muskrat problem. But  
32 we just became aware of it last year. In talking with  
33 Darlene Northway -- Darlene Johns there, she indicated that  
34 the muskrat population dropped off real severely last year.  
35 We're not sure what's happening there but it's one of these  
36 things that, you know, it's almost like a door slamming or  
37 something like that, Philip. It happened last year and we  
38 weren't aware of it. But we're going to take a look at it  
39 this year, you know, continuing on monitoring it and see if  
40 they come back. In talking with Darlene, her husband Teddy  
41 Northway, they've indicated that the populations have dropped  
42 off like this before but they've rebounded. That it's kind  
43 of a natural cycling thing but it's something but it's  
44 something that we've got down that, you know, if it continues  
45 on for a year or two we're going to definitely probably take  
46 a look at it and see if we can come up with some kinds of  
47 strategies.

48  
49 In talking with Howard Fix, who lives in the Northway  
50 area, last year when we were talking about burning the lake

00065

1 margins there, he was talking about that may help the  
2 muskrats in those areas because after we blackened the lake  
3 shore there, the sun will heat those areas up and they'll  
4 green up quicker so there'll be more food for the muskrats.

5  
6 But this year on our burns -- last year we went in --  
7 the areas that we were going to burn in '99, we counted the  
8 duck broods on them and this year we're going to burn them  
9 off and then we're going to see if there's any increase in  
10 the duck broods the following year on them. And one of the  
11 things that I was just thinking about is we probably will be  
12 looking at muskrats too. It won't cost us anything more, we  
13 can take a look at before and after on the muskrats.

14  
15 But we've talked to several elders about the muskrats  
16 and they've said -- they've indicated that they have gone up  
17 and down before. But this last year seemed to be a shocker,  
18 that it happened so suddenly.

19  
20 MR. L. TRITT: This muskrat thing, it  
21 happened a few years ago but at the time it just happened  
22 around the villages, around the populated areas. And I was  
23 wondering how -- if it's the same way this year or is it more  
24 further out from the villages?

25  
26 MR. SCHULTZ: I'm not sure on that Lincoln.  
27 In the Northway area it seemed like the muskrats, you know,  
28 had a fairly stable population but then they all of a sudden  
29 just disappeared in the last year. You know, there was  
30 probably a slight decline but people continued getting their  
31 rats. And then last year it was just, you know, there just  
32 weren't any.

33  
34 MR. FLEENER: Mr. Chair.

35  
36 CHAIRMAN MILLER: Go ahead, Craig.

37  
38 MR. FLEENER: I talked to about, I think it  
39 was five or six area biologists from different areas around  
40 Alaska and they all noticed that the rat population was low  
41 just about everywhere, away from the villages also. And I  
42 talked to someone in Old Crow and someone in Whitehorse and  
43 they said the same thing. So it's some real widespread  
44 thing.

45  
46 MR. SCHULTZ: Did they indicate that this was  
47 something that's happened in the past?

48  
49 MR. FLEENER: No. Like I said earlier, no  
50 one had ever seen -- at least the people I talked to, no one

00066

1 had ever seen a sharp decline like this so quickly. And I  
2 mean there were some real light fluctuations which is normal,  
3 but nobody -- I mean I was surprised to hear you say that  
4 they said it was a normal occurrence down there.

5  
6 MR. SCHULTZ: Yeah.

7  
8 MR. FLEENER: Because I hadn't.....

9  
10 MR. SCHULTZ: I don't know what the  
11 regularity, if it was once every 30 years or once every 60  
12 years or what, but they'd indicated that there were times  
13 that there were no rats.

14  
15 MR. FLEENER: And did you happen to gather,  
16 in talking to any of the elders, any kind of numbers or  
17 anything like that?

18  
19 MR. SCHULTZ: No.

20  
21 MR. FLEENER: So you guys don't have a  
22 baseline?

23  
24 MR. SCHULTZ: No.

25  
26 MR. FLEENER: Yeah, I guess not too many  
27 people study rats, I guess.

28  
29 MR. SCHULTZ: Yeah, it's something that's  
30 always been there, it's kind of like rabbits.

31  
32 MR. DAVEY JAMES: Do you have any projects on  
33 beaver?

34  
35 MR. SCHULTZ: No, sir, we haven't -- we've  
36 got good beaver populations down there but we haven't got any  
37 projects going on it, no. We're just getting money on the  
38 white fish. Basically we're looking at populations, you  
39 know, where they are, things like this, just getting started  
40 on it. But in looking at the populations, people in  
41 Tanacross indicated that they've stopped fishing in the Lake  
42 Mansfield area because there aren't any white fish.

43  
44 We sampled Tetlin last summer. it's been a historic  
45 area where people have fished for years and years and years  
46 and we only caught one white fish there. The people of  
47 Tetlin have stopped fishing there. And I think finding those  
48 fish in Ten Mile Lake that were all, you know, in excess of  
49 20 years old was kind of surprising also. So hopefully we'll  
50 get some more money so that we can start looking at

00067

1 additional areas in the Upper Tetlin (sic) Drainage, and the  
2 other thing we'd like to do is figure out where their  
3 wintering habitat is out there is the other thing that we  
4 want to look at.

5  
6 This map will be on the wall here if you want to talk  
7 about any of the other issues on the Tetlin or the Upper  
8 Tanana Drainage, feel free, I'll be here for the meeting.

9  
10 Thank you.

11  
12 CHAIRMAN MILLER: Thank you.

13  
14 MR. MATHEWS: Mr. Chairman, just to make it  
15 clear this was just kind of an overview. I know there's been  
16 some interesting topics come up but we do have quite a bit of  
17 things to cover on the agenda.

18  
19 Janis would be next for National Park Service.  
20 She's, I believe, passing out some really attractive maps for  
21 the area. Janice gets tired of me saying that but their  
22 graphics on several publications that you have are just high  
23 quality.

24  
25 MS. MELDRUM: Thanks. I'm Janis Meldrum from  
26 the National Park Service Office in Anchorage. Before lunch  
27 I laid, I think, in front of you three maps. And the areas  
28 that we're going to talk about are (inaudible - away from  
29 mic) St. Elias National Park, Denali National Park --  
30 National Park and Preserve I should say and Yukon-Charlie  
31 National Preserve.

32  
33 And we had only intended to talk about the general  
34 land status in these areas so it will be just a brief  
35 presentation. These maps with the blue tops on them up on  
36 the wall are the same maps that -- you know, I think they  
37 have all those maps.

38  
39 Thanks.

40  
41 The maps that you have in your hands, the small  
42 version, are the same ones that are up on the wall here. We  
43 are going to leave those with Vince, maybe you can put them  
44 to use in future meetings. These little ones are somewhat  
45 difficult to see the small parcels, but just for the purposes  
46 of this discussion they might be useful.

47  
48 The maps are all constructed in a similar manner.  
49 The dark green areas are National Preserve lands and those  
50 areas are open to, of course, sport and subsistence hunting.

00068

1 The light green areas are National Park lands. And if you  
2 look at the Denali map you'll notice that there's hatching on  
3 the Denali map. The old Denali National Park is not open to  
4 subsistence hunting. And in general Park lands are not open  
5 to sport hunting but they are open to subsistence hunting,  
6 although in Park lands there's some National Park Service  
7 eligibility requirements that come into play. And then the  
8 third thing depicted on these maps are the tan or peach  
9 colored areas, and what we've done is lumped all the private  
10 and selected lands and colored them peach. And those are  
11 areas that are not open to Federal subsistence hunting.

12  
13 So these are just very basic maps to show you where  
14 Federal subsistence hunts generally apply and where they  
15 don't.

16  
17 Now, these maps are going to be good for a little  
18 while and if, on October 1st, the government takes over  
19 fisheries and we implement the fisheries regulations, the  
20 definition of Federal public lands changes and we'll have to  
21 update these maps because the selected lands will then become  
22 Federal public lands for the purposes of hunting and there  
23 will be more lands under Federal hunting and fishing rules.

24  
25 That's all I had planned to talk to you about.  
26 There's some other agency people here if you have specific  
27 questions about other issues.

28  
29 CHAIRMAN MILLER: Thank you.

30  
31 MS. GRONDQUIST: I'm Ruth Grondquist with the  
32 Bureau of Land Management. I was just going to again, review  
33 with you our lands and a real brief overview of some  
34 designations of each of them.

35  
36 BLM, our overall focus is on land management for  
37 multiple use. That means we're looking at management of  
38 mining, recreation, wildlife and fisheries. And our emphasis  
39 is on the management of habitat. Our mandate doesn't charge  
40 us with managing wildlife, as some of the other agencies are  
41 charged.

42  
43 Within the Eastern Interior we have scattered lands  
44 and we look like we're sort of yellow okra on this map. And  
45 five of those are designated as what we call conservation  
46 system units. And we're also unique from the other agencies,  
47 in that, we have lands that are just managed as public lands,  
48 Federal public lands, that don't have designations over the  
49 tops of them.

50

00069

1           So starting with our first conservation system unit  
2 would be the White Mountains National Recreation area. And  
3 does that map in front of you have that separated out or is  
4 it just one big glob in 25(C)?

5  
6           MR. MATHEWS: Ruth, it's one big glob.

7  
8           MS. GRONDQUIST: Okay. Well, in 25(C), the  
9 White Mountains National Recreation area is a western most  
10 piece. It's half of what you see north and west of the  
11 Steese Highway. It was designated by ANILCA primarily for  
12 recreation but there's also an emphasis on fish and wildlife  
13 habitat. Now, it's not open to new mineral entry. And the  
14 other thing I wanted to tell you is it's approximately a  
15 million acres. Also within 25(C) is the Steese National  
16 Conservation area. Part of that is the other half right  
17 adjacent to the White Mountains. See where the 25(C) is on  
18 there, that's basically the White Mountains. The other half  
19 that has central on it is part of the Steese National  
20 Conservation area. The other part of it is across the road,  
21 across the Steese Highway. And ANILCA designated it  
22 primarily for wildlife habitat, particularly, caribou, so  
23 that's the emphasis we keep in mind in managing that area.  
24 And I might have already mentioned this, it's approximately a  
25 million acres as well.

26  
27           Now, within -- and I should have mentioned this  
28 before, you can't see it, but within the White Mountains is  
29 the Beaver Creek National Wild River, just a wild river, not  
30 wild and scenic. Within the south unit of the Steese is the  
31 Birch Creek. Now, this is the headwaters of both of those  
32 and the mouths of them are way down there, I think, the mouth  
33 of Birch Creek is on the Yukon Flats Refuge. Is that right?

34  
35           MR. FLEENER: Yes.

36  
37           MS. GRONDQUIST: Also the Fortymile National  
38 Wild and Scenic River, which the Taylor Highway transects.  
39 These wild and scenic rivers were also designated by ANILCA  
40 and have multiple uses, probably the primary use you see on  
41 them is recreation. Within the Fortymile there's also  
42 mining, but it's -- there are some Federal mining claims but  
43 most of the mining going on there is below the mean high  
44 water mark and is under the jurisdiction of the State.

45  
46           Then we have the scattered pieces, the Black River  
47 area. These pieces over in 20(F), a little bit in 20(C), and  
48 those are, as I said, not conservation units, they're just  
49 managed as Federal public lands.

50

00070

1           One thing I'd like to point out is that the Fortymile  
2 Caribou Herd does range into the south Steese Unit currently  
3 and a little bit within the Fortymile Wild and Scenic River.  
4 Not showing on here probably because there's not too much  
5 emphasis with subsistence on these areas are the military  
6 withdrawals. And BLM does have some management  
7 responsibility on those military withdrawals, most third-  
8 party uses.

9  
10           And I'll open it up to questions at this point.

11  
12           MR. FLEENER: Mr. Chair.

13  
14           CHAIRMAN MILLER: Go ahead, Craig.

15  
16           MR. FLEENER: Could you describe what a  
17 third-party use is?

18  
19           MS. GRONDQUIST: That would be something  
20 that's not -- sorry, that would be something that's not  
21 military use. It would be a right-of-way that a company has  
22 asked for across withdrawal, for example.

23  
24           MR. FLEENER: And do you manage wildlife on  
25 military lands?

26  
27           MS. GRONDQUIST: No.

28  
29           MR. FLEENER: No, okay.

30  
31           MS. GRONDQUIST: On those military  
32 withdrawals, actually we don't 'manage wildlife.

33  
34           MR. FLEENER: Right.

35  
36           MS. GRONDQUIST: We manage habitat.

37  
38           MR. FLEENER: Yeah.

39  
40           MS. GRONDQUIST: We have some  
41 responsibilities, but just to put it easily in a nutshell, we  
42 have vegetative responsibilities and third-party use.

43  
44           MR. GOOD: Mr. Chair.

45  
46           CHAIRMAN MILLER: Go ahead, Nat.

47  
48           MR. GOOD: I have a question and I know I've  
49 asked it before.

50

00071

1 MS. GRONDQUIST: You have to talk over this  
2 fan.

3  
4 MR. GOOD: Oh. This question relates to, you  
5 know, those mustard colored areas up there, are those  
6 permanent boundaries now or are they still subject to change  
7 due to selections?

8  
9 MS. GRONDQUIST: I think that that was  
10 discussed a little bit at the meeting in Minto. And I -- we  
11 have regained some of the selections. I think the State has  
12 let go of some of the selections in the Black River but I  
13 don't think we've gained appreciable land yet -- land back in  
14 the Black River or within the Eastern Interior but I could  
15 research that.

16  
17 MR. GOOD: Well, I was just curious as to  
18 whether or not there might be more land in the future?

19  
20 MS. GRONDQUIST: I suppose there might be but  
21 I wouldn't think it would be appreciable.

22  
23 MR. GOOD: Ah.

24  
25 CHAIRMAN MILLER: Anymore questions?

26  
27 MR. FLEENER: Thank you.

28  
29 CHAIRMAN MILLER: Thank you.

30  
31 MR. MATHEWS: Mr. Chairman, that brings us up  
32 to proposal review. We had a request due to travel needs and  
33 that to change the order of the proposals that are under Tab  
34 Q, to accommodate the representation from Stevens Village,  
35 that we take up Proposal -- well, it's going to be three  
36 proposals if I understand it correctly, because 57 and 58  
37 have been combined along with 61. And I think that's what we  
38 need to go into but -- if you want or take a break or  
39 whatever you want to do.

40  
41 CHAIRMAN MILLER: Let's take a five minute  
42 break before proposals.

43  
44 MR. MATHEWS: Okay.

45  
46 (Off record - 2:36 p.m.)

47  
48 (On record - 2:52 p.m.)

49  
50 CHAIRMAN MILLER: I'd like to call the

00072

1 meeting back to order.

2

3 MR. MATHEWS: Mr. Chairman, on the proposals,  
4 basically if you look at your outline and for the public, it  
5 lays out the steps that we're going through -- one, I'll be  
6 over at the overhead introducing the proposal; two will be  
7 the analysis, biological and socio cultural, Pete or George  
8 will be doing that; then there'll be agency comments, and  
9 I've already talked with the State about maybe somewhat  
10 streamlining that, meaning have them up at the table, if they  
11 have comments then they can give their comments out; you also  
12 have summaries of their comments and others with the proposal  
13 analysis; that brings us up to Step 4, then you would open it  
14 up to public comments from the floor if there is public that  
15 would like to speak. And we'll have to play a little bit  
16 with the chairs up here so I hope everybody's comfortable  
17 with that, that we'll have enough chairs up there but for the  
18 public, you're going to have to come up and be at the table.  
19 Then you'll have Regional Council deliberation and then your  
20 recommendation. I will, and I know the other Staff will,  
21 we'll be asking you when you make your recommendation, for  
22 justification for that. And usually it should be based in  
23 evidence, it should be based, if it's on a biological issue,  
24 you know, on sound science and then also dealing with the  
25 traditional knowledge that you know of or may possess. So  
26 we'll ask you for justifications for your recommendations.

27

28 As we talked earlier, due to travel arrangements,  
29 we've changed the order of the proposals. We're starting off  
30 with Proposals 57 and 58, and boy I may need glasses, that's  
31 dealing with brown bear proposal to establish a season in  
32 25(D) and this is how we'll do it and then Pete will pick up  
33 from there and then we go through each step.

34

35 Thank you.

36

37 MR. DeMATTEO: Mr. Chair, Proposal 57 and 58,  
38 you'll find in Section Q in your book on Page 72. Proposal  
39 57 was submitted by Craig Fleener. This would establish a  
40 Federal season and harvest limit for brown bear in Unit  
41 25(D), one bear every regulatory year and the season would be  
42 September 1st through May 31. This would essentially create  
43 a Federal season that would match the State's existing  
44 season.

45

46 Rural residents of 25(D) currently have a customary  
47 and traditional use determination for brown bear in Unit  
48 25(D), but again, they lack the Federal season.  
49 Establishment of the proposed season December 1 through May  
50 31st would not adversely impact the population of brown bears

00073

1 as they continue to be abundant within the unit. And harvest  
2 levels are currently presumed to be below the maximum  
3 sustainable level.

4  
5 With that the preliminary conclusion for Proposal 57  
6 is to support the proposal.

7  
8 MR. MATHEWS: Can you hear me?

9  
10 REPORTER: You need a mic.

11  
12 MR. MATHEWS: All right. Okay, I think what  
13 we'll do like I said, I'm a little out of step here, Alaska  
14 Department of Fish and Game did support some comments. They  
15 may want to come up to the table and discuss those in  
16 summary. On Proposal 57 and 58, there were no written  
17 comments from the general public. So I don't know if Terry  
18 and David want to warm up a seat here up at the table or not.  
19 We talked at breaks that they would kind of summarize their  
20 written comments here, I could do it also but since they're  
21 here.

22  
23 MR. HAYNES: Mr. Chairman, Vince, if you want  
24 to do that that's fine or we can highlight those for you,  
25 whatever you prefer.

26  
27 MR. MATHEWS: I think we're comfortable and I  
28 think the record would reflect better if you highlighted them  
29 because there could be, in the translation, something that  
30 you wanted to add. While, we're stumbling around here is  
31 they had an official letter that came in that each proposal  
32 had comments on and then sometimes their field staff had  
33 comments. These are a summary of those and we always do a  
34 good job on summary but there may be something that needs to  
35 be added on so I'll leave it at that.

36  
37 MR. HAYNES: Mr. Chairman, Terry Haynes,  
38 Department of Fish and Game, Subsistence Division. As a  
39 preface to all of our comments in this book they are what we  
40 call preliminary comments on proposals because we know that  
41 sometimes Regional Councils sometimes amend proposals and  
42 other changes might occur before the Federal Board meeting so  
43 that we may need to revise our comments. But we have  
44 commented on the proposals as written and circulated earlier  
45 during the cycle.

46  
47 The Department supports Proposal No. 57 in large part  
48 because it will align the State and Federal brown bear  
49 seasons.

50

00074

1 We oppose Proposal 58 as written because if this  
2 proposal was adopted in addition to Proposal 57 being adopted  
3 it could create a 12 month season on brown bears in that area  
4 for some hunters. And we'd recommend that this type of  
5 proposed regulation change be coordinated with the State  
6 Board of Game and taken up at the Board of Game meeting in  
7 the spring of 2000, which is the next time that the Interior  
8 Region proposals will be on the agenda.

9  
10 We are concerned that in Proposal 58, bears taken  
11 during the summer months do not have good quality pelts and  
12 we're not aware of an established subsistence pattern of  
13 brown bear harvest during the summer months. The State does  
14 have defense of life and property provisions to accommodate  
15 bears harvested for that purpose during the summer months.

16  
17 MR. MATHEWS: I'll try to keep this going  
18 then. The next step would be open the floor for comments and  
19 obviously you have the Chief of Stevens Village here and  
20 Staff from the Federal Council from Stevens Village so this  
21 would be a time to include them in the conversation -- the  
22 dialogue.

23  
24 MR. DeMATTEO: Mr. Chair, if I could point  
25 out one thing. So far we're covering Proposal 57. I guess  
26 what we're working towards is the Council's recommendation of  
27 Proposal 57. I recommend we do 57 first before we get into  
28 58 to avoid confusion.

29  
30 CHAIRMAN MILLER: Okay.

31  
32 MR. FLEENER: Mr. Chair, I move that we adopt  
33 Proposal 57.

34  
35 MR. GOOD: Second.

36  
37 CHAIRMAN MILLER: Okay, questions?  
38 Discussion.

39  
40 MR. P. TITUS: Mr. Chairman.

41  
42 CHAIRMAN MILLER: Go ahead, Philip.

43  
44 MR. P. TITUS: If we support one -- can we  
45 support both of them or does one go against the other?

46  
47 MR. FLEENER: Mr. Chair, the one doesn't  
48 necessarily go against the other one but if we just handle  
49 them one at a time there's -- everybody, all the agencies  
50 support 57, but certain agencies do not support 58. So

00075

1 there's going to be more discussion with 58, however 57 is  
2 supported by Staff from Fish and Game, Fish and Wildlife  
3 Service.

4  
5 MR. L. TRITT: I have a question on 57,  
6 September 1 to May 31, isn't that when the bear hibernates?  
7 It looks like the winter time to me.

8  
9 MR. P. TITUS: Yeah.

10  
11 MR. DAVEY JAMES: I have a question here.  
12 This proposal is from September 1st -- you can hunt from  
13 September 1st through May 31st and the other one is from  
14 June.....

15  
16 MR. FLEENER: Mr. Chair, the reason that I  
17 submitted this proposal is because the State has regulations  
18 that go from September 1st to May 31st but the Federal system  
19 does not. And I wanted to make the seasons the same so there  
20 wouldn't be any confusion when we look at the Federal  
21 regulations and it says no open season. This will get rid of  
22 that confusion. It's already allowed under State  
23 regulations, it's not allowed under Federal regulations and  
24 so I just basically -- this isn't going to change anything  
25 except it will put a few different words in the Federal  
26 regulation book, just to basically align the seasons.

27  
28 MR. DAVEY JAMES: To clarify my discussion is  
29 the Federal don't have a regulation?

30  
31 MR. FLEENER: No. There's no open season in  
32 25(D) on Federal land right now for brown bears.

33  
34 MR. DAVEY JAMES: Is that the whole district  
35 25(D)?

36  
37 MR. FLEENER: In all of Unit 25, I believe,  
38 there's no open brown bear season but this is just for 25(D).

39  
40 CHAIRMAN MILLER: Anymore discussion.

41  
42 MR. GOOD: Terry.

43  
44 CHAIRMAN MILLER: Go ahead, Terry.

45  
46 MR. HAYNES: Mr. Chairman, just to clarify  
47 what Craig was saying there is no Federal subsistence season  
48 in 25, there is a State season in Unit 25.

49  
50 MR. FLEENER: Yes.

00076

1 MR. HAYNES: Which is open to hunters who  
2 might otherwise hunt under Federal regulations.

3  
4 MR. GOOD: I'd like to ask a question, the  
5 State season, does that open Federal land or is the Federal  
6 land closed if the State season is open?

7  
8 MR. FLEENER: You're allowed to hunt on  
9 Federal land under the State season.

10  
11 MR. GOOD: So then presently.....

12  
13 MR. FLEENER: That's why this will really  
14 have no effect other than to change the regulation book.

15  
16 MR. GOOD: Oh, okay, that was the question.

17  
18 MR. FLEENER: Instead of having two  
19 conflicting regulations, they'll both say the same thing.

20  
21 MR. GOOD: Right.

22  
23 CHAIRMAN MILLER: Anymore discussion.

24  
25 MR. GOOD: One thing I'd like to say, I don't  
26 see having no season, no Federal season on our books, you  
27 know, we have to put something in there for certain  
28 absolutely.

29  
30 Question.

31  
32 CHAIRMAN MILLER: Question's been called.  
33 All in favor of Proposal 57 signify by saying aye.

34  
35 IN UNISON: Aye.

36  
37 CHAIRMAN MILLER: Opposed same sign.

38  
39 (No opposing responses)

40  
41 CHAIRMAN MILLER: Motion carries.

42  
43 MR. FLEENER: Fifty-eight.

44  
45 CHAIRMAN MILLER: Fifty-eight.

46  
47 MR. DeMATTEO: Proposal 58, again, on Page 72  
48 was submitted by the Stevens Village Tribal Council. This  
49 proposal would establish a Federal season and harvest limit  
50 for brown bear in Unit 25(D), one bear every regulatory year

00077

1 from June 1st through August 31st.

2

3           Again, brown bears continue to be abundant within  
4 Unit 25(D) and the current harvest level is below the actual  
5 sustainable level. Generally a harvest of brown bear during  
6 the summer months is inconsistent with current wildlife  
7 management principles and also there's no documentation of  
8 data reflecting that Yukon Flats communities consume brown  
9 bear for human consumption during the summer months.

10

11           With that, the preliminary conclusion is to oppose  
12 the proposal but it's hoped that additional information would  
13 be provided maybe by Councilmembers or members of the public  
14 or other Staff shedding, maybe some light on if brown bears  
15 consumed by Yukon Flats communities during the summer.

16

17           MR. MATHEWS: Mr. Chairman, there was no  
18 written comments and I believe the State already covered  
19 their comments for 58 when Terry started on that. And of  
20 course, we do have the Chief and Staff from Stevens Village  
21 here.

22

23           CHAIRMAN MILLER: Go ahead, Randy.

24

25           MR. MAYO: Thank you, Mr. Chair. Randy Mayo,  
26 First Chief Stevens Village Tribal Council.

27

28           Yeah, I would like to speak to some of the spiritual  
29 and cultural aspects of this animal here. And you know, kind  
30 of conflicting with Mr. DeMatteo's statement there's no  
31 documented cultural use of this animal. You know, throughout  
32 the Interior different people have different uses and beliefs  
33 concerning this animal. In Stevens Village, you know, there  
34 is spiritual and ceremonial aspects that are connected with  
35 this animal. So there is, you know, usage of this animal  
36 here. I don't agree with Mr. DeMatteo's statement that there  
37 is no documented usage in this area of this animal here. So  
38 that's a statement I'd like to make here.

39

40           MR. SCHWALENBERG: Yes, I'm Dewey  
41 Schwalenberg, the Natural Resource Director. I'm a little  
42 hoarse today from my head cold, I don't normally sound this  
43 way.

44

45           But in any rate, being the technical person working  
46 for the tribal council, I have quite a few comments to make  
47 based on primarily the fact that I've been given a couple of  
48 these conclusions here, one from the State and one from the  
49 Federal side. And I think what I'll try to do today is  
50 answer a few questions that have been raised in these

00078

1 comments that apparently are not approving of this proposal.

2

3 First off, I really didn't think it would be  
4 necessary to come to the Federal Council and address the  
5 issue of whether or not these animals would be hunted on  
6 State land or not because I presume when we come to the  
7 Federal Council and request action that it does mean that  
8 we're well aware that these actions are going to be taking  
9 place on Federal lands, that's where our subsistence is where  
10 people are hunting. We are also seeing the comments that  
11 people are talking about the corporation lands, tribal  
12 townsites and other lands under State jurisdiction. The  
13 comments being made about the fish camps. Comments being  
14 made about waterfall hunting going on in State lands and  
15 navigable waterways. Again, we are perfectly aware of where  
16 the State jurisdictional lands are. When we talk about  
17 people going to and from their fish camps, we talk about  
18 people going to and from waterfall hunting areas and we talk  
19 about the opportunities for the subsistence users to harvest  
20 brown bears on Federal lands in their normal activities  
21 through the summer time, that's just what we mean.

22

23 There is a harvest of brown bears going on out there  
24 on Federal lands. Part of my job as the resource director is  
25 to document the traditional harvest of the animals of the  
26 Stevens Village subsistence users and that's what we've done.  
27 I will, at this point, make the statement that I think it  
28 would be in all of our best interests to try and develop some  
29 sort of a process where these harvests can be reported  
30 accurately because as it stands right now the information  
31 that State and Federal agencies are being given is not  
32 necessarily accurate in our estimation.

33

34 So first off, we do have a harvest that would be  
35 going on. I'm not going to talk too much about the  
36 traditional uses of the animal but I do feel I have to make  
37 mention of the fact that under the Federal comments, number  
38 2, talking about the use of the animal. I've been given a  
39 quote here that the definition of edible meat in the  
40 regulations means ribs, neck, brisket, front quarters, hind  
41 quarters and that portion of the animal between the front and  
42 hindquarters. My question is, I'd like to know how made this  
43 definition up? Because I know the products of the animals  
44 that the traditional subsistence users are using out there  
45 because I'm fortunate enough to be part of the ceremonies and  
46 potlatches as an invited guest and I don't see those types of  
47 products being listed here in the edible portions unless  
48 they're hidden there somewhere between the front and the back  
49 hindquarters and front quarters.

50

00079

1 MR. McCLELLAN: Mr. Chairman, can ask Dewey,  
2 just real quick. I'm sorry to interrupt but Dewey had  
3 mentioned the Federal comments and they aren't in your book,  
4 the Refuge had some comments and we had faxed our comments to  
5 Dewey but the Councilmembers haven't seen them so I was just  
6 going to hand these comments out to them before you.....

7  
8 MR. SCHWALENBERG: Okay, I need a cough break  
9 anyways.

10 MR. McCLELLAN: Dewey, thank you.

11  
12 MR. SCHWALENBERG: Okay, so there again, I  
13 think this is another area that we could really stand do some  
14 work in so that we could identify what the true uses of these  
15 animals are. It gets into the whole point of, is eating the  
16 red meat of the animal the only traditional subsistence use  
17 of that animal?

18  
19 I would like Randy to, if he feels inclined to do so,  
20 to explain that the use of a bear hide isn't necessarily  
21 dependent upon the quality of the fur for traditional,  
22 spiritual, religious purposes because I think there's a lot  
23 of misunderstanding out there at what condition the animals  
24 have to be in before they're of any value. And I think the  
25 local people can certainly address that. So again, I can  
26 only ask the elders and I can ask the traditional people like  
27 Randy if they're willing to share that type of information.  
28 And if they are, then I think it needs to be put on record  
29 and if they're not willing to share at this point, well,  
30 that's certainly their decision.

31  
32 MR. MAYO: Yeah, you know, like I spoke a  
33 little earlier of that. There is, you know, a lot of  
34 spiritual connections regarding this animal, even in the way,  
35 you know, you speak of it, or not speak of it, it even goes  
36 that far. But you know, if you ask some of the old -- you  
37 know, older people and some of the ones that know what to say  
38 and not to say, you know, when you're around in these areas.  
39 You know, these are some of the things I don't expect the  
40 agency people or the Western society to understand or believe  
41 in but there is strong cultural and spiritual, you know,  
42 connotations here, I don't know how that word goes, you know,  
43 concern and the meat and the hide and the ceremony for young  
44 boys, you know. So there are a lot of different parts to it.

45  
46  
47 You know, some of the meat is served to certain  
48 people. And you know, it's documented orally that it has  
49 been served at a memorial ceremony and potlatch. So there  
50 are a great many other parts to it than just the, you know,

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1 Westernized technical things we're looking at for here which  
2 is very confusing, you know, a lot of the regulation and the  
3 maps and all of these other things here.

4  
5 MR. SCHWALENBERG: Okay, and then another  
6 one, question three referred to the fact that there is --  
7 quoting here it says, Refuge nor Alaska Department of Fish  
8 and Game has good population data on brown bears in Unit  
9 25(D). We're not going to refute that, we'll agree with that  
10 one.

11  
12 But we did conduct a local survey of the traditional  
13 people and elders in the community and that's really why in  
14 my original proposal that I wrote in that people as  
15 commenting to us that there was a tremendous increase in the  
16 number of bears sighted. And I probably made a mistake by  
17 saying sighted in and around the village. But if we remember  
18 that Stevens Village, if I could I'd just like to put a  
19 little thing on the map up here.

20  
21 Basically Stevens Village, just a little background  
22 information has completed a comprehensive use plan and a  
23 document they have developed which is called traditional land  
24 base which is pretty much all the way to Purgatory here.

25  
26 REPORTER: Excuse me, sir, that microphone  
27 isn't working, here this one.

28  
29 MR. SCHWALENBERG: Okay, I'll back up just a  
30 second here. Stevens Village has developed what they have  
31 called the comprehensive land use plan. It has established a  
32 traditional land base which basically is roughly two million  
33 acres of land right around Stevens Village all the way up to  
34 Purgatory and then down to the Dalton Highway, a little bit  
35 beyond that and then back down, something like this.

36  
37 So when Stevens Village talks about their activities,  
38 they talk about a land base approximately that size. Now,  
39 within their comprehensive land use plan, they, number 1,  
40 recognize the ownership of the State and Federal and private  
41 land owners so this is not designed to take away ownership  
42 and make ownership in Stevens Village. But they do say that  
43 this is their traditional land area that they're going to be  
44 using. So when we talk about the harvest of these brown  
45 bears within the Federal lands for subsistence purposes, it's  
46 basically within that land base. So what we don't have right  
47 now is a good map of exactly where the corporation lands are,  
48 where the Federal lands are, State lands, et cetera, and I  
49 think that's what's confusing a lot of people. Because when  
50 they can make a statement that says, there's really no

00081

1 Federal land that these people can hunt on around their fish  
2 camps, et cetera, et cetera, they're not taking into  
3 consideration how mobile the people are. There's plenty of  
4 Federal lands around within this traditional area that these  
5 folks will be hunting on.

6  
7 MR. MAYO: Just a little clarification on the  
8 traditional lands that Dewey outlined. You know, just a  
9 little background. This was the traditional lands that was  
10 outlined to BIA field representatives back in the 1930s when  
11 the tribe requested the Secretary of Interior to create a  
12 reserve for us, a reservation and apparently it never went  
13 through so this -- you know, we just didn't make this  
14 boundary up. It's a traditional boundary that the elders had  
15 -- you know, their traditional use area, hunting and fishing  
16 area that the surrounding tribes and communities had  
17 recognized. And to this day out, you know, there's an  
18 unwritten rule that's pretty much still in effect amongst the  
19 different tribes and villages that, you know, we know where  
20 these lands pretty much are and it would be very bad protocol  
21 if I went up into a different, you know, village's  
22 traditional use area uninvited or, you know, not married into  
23 the tribe or so on. That's just a little clarification and  
24 that's why I mentioned all of these different maps, color-  
25 coded maps and different land designations and confusing  
26 regulations. You know, so it's very confusing, you know.

27  
28 MR. SCHWALENBERG: Okay, so I guess in  
29 closing what we're saying is we have a substantial amount of  
30 traditional knowledge that has been in and around the  
31 community for a long time which the Council and my program  
32 and Staff have been able to accumulate on this and this is  
33 what has led to this proposal.

34  
35 Proposal meaning that the summer hunt for brown bears  
36 has been a traditional activity. And for State or Federal  
37 agencies to put a title on it as of defense of life and  
38 property or some other title is not necessarily what the  
39 local people are meaning. What they're saying is the ability  
40 to take bear for spiritual, traditional, cultural and  
41 consumption purposes.

42  
43 Randy's given you a few ideas on what some of the  
44 traditional uses are. There's a lot more that haven't been  
45 brought out here today but that's why we're asking for the  
46 Subsistence Council to go ahead and approve this part of the  
47 proposal and to extend that season through the summer time  
48 and we fully intend to bring the same request before the  
49 Board of Game so that we will, next time around, hopefully be  
50 bringing the State season in compliance with the subsistence

00082

1 season.

2

3 Thank you.

4

5 CHAIRMAN MILLER: Go ahead.

6

7 MR. L. TRITT: Yeah, being a person who has  
8 been studying for a long time the spiritual aspect of the  
9 Native life, I think you can pretty much see the difference  
10 between Proposal 57 and 58 as to how much knowledge these two  
11 -- differentiate these two proposals. September 1 through  
12 31, that's pretty much during the winter period. And if you  
13 see a bear out there you're going to have to get rid of him  
14 because that's a bear and you can't -- and they're dangerous.  
15 And if you go out in the woods and you live out in the woods,  
16 90 percent of what you do out there is spiritual, almost all  
17 of it is spiritual. And just because somebody thinks that  
18 some people can eat bear meat, you know, that's -- I never  
19 heard of anybody eating brown bear meat, you know.

20

21 But the spiritual aspect of this is a lot stronger  
22 than what you see. And I think Proposal 58 as a Native, it  
23 makes a lot more sense to me than Proposal 57.

24

25 That's my comment anyway.

26

27 MR. FLEENER: Mr. Chair.

28

29 CHAIRMAN MILLER: Go ahead, Craig.

30

31 MR. FLEENER: Before we have anymore  
32 discussion you might want to make a motion to adopt this one.  
33 So I'll make a motion that we adopt Proposal 58.

34

35 MR. DAVEY JAMES: Second.

36

37 CHAIRMAN MILLER: Okay, discussion.

38

39 MR. FLEENER: I have some questions for the  
40 State or whoever may have some information on the population  
41 of the brown bear in the Yukon Flats. Do these numbers that  
42 are listed here on Page 73, are these fairly reflective of  
43 what we think the bear population is there, 385 bears?

44

45 MR. DAVID JAMES: Mr. Chair, members of the  
46 Council, I'm David James with the Alaska Department of Fish  
47 and Game. Bear data are very hard to get. To count bears is  
48 difficult and I'm not telling you anything that any of you  
49 don't already know. It's not as easy as counting moose or  
50 caribou. That means that throughout the State we have some

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1 areas where we've done very intensive studies and we've  
2 developed, we think, some pretty reliable population  
3 estimates for bears. But those are very few areas because  
4 it's very expensive and we just can't do it very much.

5  
6 While the Yukon Flats is one area with grizzlies that  
7 we haven't done that, but what we've done for this area is to  
8 take what knowledge we have from different kinds of habitats  
9 around the state and extrapolate that knowledge and come up  
10 with what we hope is an educated guess as to the bear  
11 population out there. And I want to make that clear, that's  
12 all this is is that we hope an educated guess so we don't  
13 want to try to mislead you into thinking we've got every bear  
14 counted out there. Well, you may say, why do that? Well,  
15 this provides a frame work, a reference point for what some  
16 call adapted management. In other words, you base your  
17 regulatory and biological decisions on a reasonable  
18 assumption. And then as time goes on you get feedback from  
19 hunters, harvest, observations and other sources of  
20 information that allow you to say, well, we think that's  
21 still a pretty good estimate or it's not. Pretty crude but  
22 that's the way it goes for many areas.

23  
24 So the population estimate, to answer your question,  
25 is a guess, we think it's a reasonable guess. Did I come  
26 close to answering your question?

27  
28 MR. FLEENER: Yes. And I think that taking  
29 this number as a reasonable guess and what a lot of local  
30 people say from Fort Yukon and a few of the other surrounding  
31 villages, I say that we do have a pretty healthy bear  
32 population -- brown bear population as well as black bear but  
33 that these numbers are pretty close if not below the -- the  
34 numbers might be higher in my own personal guess.

35  
36 Another question I have is that there's an estimated  
37 harvest listed here, two to three per year and the  
38 harvestable surplus is 19 bears. My next question is, do you  
39 think that adding the three months in the summer will bring  
40 the bear harvest beyond the harvestable surplus of 19?

41  
42 MR. DAVID JAMES: Well, first of all that two  
43 or three is reported harvest, not estimated harvest. And I  
44 did want to bring that point out so that's a good leading  
45 question actually, is that, as far as we know right now, all  
46 evidence that we have tells us that the current rate of  
47 harvest of the brown bear population out there is well within  
48 sustained limits. In fact, it's probably below what the bear  
49 population could take. The only qualification I have on that  
50 statement is that we think, you know, reporting bears through

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1 the sealing process is something probably -- well, we're  
2 convinced it doesn't happen all the time. So it's a soft  
3 figure. But it's the best that we have to go on. And even  
4 taking into consideration what we think the harvest might be  
5 out there, you know, we certainly don't see any other signs  
6 at this point that the bear population, you know, is even at  
7 -- we think it's still below sustained yield, I guess is what  
8 I'm trying to say.

9  
10 MR. FLEENER: Yeah, even if we -- it appears  
11 anyway, even if we quadrupled this number to take into  
12 account possible additional harvest that's not recorded that  
13 we would still be at eight to 12, which is well below the  
14 harvestable surplus. And it sounds like, at least, from the  
15 Stevens Village point of view that they're willing to work on  
16 looking for methods to improve reporting and with that being  
17 a goal of their natural resource department, I think that  
18 maybe we can get some better numbers in the future. At least  
19 from Stevens Village and hopefully if they're working with  
20 CTAG, maybe we can get some real numbers on bear harvest.  
21 And if this is adopted -- or if it is or isn't, maybe we can  
22 get some good numbers in the future. But it sounds like they  
23 would be good to work with on this.

24  
25 That's all the questions I have, thanks.

26  
27 MR. DAVID JAMES: Mr. Chair, another comment.  
28 Earlier it was mentioned, the desirability if this proposal  
29 is approved and then in the future working with the Board of  
30 Game also to try to get them the same is, one of the things  
31 that we tried -- maybe not very clearly to do in the comment  
32 section was to indicate that these are the kinds of obstacles  
33 or concerns that the Board of Game is going to have when  
34 whoever comes before them to testify in favor of this are  
35 going to run into. And the Board is not in the habit of  
36 opening brown bear seasons in the summer and there's a lot of  
37 reasons for that, not just traditionally, because that's what  
38 they do. But because there is not a clear, as I understand,  
39 not a clear record that's been developed as to what  
40 constitutes that use. That's really what they're asking.  
41 They're saying, you want to shoot them in the summer, why,  
42 what are you going to do, are you going to eat them? You  
43 know, are you going to do a trophy or are you going to do a  
44 whatever? And you know, what Mr. Schwalenberg started on a  
45 few moments ago is precisely the kind of stuff that would be  
46 -- information, I should say, that would be necessary to  
47 build a documentation or just a full explanation of what that  
48 desire is.

49  
50 And I'm just speaking, it's going to be a tough sell,

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1 I think, with the State Board of Game. They're going to  
2 scrutinize it very closely. So the only reason I bring this  
3 up is just so I hope you have a realistic view of what would  
4 need to be done in order to sell the State Board on this as  
5 well.

6  
7 MR. FLEENER: Mr. Chair.

8  
9 CHAIRMAN MILLER: Go ahead, Craig.

10  
11 MR. FLEENER: Just to add, maybe a little bit  
12 to the record and to be in agreement with what Dewey said a  
13 little earlier. I personally haven't shot any brown bears  
14 myself but I have eaten brown bear that's been shot in the  
15 summer down the Yukon River from Fort Yukon just a little  
16 ways. So I personally have eaten brown bear shot in the  
17 summer myself. So just as a piece of testimony to add.

18  
19 MR. GOOD: Mr. Chairman.

20  
21 CHAIRMAN MILLER: Go ahead, Nat.

22  
23 MR. GOOD: You know, I realize that the  
24 Federal Board may not look at it quite the same way that I do  
25 but I am looking at some information here on the study done  
26 by the Fish and Wildlife Service in cooperation with ADF&G  
27 and I'm reading a paragraph here -- or part of a paragraph  
28 that says, as of November 30th, 1998, seven of 39 monitored  
29 calves and we're talking about moose here had survived for a  
30 survival rate of 18 percent. A close examination of 23 kill  
31 cites indicated that 17 moose calves were killed by bears,  
32 three drowned and three died of unknown causes. Findings  
33 from the studies indicate that bears are a major predator of  
34 moose calves and that calf annual survival rates are among  
35 the lowest in Alaska and Canada.

36  
37 And I'd have to say that I would look at this and I  
38 would think that any bears during the summer would more  
39 likely be opportunistic, in that, you'd have the opportunity  
40 revealed to you, you'd get the chance rather to spend say  
41 three weeks or a month in the summer time attempting to  
42 locate a brown bear. I don't know, I think looking at this  
43 figure on moose that Randy definitely has to get more bears  
44 killed.

45  
46 CHAIRMAN MILLER: Go ahead Dave.

47  
48 MR. DAVEY JAMES: On researching your  
49 information there, I see some of this information that you've  
50 been getting your information from here and to get to where

00086

1 you want to give your opinion there. I really have a concern  
2 here that we have our own tribal or community people -- they  
3 hold their own comprehensive land use plan. They have a  
4 harvest data compiled case line study for the last five  
5 years. And that -- I don't see that in here. What I see  
6 here is just a one sided view here. If we're going to make a  
7 decision you need to do more research, you get more of that  
8 documentation that's already been done. There's more  
9 research done through the University, too, on the traditional  
10 land there. I really, from now on forward, I really don't  
11 want to see a one sided view coming in just from the State  
12 and pick two or three, you really need to look at the tribal  
13 documentation that they gather themselves. They have been  
14 doing this management work for the last 10 years.

15  
16 I, myself, was a manger of the refuge that we're  
17 talking about, the area, and I, myself, also live out there  
18 too and I see bear population all over the place. We have  
19 documentations on our harvest. There's a note underneath  
20 there what other harvest incidents or changes you see and  
21 part of the harvest reporting is a lot of bears have been  
22 showing up and we do have a lot of bears and I never shot  
23 bear in the winter time between September and May. May,  
24 maybe once, but never in September. We're really interested  
25 in the moose and fishing. But we do have a large population  
26 of bears and documentation has already shown that in the  
27 research study the Fish and Wildlife did over in Beaver and  
28 Birch Creek area and there was -- documentation shown that  
29 Beaver, behind the Beaver area where our traditional people  
30 have said before that research on the mortality of calves  
31 have been done -- three years before that the local trapper  
32 people have reported a lot of bears killing off these calves.  
33 And so that what initiate the research into the calves.

34  
35 And if I'm hearing two different things from the same  
36 agency, I think we need to really clarify that the next time  
37 we come there because we really also -- you guys got to get  
38 your stories straightened out within your departments there  
39 because I can't sit here and listen to two different stories  
40 when the written documentation is sitting here already.

41  
42 MR. GOOD: Mr. Chairman.

43  
44 CHAIRMAN MILLER: Go ahead, Nat.

45  
46 MR. GOOD: I have a question for David, you  
47 know, this study did show survival rate of 18 percent. What  
48 kind of survival rate are they going to need for moose in  
49 order for that population to grow?

50

00087

1 MR. DAVID JAMES: Well, chances are they're  
2 certainly going to need to have a higher percentage than  
3 that. Let me back up a little bit. First of all, I don't  
4 think you're hearing conflicting points of view at all. What  
5 you're hearing is the total fabric of the story. I really  
6 don't want to waste everyone's time here by having one agency  
7 repeat what another agency already knows. So I was just  
8 trying to give you, you know, some information, written  
9 information, another piece of it. I think if you look -- if  
10 you get all the pieces of this puzzle, and it is a puzzle,  
11 it's a complicated one, on the table in front of you, you're  
12 not going to find a lot of contradiction there, I don't  
13 think. It's just you're in the process now and I understand  
14 that of trying to fit all those pieces together so I  
15 appreciate that.

16  
17 Again, maybe to help out to getting the next step or  
18 the next piece of the puzzle to understand is that the Board  
19 of Game -- the State Board of Game now, and I only bring this  
20 up because I know that you've talked about getting there too,  
21 eventually, is that the whole process of bringing together  
22 the desire to harvest bears and also harvesting bears to  
23 enhance ungulate populations obviously overlap but  
24 nevertheless, the Board tends to take a different approach to  
25 the perspective.

26  
27 For instance, last March in a meeting when the  
28 concern originally came up there was a proposal to liberalize  
29 bear harvest on the Flats. Part of that justification was  
30 exactly what you're talking about here. They wanted to take  
31 more bears in order to give the moose a break, so to speak.  
32 Well, the Board is -- does have a record, they do have a  
33 process whereby they will pass regulations to liberalize bear  
34 harvest for the expressed purpose of helping ungulate  
35 populations. We had some in, you know, 20(D) for instance,  
36 13 and in other parts of the state. However, in order to do  
37 that, they're fairly adamant. They want to go through a very  
38 deliberate process. They want to understand, get all the  
39 information out, the population dynamics, they go through  
40 several steps, work with the staff very closely and usually  
41 will come up with, you know, what would amount to be what's  
42 being called an intensive management program. That whole  
43 process can become very complicated when there are other land  
44 owners, like in this case the Refuge involved.

45  
46 So again, what I just wanted to emphasize here is  
47 that much of the information I think you're striving for and  
48 the direction you want to go you can get to. But I really  
49 don't think it's in contradiction right now. It's just that  
50 the record, as far as the Board is concerned, especially the

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1 traditional use of bears in the summers is just very  
2 incomplete and that's different than saying it doesn't exist,  
3 I mean there is no traditional use in the summer. What the  
4 process is concerned about right now and the Board members  
5 is, you know, hey, this just isn't documented and they're  
6 going to want to understand that. So I just want to put that  
7 -- emphasize that again.

8  
9 MR. GOOD: You know, you just might point out  
10 that there are two Boards here. Any action taken by this  
11 Council also goes to a Federal Board which may or may not  
12 approve of any actions that we have taken as well. And I  
13 think I mentioned that when I said -- or I indicated,  
14 suggested that when I indicated that I was concerned about  
15 the number of moose there were in the area. It's almost  
16 impossible -- impossibility of improving that population, and  
17 the concerns that I have over predator control. Our actions  
18 here, whichever way they go may not be approved by any -- by  
19 our own Board as well.

20  
21 CHAIRMAN MILLER: Go ahead, Philip.

22  
23 MR. P. TITUS: My point of view is the same  
24 as Nat about predator control because there's no fish. I'm  
25 not supposed to talk about fish but there ain't no fish. The  
26 bears are going to eat more meat because there ain't no fish.  
27 And the guys that live off the meat, that there'll be another  
28 resource that they're in danger of losing because nothing is  
29 done or you say we can't do it when all you got to do is  
30 write down with your pen, and say, yes, the season will be  
31 open. That's all you got to do. You can't say we got to  
32 wait and wait until -- you'll wait until there's nothing left  
33 and then you'll say, oh, we should have opened up the season.

34  
35 That's all I got to say.

36  
37 CHAIRMAN MILLER: Calvin.

38  
39 MR. C. TRITT: I lived in Venetie for about  
40 two years and there's a lot of -- we noticed that there's a  
41 lot of bear population and there's quite a few bears that  
42 comes into the village, that we know. I mean there's people  
43 almost see bears almost every other day, you know, going out.  
44 And that just tells you right there that -- you know, people  
45 know what they're talking about. I think that we should just  
46 go ahead and vote on this proposal.

47  
48 CHAIRMAN MILLER: Go ahead, Vince.

49  
50 MR. MATHEWS: Mr. Chairman, as your

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1 Coordinator, I think you need to address -- I know that Dewey  
2 mentioned it and et cetera, about the land status but we do  
3 have maps here that show you the actual land status. If this  
4 action did go into effect it would only effect Federal lands,  
5 period, not Native Corporation lands that have been certified  
6 and et cetera, not private lands, not State lands in there.  
7 So do have maps here. The Refuge have maps here to  
8 understand that.

9  
10 The reason I bring this up is that in other  
11 discussions on proposals in the past we've touched on  
12 concerns about law enforcement. That's not your direct  
13 concern but you do need to think about that as the  
14 implementation if this were to go into effect. So we do have  
15 maps if you do want to take a look at the area in question.

16  
17 MR. L. TRITT: I have one question, one bear  
18 every regulatory year. Does that mean one bear for one  
19 hunter?

20  
21 MR. FLEENER: One bear per hunter per year.

22  
23 MR. L. TRITT: Is there another way to put  
24 that?

25  
26 MR. FLEENER: Is there another way to put it?

27  
28 MR. L. TRITT: Define hunter? And you know  
29 if you do it for a special reason or something, but if it  
30 opens up to every -- even for some of the guns, you know,  
31 this proposal might just backfire?

32  
33 CHAIRMAN MILLER: Anymore discussion.  
34 Question's been called.

35  
36 MR. DAVEY JAMES: I have one more.

37  
38 CHAIRMAN MILLER: Go ahead.

39  
40 MR. DAVEY JAMES: I have one more here, CTAG  
41 is working on a management plan and one of the first question  
42 that I asked, where is our lowest population of moose, and a  
43 document of the State, too, it's 25 west, it's one of the  
44 lowest population of moose in the state of Alaska. And we  
45 also need to look at other management plans and how well --  
46 not only look at the history or traditional and culture, we  
47 also need to look at other -- how are other management plans  
48 going to fit here with this management plan. And it really  
49 will coordinate with the bear manage -- moose management plan  
50 where we've already got documentation of low moose population

00090

1 in that area there. It's one of the lows in Alaska there,  
2 second lowest.

3  
4 I see this -- and the other one is the statistics  
5 that you gather and how you gather the statistics, that kind  
6 of brought me back to scientists again, you know. Then I  
7 always wonder, where does our traditional knowledge  
8 incorporated, you know? How much do you use of that?  
9 Instead of using our traditional knowledge you went outside  
10 the region there and compared us with another region and then  
11 come back and give us statistics. We really need to --  
12 really need to look at that traditional knowledge there.

13  
14 CHAIRMAN MILLER: Anymore discussion?

15  
16 MR. DAVEY JAMES: Mr. Chairman, you were  
17 expecting a response from me. Just very briefly, I think our  
18 use of traditional knowledge is very uneven in some projects  
19 such as with Fortymile as Craig explained to you earlier,  
20 there's absolutely a fairly well written documentation of how  
21 that was incorporated into our management program. In other  
22 areas much of that traditional knowledge is -- may not be  
23 apparent but we do listen to it. And for quite some time now  
24 the comments coming from local folks along the river has been  
25 they're seeing more brown bears. And what's interesting is  
26 that's exactly parallel to the findings or at least it's  
27 consistent with the findings that have come out of the  
28 research the U.S. Fish and Wildlife Service is doing there  
29 now. The guess they had before that data were available  
30 that, you know, black bears probably account for much more  
31 moose mortality than brown bears. It was quite surprising to  
32 see just how large that proportion of brown bear predation on  
33 moose calves is.

34  
35 So without belaboring the point, we're not ignoring  
36 it. And there may be ways that we can refine that in the  
37 future and incorporate it in a much more useful manner, but  
38 like the area biologist out there, Bob Stevenson, I happen to  
39 know, personally places a lot of value on information that he  
40 gets simply talking to people.

41  
42 MR. DAVEY JAMES: One more on the land use  
43 jurisdiction. There's a lot of lands out there that have  
44 never been conveyed over yet so that still falls underneath  
45 the jurisdiction, don't they?

46  
47 MR. MATHEWS: Yes, it does.

48  
49 MR. DAVEY JAMES: Yeah.

50

00091

1 MR. MATHEWS: So without having the map in  
2 front of me and looking over someone's shoulder it looks like  
3 a checker board.

4  
5 MR. DAVEY JAMES: Yeah, but there's lots in  
6 there, like Fort Yukon Corporation, half that land's never  
7 been conveyed yet. So maybe we need some better maps.

8  
9 MR. MATHEWS: Well, we would need better  
10 maps, correct. We have fairly good maps on it but that's a  
11 question, if this were to go into effect, to be able to  
12 identify that checker board when you're out and you harvest  
13 that bear.

14  
15 MR. FLEENER: Something else to point out  
16 though, Federal lands -- it says it right here on Page 73.  
17 That Federal lands do account for 63 percent of Unit 25(D).  
18 Something that I see in here that's kind of troubling, it  
19 says, that there's no Federal land jurisdiction where people  
20 in 25(D) hunt waterfowl, and that's kind of strikingly  
21 strange to me because I know I've shot a few ducks on Federal  
22 land myself. So I would encourage people to make sure that  
23 they're careful about saying things like there's no waterfowl  
24 harvest on Federal land jurisdiction.

25  
26 Question.

27  
28 CHAIRMAN MILLER: Okay, question's been  
29 called.

30  
31 MR. P. TITUS: What's the action?

32  
33 MR. FLEENER: To adopt Proposal 58.

34  
35 CHAIRMAN MILLER: Pete.

36  
37 MR. DeMATTEO: Mr. Chair, one last point of  
38 clarification. Page 71, if you look under where it says  
39 proposed regulation, about two inches down there's an  
40 editor's note. It says sealing is currently only required if  
41 the bears move from the unit. I'd like to point out that  
42 that's not correct. The sealing requirements are that the  
43 bear that remain in the unit or out of the unit the sealing  
44 requirement still stands. Sorry about that one, I just  
45 wanted to point that out. That's not correct as it's  
46 printed.

47  
48 And if this proposal were adopted, that requirement  
49 will also follow through on Federal regulations.

50

00092

1 CHAIRMAN MILLER: All those in favor of  
2 Proposal 58 signify by saying aye.

3  
4 IN UNISON: Aye.

5  
6 CHAIRMAN MILLER: Opposed same sign.

7  
8 (No opposing responses)

9  
10 CHAIRMAN MILLER: Proposal 58 passes.

11  
12 MR. MATHEWS: Mr. Chairman.

13  
14 CHAIRMAN MILLER: Yes.

15  
16 MR. MATHEWS: Then I understand your action  
17 is to adopt Proposal 58 with the clarification by Pete for  
18 that error in there and that also the basis of your decision  
19 was on the spiritual and cultural activities that has been  
20 referenced by the Chief of Stevens Village and further  
21 referenced by the natural resources officer for Stevens  
22 Village, that there is a cultural and spiritual significance  
23 for harvesting brown bears in Unit 25(D) west in the summer  
24 months.

25  
26 CHAIRMAN MILLER: That's correct.

27  
28 MR. MATHEWS: Now, let the record show that  
29 by consensus that was the justification.

30  
31 CHAIRMAN MILLER: Okay, we're on Proposal 61.

32  
33 MR. SHERROD: Thank you, Mr. Chair. Proposal  
34 61 was submitted by Stevens Village. I'd like to point out  
35 that they're in the process of putting the proposal into the  
36 proposal book. There were some errors made. The proposal  
37 actually was to deal with all the wildlife, not just moose,  
38 and to deal with ceremonies beyond those of a mortuary  
39 nature.

40  
41 The analysis took into account the expansion of other  
42 cultural events and ceremonies but focused primarily on  
43 these. I do not think that's going to cause a problem.

44  
45 However.....

46  
47 MR. FLEENER: Mr. Chair, before you continue  
48 on, if there's a big enough change from what the original  
49 intent was, do you actually have something with the original  
50 intent on paper so we can see it?

00093

1 MR. SHERROD: No, I do not have anything to  
2 pass out. I don't see that as a problem, I think we can get  
3 through this.

4  
5 MR. FLEENER: Well, was this proposal  
6 intended to be a moose proposal then or a.....

7  
8 MR. SHERROD: No, it's intended to be all  
9 wildlife and intended to encompass other events beyond  
10 mortuary potlatches. And I'm sure that the representatives  
11 from Stevens Village can clarify that when it's their turn to  
12 make comments.

13  
14 MR. FLEENER: Yes. Perhaps before we get  
15 into meat of the proposal, we might want a clarification from  
16 the folks who.....

17  
18 MR. SHERROD: Author.

19  
20 MR. FLEENER: Yeah, from the author, that's  
21 the right word. Thank you.

22  
23 CHAIRMAN MILLER: Hey, George, on Page 86,  
24 the proposed regulation is written to wildlife, not as moose.

25  
26 MR. SHERROD: Yeah.

27  
28 CHAIRMAN MILLER: So it's in the book.

29  
30 MR. FLEENER: Pardon?

31  
32 MR. GOOD: Page 86.

33  
34 CHAIRMAN MILLER: Page 86.

35  
36 MR. FLEENER: Is 86, Mr. Schwalenberg, is  
37 that in with the intent of what your proposal was? Does that  
38 incorporate your proposal?

39  
40 MR. SCHWALENBERG: The comment I'll make is  
41 this is a moose proposal. When we looked at the language for  
42 the, you know, proposal format we put the word, wildlife,  
43 wildlife meaning in the taking of wildlife that was under the  
44 section for moose. Moose as wildlife. So we've always  
45 intended this to be a moose proposal right from the very  
46 beginning.

47  
48 MR. FLEENER: Okay, thanks.

49  
50 CHAIRMAN MILLER: Okay.

00094

1 MR. SCHWALENBERG: Not wildlife in general.  
2 May I speak at this time or is it still you guys?

3  
4 MR. FLEENER: Well, we're basically in a  
5 clarification of what the proposal is right now and if you  
6 could clarify, does Page 86 fully encompass what you intended  
7 in your proposal?

8  
9 MR. SCHWALENBERG: The only thing that fully  
10 encompasses what we intended in our proposal is this little  
11 handout as far as I'm concerned. Because this thing has  
12 really been a mess from the very beginning because our  
13 original proposal was not printed as we wrote it.

14  
15 CHAIRMAN MILLER: Do you have copies of that?

16  
17 MR. SCHWALENBERG: I have a copy of this.  
18 Yeah, we put together some quick copies so that you can see  
19 the exact language that we're proposing.

20  
21 MR. FLEENER: If the exact wording for the  
22 proposal wasn't put into this proposal booklet then there  
23 might be some serious conflict with other entities that may  
24 have had to review this based on what was written here. If  
25 there's some other problems because of that we might want to  
26 hear from those people who may have had to review this based  
27 on inaccurate information.

28  
29 MR. MATHEWS: Mr. Chairman.

30  
31 CHAIRMAN MILLER: Vince.

32  
33 MR. MATHEWS: On this accuracy question, I  
34 just had to get another notebook, on December 15th, I sent to  
35 all of you the proposal as submitted from Stevens Village  
36 circling the missing language. I'm trying rapidly here to  
37 find out if I did also provide that to the effected villages  
38 and right now I can't find that. But you were informed of  
39 this on December 15th and I suppose I should apologize for  
40 the program that we still have the wrong proposal in this  
41 book. But the way I understood it and Dewey can correct  
42 this, the missing language was traditional cultural events  
43 provided that. It was the cultural events and cultural  
44 ceremony that was deleted from the -- or not inserted in the  
45 proposal as written in the book. So there was a mailout on  
46 the 15th to you and I just need more time to find out if I  
47 send it to the other villages. If my memory serves me  
48 correct, I did but I don't have a copy of that that I did  
49 send it to the villages that would have been effected.

50

00095

1 CHAIRMAN MILLER: Got anything else for us?

2

3 MR. SHERROD: Yes, the analysis if you're  
4 ready.

5

6 CHAIRMAN MILLER: Go ahead.

7

8 MR. SHERROD: When the Federal program  
9 assumed management it adopted language in the State program  
10 recognizing the importance of memorial potlatches and so on  
11 and allowing provisions so that these resources could be  
12 taken.

13

14 In the early years we had some requests that  
15 basically the Board felt was adequately accommodated by the  
16 State provisions and no action was taken. However, as the  
17 program evolved, we received more requests to allow the  
18 taking of resources that basically went beyond those allowed  
19 by the State and these have been worked into our normal  
20 Subpart (D) provisions. For example, in Units 1 through 5,  
21 we allow the taking of any wildlife for potlatches, not  
22 simply restricted to moose. In Unit 9 we allow moose to be  
23 taken for potlatches, the term was used happy potlatches,  
24 that the people should not be restricted to only taking  
25 resources to basically commemorate the death of an  
26 individual. And over the last few years we've taken several  
27 special actions that have allowed for moose and other  
28 resources to be taken. The Tanana Chief's gathering in  
29 Nulato is an example of a special action that was taken just  
30 last fall.

31

32 Given this history the Federal Board has recognized  
33 the importance of the communal feasting among Native  
34 communities and has recognized that this is not simply done  
35 in association with deaths and it is not simply restricted to  
36 only moose. And given that sort of background and the  
37 previous actions the Board has taken, the preliminary  
38 conclusion is to support this proposal and allow this to be  
39 integrated into regulatory language.

40

41 There is, not only with this one, with the other  
42 ones, the Board has an obligation to ensure that the resource  
43 maintains a healthy status. And when we allow these takings  
44 outside of normal seasons and bag limits there has to be some  
45 sort of mechanism worked out to have the community interact  
46 with the appropriate land manager. And some of that specific  
47 language will have to be worked in if this goes forward to  
48 ensure it -- and you know, in 25(D) west we've been talking  
49 about the moose problem there, to ensure that any taking  
50 beyond the existing taking, does not endanger that resource

00096

1 and would probably require that the 30 moose guideline  
2 harvest cap stay in place.

3  
4 That's it.

5  
6 MR. MATHEWS: Mr. Chairman, there were no  
7 written comments and the State has comments on it, on  
8 Proposal 61.

9  
10 CHAIRMAN MILLER: Okay. State.

11  
12 MR. HAYNES: Thank you, Mr. Chairman. Terry  
13 Haynes, Department of Fish and Game. The Department of Fish  
14 and Game opposes this proposal as it was originally written  
15 and we're still trying to sort through the new version of  
16 this proposal and look at how our written comments may need  
17 to be modified. But with the assumption that this proposal  
18 focuses on moose, that would make some of our written  
19 comments inappropriate. So I won't try to review those.

20  
21 I think the State is going to have concerns about  
22 this proposal because of the real unclear definition of what  
23 would constitute a cultural event, something other than what  
24 is already allowed under the religious ceremony or culture  
25 permitting provisions in the State regulations. The Board of  
26 Game has gone a long way toward addressing some of the most  
27 significant, at least, of the Native religious ceremonial and  
28 funerary practices in the Interior. And the proposal that  
29 you're looking at would add another category of cultural  
30 events for one community, if we're reading this proposal  
31 correctly.

32  
33 In addition, it would potentially expand the moose  
34 harvest for one community when under the current regulations  
35 this maximum of 30 bulls that could be harvested is allocated  
36 between three villages that hunt in Unit 25(D) west and we're  
37 not quite sure how you would add -- potentially add this  
38 harvest for ceremonial purposes under the proposal for a  
39 single community. And if, for example, you might end up with  
40 one community getting additional harvest and another  
41 community not being able to take as many moose as it's  
42 normally allowed to. Again, if you're going to keep the  
43 harvest limit at 30 moose, it seems like this proposal is, in  
44 my reading of it, the intention is to allow additional  
45 harvest for ceremonial purposes or cultural activities.

46  
47 So hopefully there can be some more explanation of  
48 just what the implications of this proposal are and that  
49 there would be some clarification of how these additional  
50 activities that aren't currently covered under the State

00097

1 provisions, you know, how those would be defined in the  
2 Federal regulations.

3  
4 MR. GOOD: Mr. Chairman.

5  
6 CHAIRMAN MILLER: Go ahead, Nat.

7  
8 MR. GOOD: The proposal would apply equally  
9 to the other villages as well as I read it Beaver and Birch  
10 Creek. So it would be the three villages. That leads me to  
11 a couple of questions. I don't know if Randy has any clearer  
12 definition of cultural events or does he have any idea of how  
13 many moose that this might entail in a year, additional?

14  
15 MR. SCHWALENBERG: Okay, I'll explain that.  
16 Number 1, the proposal was put in with the understanding that  
17 the communities and the Federal people and I will be the  
18 first to admit that because everything was not reported to  
19 the State folks accurately to begin with, I mean you're  
20 really coming from a disadvantage trying to evaluate the  
21 proposal. So the fact that you didn't have our original  
22 language as I'm sure where some of these comments are coming  
23 from.

24  
25 But there is no expansion of harvest over the 30  
26 animals. We choose to develop what we call intercommunity  
27 cooperative way of harvesting those 30 animals. If you take  
28 a look at the reported harvest 25(D) over the last three  
29 years, you'll see '96/97 17 animals; '97/98 15 animals;  
30 '98/99 22 animals. According to the existing records,  
31 they're not retaining the harvest of 30 animals. So what  
32 we're more interested in is the fact that Stevens Village,  
33 unfortunately, has had an awful lot of deaths in the last  
34 five years. Those deaths do not occur just from August 25th  
35 until February 28th. They have potlatches in July. They had  
36 school educational things in March. They have all sorts of  
37 what we're calling cultural events going on at different  
38 times of the year outside of that existing original hunting  
39 season.

40  
41 Now, as far as the definition goes for cultural  
42 events, I'm sure the people in the community know what a  
43 cultural event is but maybe we have to make a list for other  
44 folks. But anything from youth education projects, tribal  
45 cultural preservation program. Stevens Village started a  
46 tribal cultural preservation program. They have periodic  
47 meetings, cultural gatherings. That would be the appropriate  
48 place for a moose to be harvested for that gathering.  
49 Intertribal gatherings is an appropriate place under  
50 cultural. They also have other spiritual and religious

00098

1 events as well as funerary and mortuary potlatches.

2

3           So what we're saying is we looked at the language in  
4 other units, 1 through 5, and said that's fine as far as it  
5 goes, but the real harvest of the animals in this community  
6 is basically for cultural activities, almost without  
7 exception, the harvest in Stevens Village over the last five  
8 or six years that I've been there has been for cultural  
9 purposes because the meat is brought in. The hunt is part of  
10 a cultural activity. The animal is processed, not only  
11 culturally but spiritually and then a communal gathering  
12 comes together to eat the meat. So to me that's a pretty  
13 good definition of culture, cultural activity. So that's  
14 what we're talking about.

15

16           We were just opposed to the fact that the only  
17 authorized harvest of moose on Federal lands was in that  
18 little time period. The other thing that we were opposed to  
19 was the fact that bulls only were being authorized for  
20 harvest yet the local people do not want to harvest bulls in  
21 the rut. So why would there be a harvest opportunity hunting  
22 season when bulls are in the rut, you see?

23

24           So by this proposal, we're saying the folks out there  
25 should be able to harvest animals when they want. Yes, at  
26 this stage we're willing to live within the 30 animal harvest  
27 for that unit, but we fully intend to take a look at that  
28 biological significance of that 30 animals. That's our next  
29 step, doing an aerial survey of moose here in March. We're  
30 going to get some better data to see if that 30 animal is the  
31 legitimate, you know, number. So for the purposes of this  
32 proposal, yes, we're agreeing to live within the 30 animals  
33 and there would be no expansion above 30 animals but there  
34 will be an expansion of going outside of the existing season  
35 to hunt when the necessity is.

36

37           MR. FLEENER: Would you also be willing to  
38 modify your proposal to identify some of the reason for  
39 harvest such as the several or so you mentioned? I think  
40 that was part of what Mr. Haynes' request was -- it wasn't a  
41 request, it was a statement, that the State didn't understand  
42 what the cultural -- the word, cultural, meant, and if you  
43 would be willing to put those reasons in here that might be  
44 -- that might make it more appealing to the State, I don't  
45 know.

46

47           MR. GOOD: Just to follow up on what Craig  
48 said, you know, what we're looking at here is somebody must  
49 define the cultural events. Whether it is you as the  
50 proposers or it is the Federal land management agency, you

00099

1 have to obtain permission from the Refuge manager who must  
2 make that determination as to whether or not it's a cultural  
3 event. I guess I'm just asking, who would you rather prefer  
4 to make that definition, yourself or somebody else?

5  
6 MR. MAYO: Yeah, you probably know the answer  
7 to that one. I think -- you know, I think the makers of the  
8 proposal would be more suited for that job. I have a concern  
9 about this how it's written, that this is -- you know, does  
10 somebody have to die in order to carry this out. In our  
11 culture, besides memorial potlatches and if you want to get  
12 real cultural, potlatch isn't even our language, it just came  
13 from I don't know where, but hototeteeth (ph), you know,  
14 that's memorial ceremonial. That's not the only time that  
15 this animal is taken in a certain way. And you know, to  
16 people that don't understand the ceremony, you know, it is a  
17 spiritual, cultural ceremony and it's done in a certain way.  
18 And you know, from step one, we don't even have a word in our  
19 language, you know, we don't say we're going to go hunting,  
20 you know, out of respect of that animal, you don't want to  
21 brag and put yourself above it. This is how far it goes with  
22 us.

23  
24 And whether it's memorial ceremony, everything we do  
25 has cultural spiritual, you know, connection to it. You  
26 know, some of the things that Dewey mentioned that we're  
27 working on, you know, youth education projects, tribal  
28 cultural preservation, you know, gathering, intertribal  
29 gatherings, spiritual, religious events and activities. Even  
30 down to our form of government where once a year, you know,  
31 we'll have a gathering, you know, no different from the  
32 Governor or the President's inaugural ball, you know, as a  
33 tribal people that have a government. And you know, these  
34 aren't all connected with the school or like scientific, you  
35 know, study of these animals. Every part, even in these  
36 different projects are, you know, fully utilized in a  
37 spiritual, cultural manner. So for us it's not just meat on  
38 the table, you know. That, hey, let's have a cultural event  
39 every other night. So there won't be no expansion, you know.

40  
41 MR. SHERROD: Mr. Chair, I think that the  
42 important thing in looking at this proposal, I'm looking at  
43 the analysis is if the resource and in this case, moose, is  
44 harvested for communal consumption, that by the fact that  
45 communal consumption has strong roots in Athabascan culture  
46 and other Native cultures that that qualifies as a cultural  
47 event, that the definitions don't really need to become much  
48 more definite than that. It is a communal activity as  
49 opposed to an individual or family activity.

50

00100

1 MR. McCLELLAN: Mr. Chair.

2  
3 CHAIRMAN MILLER: Go ahead.

4  
5 MR. McCLELLAN: I just wanted to -- Greg  
6 McClellan, Yukon Flats National Wildlife Refuge. I just  
7 wanted to maybe explain and clarify the thing that I handed  
8 out, the possible alternative language. This was language  
9 that was found in the green proposal booklet for the  
10 proposals that were put out for public comment. And then the  
11 areas shaded are the language that the Refuge, talking with  
12 Stevens Village, that we requested be taken from the proposal  
13 and then the language that is underlined be substituted. And  
14 then there's also some other handwritten new language. So I  
15 just wanted to make sure it's clear that the stuff that's  
16 shaded would be language that would be taken out and be  
17 substituted for the language that is underlined or  
18 handwritten. But this is something that the Refuge, you  
19 know, working with Stevens Village and Dewey to try to come  
20 up with the compromise that would fill their needs and also  
21 fill the Refuge needs.

22  
23 I just wanted to just clarify that to make sure  
24 that's understood about the shading and the underlying.

25  
26 MR. FLEENER: Mr. Chair.

27  
28 CHAIRMAN MILLER: Go ahead, Craig.

29  
30 MR. FLEENER: Looking at the same paper that  
31 Greg's talking about it says here in the second paragraph  
32 towards the bottom, due to the historic and continuing low  
33 moose population in 25(D) west, the harvest quota for bull  
34 moose for Unit 25(D) west will remain in effect, current  
35 quota at 30 moose and any moose harvested must fall within  
36 this quota. Does that mean that the Fish and Wildlife  
37 Service is expecting that the additional moose be a bull  
38 moose?

39  
40 MR. McCLELLAN: Yes, any moose taken would be  
41 bull.

42  
43 MR. FLEENER: And is that within the spirit  
44 of the request of the author?

45  
46 MR. SCHWALENBERG: As far as we're concerned  
47 that's correct.

48  
49 MR. FLEENER: Thank you.

50

00101

1 MR. MATHEWS: Mr. Chairman, I don't think  
2 anybody got back to Nat's question or -- et cetera, so I feel  
3 I need to do that. Nat mentioned that there would be three  
4 villages involved with this, that's incorrect. If this  
5 proposal passes, it would be only be Stevens Village,  
6 correct, is that my understanding? So it's only the quota  
7 for Stevens Village? I see heads shaking every which way  
8 so.....

9  
10 CHAIRMAN MILLER: That's not the way it's  
11 written.

12  
13 MR. MATHEWS: It would only be Stevens  
14 Village quota under the 30?

15  
16 MR. FLEENER: The quota for 30 is three  
17 communities.

18  
19 MR. MATHEWS: Correct. But this proposal, if  
20 passed, if we follow the recommendation of Staff, would only  
21 be for Stevens Village?

22  
23 CHAIRMAN MILLER: Was that.....

24  
25 MR. SHERROD: Maybe I can clarify this. It  
26 was a little confusing in the proposal. There was a section  
27 that stated that Stevens Village did not want to speak for  
28 Birch Creek and the other communities and we assumed that  
29 that meant they were requesting it for Stevens Village with  
30 the thought that maybe down the road the other communities  
31 might request it on their own.

32  
33 In terms of the impact, and again, we haven't had  
34 proponents come forward from these other communities, I think  
35 that the logic and the justification for allowing this to go  
36 forward would be the same. Certainly Birch Creek and Beaver  
37 have an equal claim to this type of activity as does Stevens  
38 Village. They would also though still be under the 30  
39 guideline limit. And in terms of the writing that was handed  
40 out here, I think it might be -- this is a suggestion,  
41 instead of specifying the 30 which might be changed if things  
42 change, say that this resource and any resource would have to  
43 be harvested under current management guidelines and in this  
44 case we've got a 30 limit only bulls.

45  
46 But maybe Randy could address whether they were  
47 intending this proposal to cover the other communities?

48  
49 MR. SCHWALENBERG: Yeah, our intent was for  
50 the entire unit, that was all three communities. What we

00102

1 were doing is using proper protocol in our proposal saying we  
2 can't make the decision for Beaver and Birch Creek but we did  
3 send them copies of the proposal and we did get a letter back  
4 from Birch Creek and comments from people in Beaver. So as  
5 far as we're concerned, the proposal is for the entire unit,  
6 the three communities involved, and the 30 animals is, at  
7 this time the current ceiling for the harvest of bulls within  
8 the unit.

9  
10 MR. FLEENER: Mr. Chairman, I have a question  
11 for Terry then. Terry Haynes. If this proposal stayed under  
12 the 30 cap and specified cultural purposes, including  
13 cultural preservation, I don't remember the exact wording but  
14 tribal gatherings and annual gatherings and bull only and  
15 included all three communities, would the State then be  
16 inclined to support this proposal? It seemed to me that  
17 those were the ones that were of most concern to the State  
18 and it seems to me that we've fairly addressed these  
19 concerns.

20  
21 MR. HAYNES: Mr. Chairman. Craig, I don't  
22 think I can give you a yes or no answer right now. I think  
23 the -- one thing that we look at it in reviewing regulation  
24 proposals is the precedent that would be established by a  
25 regulation proposal being adopted and what might the  
26 implications be of that kind of regulation occurring over a  
27 larger area. So I think it's something we'll have to talk  
28 about internally and the broader definition of cultural  
29 events, because that is something that would not be covered  
30 under State regulations that provide for additional harvest  
31 for ceremonial purposes, we'll have to evaluate what the  
32 effects might be and if what is being proposed here is  
33 something that we would feel comfortable seeing applied  
34 elsewhere in the state.

35  
36 I'm still a little unclear of just how this  
37 allocation would occur between the three villages. And I  
38 understand, currently, that of these 30 moose, there's  
39 actually an allocation that's set aside for each of the three  
40 villages. And I'm wondering if there might be circumstances  
41 in which one of the villages reached its quota and wanted  
42 opportunity to take an additional moose for a cultural event  
43 and was given permission to do so, that would then, appears  
44 to me, that one of the other villages would not be able to  
45 harvest all the moose that were available under its quota.  
46 And I don't know if that's a real concern. I don't know if  
47 that's something that would effect how permission would be  
48 sought for harvesting moose on this. But it might be  
49 something that would be good to have clarified.

50

00103

1 MR. FLEENER: Dewey speak to that, that would  
2 be good.

3  
4 MR. SCHWALENBERG: I think I used the term,  
5 protocol, a little earlier. There is an intertribal  
6 protocol. The same protocol that we used to not try and  
7 speak for the other two communities, there's that same  
8 protocol as far as we're concerned concerning the agreements  
9 that the tribes make. Originally the allocation was made by  
10 the chiefs of the three villages sitting down and determining  
11 how many animals out of the 30 each village would take.  
12 That's how the original allocation was made. And it was 12  
13 to Stevens Village and 13 to Beaver and five to Birch Creek.  
14 So I don't think that needs to be identified anymore. I mean  
15 if Stevens Village has 12 animals and needs to take one or  
16 two other animals, I'm certain there will be communication  
17 between the tribal councils to find out how best to get the  
18 animals that the communities need.

19  
20 So I don't think that's something that has to be  
21 written into the regulation. It certainly is an active part  
22 of the tribal process and it certainly can be something that  
23 can be dealt with at a technical level as long as everybody  
24 knows what the proper level of harvest is, I think people can  
25 work within that. That's what we're saying anyways.

26  
27 MR. L. TRITT: The most important aspect of a  
28 cultural activity, ritual or what have you is respect. And  
29 it's not the kind of respect that you hear out there today.  
30 The land that -- the animals and plants that the land  
31 provides, it's what keeps us alive. Everything out there can  
32 survive without us. So who is more valuable? You know, who  
33 is more important?

34  
35 And so that's how the Native people deal with the  
36 plants and animals. It's not your inventory. And my  
37 proposal is that the State and everybody who works with all  
38 this wildlife and animals and what have you, learn about our  
39 culture, our traditions, our rituals, and that way we can  
40 save a lot of time with all these explanations. We don't  
41 have to spend so much time in meetings.

42  
43 CHAIRMAN MILLER: Greg.

44  
45 MR. McCLELLAN: I think another point to  
46 make, when you look at the first line of the proposal, it's  
47 taking of moose authorized outside the published open season,  
48 and so 30 permit quota that Dewey talked about, 12 for  
49 Stevens Village, 13 for Beaver, five for Birch Creek, you  
50 know, those are the permits, Federal subsistence permits that

00104

1 are issued for the August 25th through February 28th season.  
2 So any moose taken within the regular season, there would  
3 already be those permits that would cover it so this would be  
4 after -- you know, this regulation is more geared toward the  
5 time period from March 1st through August 24th that during  
6 the regular season if there weren't 30 moose taken and either  
7 there was a death in one of the communities or there was a  
8 cultural event, then somebody could request that. Like I  
9 said, there's language in here, up to 30 moose, so if 30  
10 moose have been taken already, that's been decided that  
11 that's the limit and then there won't be authorization to  
12 take anymore moose than that.

13

14 MR. GOOD: Mr. Chairman.

15

16 CHAIRMAN MILLER: Go ahead, Nat.

17

18 MR. GOOD: First I just want to make certain  
19 that we're all on the same page, literally here. Are we all  
20 discussing at this point the possible alternative language;  
21 is that what we're working on? Is that the proposal we're  
22 working with here?

23

24 MR. FLEENER: Yes.

25

26 MR. GOOD: Okay. Then I'd like to go to  
27 paragraph two, line five and ask that the words, the species  
28 and, be removed from this since it applies strictly to moose.  
29 And then in the third paragraph, third line at the end of the  
30 line, remove, species of wildlife taken, from that as well.  
31 We don't need species there if it strictly applies to moose.

32

33 UNIDENTIFIED VOICE: What was that?

34

35 MR. GOOD: The third line, at the every end  
36 where it says, species of wildlife. This applies only to  
37 moose so we don't need that. That was the third paragraph.

38

39 CHAIRMAN MILLER: That's just generic wording  
40 ain't it?

41

42 MR. GOOD: Species of wildlife, no, we want  
43 just moose in there, right?

44

45 MR. FLEENER: Well, we certainly can adopt  
46 Proposal 61 as it is on Page 85 because that doesn't reflect  
47 the proposal of Stevens Village.

48

49 MR. GOOD: Which way are we going, that was  
50 my question first?

00105

1 CHAIRMAN MILLER: Go ahead, Vince.

2

3 MR. MATHEWS: All right. The motion on the  
4 floor was to adopt Proposal 61, and it's pretty much the one  
5 that was reflected on Page 86.

6

7 MR. GOOD: So we're not using.....

8

9 MR. MATHEWS: So since that one is so flawed  
10 and the motion on the floor is to adopt Proposal 61 on Page  
11 86, the logic would be to vote that down and then vote in --  
12 or pass a motion for this modified Proposal 61 as reflected  
13 on that page we've all talked. No.

14

15 MR. FLEENER: There's not a motion. There  
16 hasn't been a motion to adopt.

17

18 MR. MATHEWS: Oh, there has not, I stand  
19 corrected.

20

21 MR. SHERROD: You mean Page 85 not 86?

22

23 MR. MATHEWS: 85 is the summary -- executive  
24 summary, it's really not the proposal, it's the summary. The  
25 proposal itself is on Page 86. But I stand corrected,  
26 there's no motion on the floor so I apologize.

27

28 MR. GOOD: But that has wildlife rather than  
29 moose, again, too.

30

31 MR. MATHEWS: Yeah.

32

33 MR. FLEENER: That's what he was just saying  
34 that they're so flawed so.....

35

36 MR. MATHEWS: But there is no motion, I  
37 apologize.

38

39 MR. SHERROD: Mr. Chair.

40

41 CHAIRMAN MILLER: Go ahead, George.

42

43 MR. SHERROD: I think there's two questions  
44 here and I think maybe if we could look at it in that way.  
45 The first question that you have to broach is basically, is  
46 this a subsistence use of resources, allowing moose, in this  
47 case, to be taken outside of existing seasons and bag limits  
48 for communal activities or ceremonial activities?

49

50 The second one has to do with making sure that that

00106

1 harvest is not detrimental to the population. And that is  
2 something that is usually worked out in regulatory language  
3 and is not necessarily something that this body has to be  
4 particularly -- get every word right and get it on the  
5 record. I think that the record reflects that you either  
6 support or to do not support the essence, and that is, this  
7 ceremonial taking of resources. And that if it reflects that  
8 if you do support this that you support it being done in a  
9 manner that is not detrimental to the population. That's all  
10 that needs to be dealt with and that the regulatory  
11 specialist will then work out the language. And I'm sure  
12 that the Refuge and the villages will all work together to  
13 ensure that the resource is not damaged.

14  
15 MR. FLEENER: Mr. Chair.

16  
17 CHAIRMAN MILLER: Craig.

18  
19 MR. FLEENER: So we can move it along, I'd  
20 like to make a motion to adopt Proposal 61 but I'd like the  
21 record to clear that Stevens Village does recognize that  
22 they're going to stay under the 30 cap, that they're to be  
23 used for specific cultural purposes that were outlined a few  
24 minutes ago, including the annual gathering and intertribal  
25 gatherings and I don't remember the other ones.

26  
27 MR. GOOD: Also which there is three  
28 villages.

29  
30 CHAIRMAN MILLER: Craig, this is the one you  
31 wanted.....

32  
33 MR. FLEENER: I'm not done yet. Yeah. And  
34 that they're going to harvest bulls only and that the  
35 proposal would include all three communities in 25(D) west.

36  
37 MR. GOOD: Before seconding it I'd like to  
38 ask a question. Does that -- it is on this proposed.....

39  
40 MR. FLEENER: Correct.

41  
42 MR. GOOD: Okay, if that's being done I would  
43 ask you also to include the changes that I mentioned earlier?

44  
45 MR. FLEENER: And include the changes to  
46 delete the species and, and the species of wildlife in the  
47 third paragraph.

48  
49 MR. GOOD: Second.

50

00107

1 CHAIRMAN MILLER: Now, that we're all totally  
2 confused here.

3  
4 Go ahead.

5  
6 MR. SCHWALENBERG: Would it be helpful if we  
7 would read what exactly it is we mean for the record?

8  
9 Now, the only thing I'm missing is that third  
10 paragraph for the species and species of wildlife.

11  
12 MR. FLEENER: Third paragraph, third line,  
13 the last three words.

14  
15 MR. SCHWALENBERG: Okay, that's deleted.  
16 Okay.

17  
18 Therefore what our proposal is; says, the taking of  
19 moose is authorized outside of published open seasons  
20 provided in this part for food in memorial potlatches and  
21 traditional, cultural events is authorized in Unit 25(D) west  
22 provided that, the person organizing the religious ceremony  
23 or cultural event or their designee must obtain permission  
24 from the Refuge manager, Yukon Flats National Wildlife Refuge  
25 or his designee, prior to taking or attempting to take game  
26 and provide to the Refuge manager or his designee, the name  
27 of the decedent, the nature of the ceremony or cultural  
28 event, a number to be taken and the general area in which the  
29 taking will occur. The taking does not violate recognized  
30 principles of fish and wildlife conservation.

31  
32 Due to the historic and continuing low moose  
33 population in 25(D) west, the harvest quota for bull moose  
34 for Unit 25(D) west will remain in effect current quota at 30  
35 moose and any moose harvested must fall within this quota.

36  
37 Each person who takes wildlife under this section  
38 must submit a written report to the Refuge manager or his  
39 designee not more than 15 days after the harvest, specifying  
40 the harvester's name and address, the number, sex.....

41  
42 MR. FLEENER: And the date.

43  
44 MR. SCHWALENBERG: And the date and -- or  
45 excuse me, the date or the nature of the cultural event and  
46 locations of taking and the name of the decedent for whom the  
47 ceremony was held -- no, I'll take that back, I've got to go  
48 back one line.

49  
50 Right after where we deleted species of wildlife

00108

1 taken, should be the date and location of the taking and the  
2 name of the decedent for whom the ceremony was held or the  
3 nature of the cultural event. No permit or harvest ticket is  
4 required for taking under this section, however, the  
5 harvester must be an Alaska rural resident with customary and  
6 traditional use in that area where the harvesting will occur.

7

8 UNIDENTIFIED VOICE: Question.

9

10 CHAIRMAN MILLER: Well, do you want to.....

11

12 MR. FLEENER: That's exactly what my motion  
13 was for was in support of this which is what he read. And  
14 just underlining that these four things are basically  
15 identified within this.

16

17 CHAIRMAN MILLER: Okay, did you want to  
18 include the other two villages or something.

19

20 MR. FLEENER: That was the last thing I said,  
21 I did, I said the proposal does include all three communities  
22 in 25(D) west. I made that statement.

23

24 CHAIRMAN MILLER: Okay, so I got a motion and  
25 a second. Discussion.

26

27 MR. DAVEY JAMES: We need to obtain  
28 permission from the Refuge managers, what grounds can they  
29 refuse you on? How long would it take then, what's the time  
30 period?

31

32 MR. McCLELLAN: The intent of having that  
33 language in there was because of the harvest quota of 30  
34 bulls. So if the harvest quota of 30 bulls has been met then  
35 permission would be denied for an additional take over that  
36 30.

37

38 MR. DAVEY JAMES: Okay. Is there a kind of a  
39 fine line there on traditional religions, you know? I mean  
40 there might be other -- I mean if we have a manager that  
41 comes up and he don't, you know, agree on traditional  
42 activities that's going on, where does, you know, where is  
43 that line drawn at.

44

45 MR. FLEENER: Mr. Chair, this is the one  
46 reason that I wanted to make sure that we had these three  
47 things outlined. That at least the three things that they  
48 included, which is what the reason that they would be doing  
49 this harvest or that this should be incorporated into that.

50

00109

1 But it is still a good question to direct to the  
2 Refuge. What if there is someone that says no.

3  
4 MR. SCHWALENBERG: Well, as far as we're  
5 concerned what Greg said is exactly the way we interpret it.  
6 I mean when the language says the Refuge or his designee, I  
7 would have to believe that the cultural definitions are going  
8 to be deferred by the Federal people to tribal councils. I  
9 mean that's just proper protocol. Now, as far as the  
10 biological significance, 30 animals, et cetera, is where I  
11 agree with Greg and the Refuge saying that they could provide  
12 a valuable function to coordinate those harvests, oversee  
13 those harvests between the three communities.

14  
15 But I really don't think we need to define, you know,  
16 each and every cultural event that needs to go in here so  
17 that we can say a Refuge manager has to allow it now because  
18 this cultural event is listed here. I mean if you want to  
19 use the communal use of the animals as a general definition,  
20 that would be fine with us. But we fully intend to retain  
21 the decisionmaking authority on what is a cultural event  
22 right here with the tribal council and the local people. So  
23 I think this gives us everything we need to have to be able  
24 to work together with the Refuge and, you know, agree to the  
25 harvest levels, et cetera. But they're going to have to  
26 defer to the tribal council, the tribal government, the  
27 traditional people, the definition of cultural event.

28  
29 That's the way we're interpreting it.

30  
31 CHAIRMAN MILLER: That's the same  
32 interpretation that the Yukon Flats National Wildlife Refuge  
33 manager has, too?

34  
35 MR. HUER: Mr. Chairman, certainly our intent  
36 was to just look at this from a biological standpoint and to  
37 cut the harvest off when we reach 30 animals, that's what  
38 we're trying to do and that was the intent of getting the  
39 permission from the Refuge manager.

40  
41 CHAIRMAN MILLER: Well, it sounds good to me.

42  
43 MR. FLEENER: Question.

44  
45 CHAIRMAN MILLER: Question's been called.  
46 All in favor of Proposal 61 as modified right?

47  
48 MR. FLEENER: Yes.

49  
50 CHAIRMAN MILLER: Signify by saying aye.

00110

1 IN UNISON: Aye.

2

3 CHAIRMAN MILLER: Opposed same sign.

4

5 (No opposing responses)

6

7 CHAIRMAN MILLER: Proposal 61 passes. Shall  
8 we recess until tomorrow?

9

10 MR. P. TITUS: Yes.

11

12 MR. MATHEWS: Mr. Chairman, if you're looking  
13 for direction on what to do. We have 32 proposals, I  
14 believe, we've covered two. We have -- I've been approached  
15 by several Councilmembers about church tomorrow. We had a  
16 start time of 9:30, so I think we should probably take a  
17 break and then huddle between the leadership to see if we  
18 need to have an evening session and how to address the  
19 desires to attend church services tomorrow.

20

21 CHAIRMAN MILLER: Let's take five.

22

23 (Off record - 4:46 p.m.)

24

25 (On record - 5:04 p.m.)

26

27 CHAIRMAN MILLER: We'd like to call this  
28 meeting back to order please.

29

30 MR. GOOD: Do you want a motion on the floor?

31

32 CHAIRMAN MILLER: Wait, we're going to block  
33 these together. Hey, Pete, you said we can block a couple of  
34 these proposals together.

35

36 MR. DeMATTEO: There's eight of them that  
37 will go fairly quickly.

38

39 CHAIRMAN MILLER: Are those the ones  
40 that.....

41

42 MR. DeMATTEO: 50 is not one of them.

43

44 MR. MATHEWS: Okay, Proposal 50 which is the  
45 first one in your book under Tab Q, it has to do with black  
46 bear. It establishes a customary and traditional use  
47 determination for Unit 12.

48

49 MR. GOOD: Mr. Chairman, I move that we adopt  
50 Proposal 50 with the modifications as shown in the

00111

1 preliminary conclusion.

2

3 MR. SHERROD: You don't want to hear the  
4 analysis?

5

6 CHAIRMAN MILLER: Page 14?

7

8 MR. GOOD: Yes.

9

10 MR. FLEENER: Excuse me, Mr. Chair, you were  
11 saying the modifications were on Page 14?

12

13 CHAIRMAN MILLER: Yes. It's the second  
14 paragraph over.

15

16 MR. FLEENER: Second.

17

18 CHAIRMAN MILLER: Discussion.

19

20 MR. FLEENER: So the motion is to include  
21 Chistochina and Mentasta, the modification would also include  
22 Delta, Dot Lake, Healy Lake, Chicken, Eagle, (inaudible -  
23 away from mic) Slana, (inaudible - away from mic) Chistochina  
24 and Mentasta Lake.

25

26 MR. GOOD: Mr. Chairman.

27

28 CHAIRMAN MILLER: Go ahead, Nat.

29

30 MR. GOOD: Just a comment here. Every time  
31 we look at anything that's going to possibly restrict any  
32 hunters of predators such as black bears or grizzly bears I  
33 get very nervous but this one with the adoption of the  
34 preliminary conclusions becomes considerably broader. I  
35 think we always want to look very carefully at anything  
36 involving say bears or wolves and any possible restrictions.

37

38 MR. FLEENER: Is there any -- you're going to  
39 give presentation, do you have.....

40

41 CHAIRMAN MILLER: George, the analysis?

42

43 MR. SHERROD: Do you want it now?

44

45 MR. FLEENER: Yes, please.

46

47 MR. SHERROD: Well, usually you hear it  
48 before you make a motion, I was confused.

49

50 Well, this one came before you last year and your

00112

1 action last year was to adopt the unit and surrounding  
2 subunits for the reasons that Mr. Good pointed out, concern  
3 about excluding anybody. The Board was not comfortable with  
4 sort of the approach you took, the ingenious approach you  
5 took. In part, because they thought that the issue of how to  
6 do C&Ts were going to be resolved by the C&T committee, they  
7 opted to send it back for your consideration.

8  
9 This analysis is basically a rewrite of last years.  
10 I can't remember what the original conclusion was in last  
11 years proposal. But all of the communities identified in  
12 here have some record of harvesting black bear in Unit 12.  
13 Last years recommendation that you put forth which was units  
14 and surrounding units, the only surrounding unit that is  
15 excluded from this, the only way that this conclusion differs  
16 from what essentially you put forward last year is that Unit  
17 11 to the south is left out because McCarthy is the only real  
18 community along the road in that unit and there was no record  
19 there of any harvest in 12.

20  
21 MR. FLEENER: Thank you.

22  
23 CHAIRMAN MILLER: Is that it, George?

24  
25 MR. SHERROD: That's it.

26  
27 MR. MATHEWS: We had public comments and I do  
28 need to apologize to the Delta Junction Advisory Committee,  
29 they submitted their comments on time and by oversight were  
30 not put in the book. So I'm going to have to bounce around  
31 here a little bit.

32  
33 On Proposal 50, the Upper Tanana Fortymile Advisory  
34 Committee opposed it. This is unnecessarily restricting  
35 given the black bear population.

36  
37 The Delta Junction Advisory Committee, similar. This  
38 is a restrictive proposal. It takes away the hunting right  
39 of the majority of the rural residents to hunt black bear.  
40 It would also mean that we would have to oppose predator  
41 control at some future point. They opposed the Proposal 50.

42  
43 The Alaska Department of Fish and Game has comments  
44 and they may want to discuss their comments on Proposal 50.

45  
46 MR. HAYNES: Thank you, Mr. Chairman. While  
47 we would prefer that there not be a C&T determination made at  
48 all, our comments did want to ensure that all adjoining areas  
49 that might have a C&T use in Unit 12 be included.

50

00113

1 I do have a question that I should perhaps direct to  
2 the National Park Service and to clarify that if the Staff  
3 recommendation was adopted, would that prohibit residents of  
4 resident zone communities in Unit 11 from hunting within  
5 portions of the Park, Wrangell-St. Elias National Park in  
6 Unit 12? We've seen situations where if a resident zone  
7 community does not have a C&T use in a unit that includes  
8 Park lands, that residents of those communities have been  
9 prohibited from hunting under the Federal subsistence  
10 regulations. So what we would want to do is ensure that  
11 members of Park Resident Zone communities would not be  
12 restricted from other areas of the Park that are included in  
13 this proposal.

14  
15 MR. FLEENER: Mr. Chair.

16  
17 CHAIRMAN MILLER: Go ahead, Craig.

18  
19 MR. FLEENER: What community, in particular,  
20 would you be referring to would be excluded? McCarthy?

21  
22 MR. HAYNES: Any residents or communities in  
23 Unit 11.

24  
25 MR. SHERROD: There was no harvest and let me  
26 -- you know, this is -- again, this bear determination thing  
27 has been a big issue, not only for this Council but for other  
28 Councils. In Eastern Interior (sic) when they dealt with  
29 this they recommended deferring any action on it because  
30 there was no necessity -- I mean Western. That proposal is  
31 going to be back in front of them again next week because the  
32 Board said, you know, we don't defer we make determinations.

33  
34 I see two options here, one of which is we make a  
35 determination knowing that it is an matter of due process any  
36 time we deal with, particular, black bear because of the lack  
37 or the scarcity of documentation. And we also realize that  
38 because State seasons and Federal seasons and bag limits are  
39 the same, no one is potentially adversely effected with the  
40 possible example that Terry pointed out. Or you send a  
41 message back to the Board and say we're not going to make a  
42 determination. And I'm not advocating either one.

43  
44 I think if you opt to defer again or whatever you  
45 plan on doing, I know last year you came up with a method or  
46 an approach that tried to fit the regulatory system in what  
47 you saw was the reality in these communities. I would --  
48 well, I made the recommended -- what do you call it, the  
49 primary conclusion but I wouldn't be the least bit offended  
50 if you went off in some other direction.

00114

1 MR. FLEENER: Mr. Chair, I would not like to  
2 support a proposal that is going to limit a rural community  
3 from accessing a place where they presently do have access if  
4 there's not need to limit that access and I don't think  
5 there is in this case.

6  
7 Mr. Sherrod, if we decide to vote this proposal down,  
8 that would not negatively impact these communities or would  
9 it?

10  
11 MR. SHERROD: It would still be no  
12 determination and in theory, any rural resident could hunt.  
13 Now, I'm not sure this would be a question again for the Park  
14 Service. I'm not sure if they interpret a no determination  
15 as allowing hunting to take place in the Park.

16  
17 MR. FLEENER: No, they have to have C&T  
18 determination to hunt in the Park, I thought.

19  
20 MR. SHERROD: So if it's a no determination  
21 they can't hunt black bear in the Park?

22  
23 MR. TWITCHELL: Thank you. Hollis Twitchell,  
24 Denali National Park. A no determination would mean that  
25 those resident zone communities or individuals who have a  
26 customary and traditional use would be able to continue those  
27 uses in the Park. So the no determination does not exclude  
28 the use, it would be whatever the Federal Subsistence Board  
29 says in terms of seasons and bag limits. It would not be  
30 exclusive.

31  
32 CHAIRMAN MILLER: Is there a black bear  
33 season now in the Park?

34  
35 MR. TWITCHELL: That's correct.

36  
37 CHAIRMAN MILLER: Okay.

38  
39 MR. FLEENER: So voting this proposal down  
40 would, in fact, not exclude anyone from harvesting in the  
41 place where this -- in Unit 12?

42  
43 MR. SHERROD: It would basically give the  
44 status quo, which is, because there's not a determination,  
45 all rural residents would be eligible to hunt in Unit 12 and  
46 those individuals that qualify to hunt within the Park would  
47 be able to hunt within the Park.

48  
49 MR. FLEENER: For clarification, I was under  
50 the impression that if you didn't have C&T determination you

00115

1 could not hunt in the Park. I guess that's incorrect? Yes.

2

3 MR. MATHEWS: The debate here is a positive  
4 C&T versus a negative C&T versus a no determination. Boy.  
5 If you have a negative determination meaning.....

6

7 MR. FLEENER: Not allowed.

8

9 MR. MATHEWS: .....not allowed, then you  
10 cannot hunt within the Park. If you have a positive C&T  
11 determination, those that have that positive determination  
12 would be allowed to hunt. If you have a no determination  
13 which is -- this is really difficult to do because actually  
14 you're making a determination but if you maintain the no  
15 determination then as Mr. Hollis said -- Twitchell, then they  
16 would be allowed to hunt in there. So there's three types of  
17 determinations, negative, positive and a determination has  
18 not been made.

19

20 MR. FLEENER: Mr. Chair, if this proposal  
21 passes then rural communities -- rural users would not have  
22 access to those resources, I would be inclined to vote no on  
23 this one.

24

25 CHAIRMAN MILLER: Anymore discussion? Go  
26 ahead, Frank.

27

28 MR. ENTSMINGER: Yeah, Mr. Chair, members of  
29 the Council. My name is Frank Entsminger, I'm a member of  
30 the Upper Tanana Fortymile Advisory Committee. And I believe  
31 the reason the committee voted no on this particular proposal  
32 as it was written was because of the restrictive nature.  
33 We've always been opposed to restricting rural residents for,  
34 you know, any type of usage.

35

36 Probably the committee would favor a no determination  
37 because basically that means that as far as, you know, the  
38 Wrangell-St. Elias Park is concerned, that as long as you're  
39 a resident zone community or had a 1344 to utilize the Park  
40 area, you could still hunt black bears there. So we would  
41 recommend either a no determination or if you feel you have  
42 to make a determination on black bears, to be, you know, very  
43 inclusive of all of the communities and areas that do use  
44 that resource at this time. And the suggestion by Staff on  
45 Page 14 includes most of them but there are some resident  
46 zone communities, like Glennallen and other communities in  
47 Unit 11 that would be excluded, and I'm certain that those  
48 people, you know, certainly wouldn't want to be excluded for  
49 black bear, such a common critter with a liberal bag limit  
50 and all; they wouldn't want to be excluded from utilizing the

00116

1 resource.

2

3 So I mean if you cared to modify it and then vote on  
4 it, you know, we could probably figure out all the  
5 communities that do use the resource right now or just go  
6 with a no determination. Because right now the species is  
7 not in jeopardy. There's not really any necessity to make a  
8 determination at this time.

9

10 CHAIRMAN MILLER: You made the motion, right?

11

12 MR. FLEENER: He made the motion, I seconded  
13 it.

14

15 CHAIRMAN MILLER: Okay. So do you want to  
16 change your motion then?

17

18 MR. FLEENER: No. All we have to do if we  
19 don't support it is to vote no.

20

21 MR. GOOD: Vote it down.

22

23 MR. FLEENER: If you want to support it vote  
24 yes, if you don't want to support it vote no.

25

26 MR. GOOD: Or the other alternative would be  
27 to amend it to include everybody else in Unit 11. So those  
28 are the options.

29

30 MR. FLEENER: Question.

31

32 CHAIRMAN MILLER: Okay, question's been  
33 called.

34

35 MR. FLEENER: I think someone had a question  
36 out in the audience. Hollis.

37

38 CHAIRMAN MILLER: Hollis, okay.

39

40 MR. TWITCHELL: The way Denali Subsistence  
41 Resource Commission approached it, last year on several  
42 proposals dealing with black bear and brown bear is that they  
43 recommended that unless there was a biological need to make a  
44 determination, they'd prefer not to have a determination  
45 made. If the Board decides to make a C&T determination, then  
46 they usually recommended that the resident zone communities  
47 or the subsistence user areas would be included within that  
48 C&T. So that's how they approached it last year.

49

50 This year we have several bear proposals before them

00117

1 again. And they've reviewed those analysis and made a  
2 determination that the communities and areas of resident  
3 zones and subsistence users were included within those  
4 analysis and so they have supported several of the bear  
5 determinations.

6  
7 So there was two processes going on here. First,  
8 last year, they recognized that they'd rather not have a C&T  
9 determination made as a preference and if the Board was going  
10 to make one they made sure that they recognized those  
11 communities to be included. This year they have reviewed  
12 those proposals again, and have concluded that the  
13 communities associated with Denali are adequately covered and  
14 documented within the analysis and so they have moved forward  
15 with some recommendations.

16  
17 CHAIRMAN MILLER: Okay, the question has been  
18 called. All in favor of Proposal 50 signify by saying aye.

19  
20 (No affirmative responses)

21  
22 CHAIRMAN MILLER: Opposed same sign.

23  
24 IN UNISON: Aye.

25  
26 MR. MATHEWS: Mr. Chairman, then for the  
27 record, you've rejected Proposal 50 because it was too  
28 restrictive on subsistence uses of it and there is no  
29 biological need to restrict subsistence uses, correct?

30  
31 CHAIRMAN MILLER: Yes.

32  
33 MR. MATHEWS: Thank you. The next proposal  
34 is Proposal 51. Proposal 51 is to align the moose season  
35 with the State season in Unit 12.

36  
37 MR. FLEENER: Mr. Chair, maybe we could  
38 handle -- if we could address these in combination, the ones  
39 that are just meant to align the State and Federal season so  
40 we could pass them all rather quickly. Maybe we could take  
41 two minutes to let Vince get these together and give us these  
42 proposals.

43  
44 These are meant to make any earth shaking changes,  
45 they're only meant to align Federal and State seasons like we  
46 did earlier with the other ones.

47  
48 CHAIRMAN MILLER: You should have them  
49 already together, don't you?

50

00118

1 MR. DeMATTEO: Mr. Chair, as Mr. Fleener just  
2 pointed out, you submitted eight proposals with the intent to  
3 line up the Federal seasons with the State. All but one, the  
4 remaining seven do just that. Proposal 55, you couldn't  
5 cover under that format because it proposes something else  
6 altogether. But Proposal 51, 52, 53, 56, 59, 60 and 62, you  
7 could do just that, you could more less consent agenda them.

8  
9 MR. FLEENER: And Mr. Chair.

10  
11 CHAIRMAN MILLER: Go ahead, Craig.

12  
13 MR. FLEENER: Pete, is there any comments by  
14 Staff or ADF&G that's in opposition to our recommendation?

15  
16 MR. DeMATTEO: No, there are not.

17  
18 MR. FLEENER: For those proposals?

19  
20 MR. DeMATTEO: No.

21  
22 MR. FLEENER: Correct. So everyone is in  
23 agreement that those are good proposals to pass.

24  
25 CHAIRMAN MILLER: Go ahead, Vince.

26  
27 MR. MATHEWS: I was approached by the area  
28 biologist, Craig Gardner, that he wanted to talk on these so  
29 I'm not sure if had some comments on lynx and coyote and.....

30  
31 MR. GARDNER: Oh, no, I'm just.....

32  
33 MR. FLEENER: You don't want us to hunt  
34 coyotes?

35  
36 MR. GARDNER: (Inaudible - away from mic)

37  
38 MR. MATHEWS: Okay, I take it then that he  
39 doesn't have any comments because he did express to me that  
40 he did want to -- but he has none now.

41  
42 MR. GOOD: He wants to get them done.

43  
44 MR. DeMATTEO: Maybe just to put everybody's  
45 mind at ease. These proposals do nothing more than either  
46 expand the current season or expand -- or increase the  
47 harvest limit to match that of the State. No additional  
48 impacts or harvests are anticipated because people who either  
49 trap or hunt these animals do so under the current State  
50 season. So no additional harvest is anticipated under the

00119

1 Federal season.

2

3 MR. FLEENER: Mr. Chair.

4

5 CHAIRMAN MILLER: Go ahead, Craig.

6

7 MR. FLEENER: Could you give us the number of  
8 those again so I can include them in a motion? Pete, can you  
9 give me the numbers of those proposals?

10

11 MR. DeMATTEO: Yeah, again, these are  
12 proposals that this Council submitted, 51, 52, 53, 56, 59, 60  
13 and 62.

14

15 MR. FLEENER: Thanks. Mr. Chair, I make a  
16 motion that we adopt Proposal 51, 52, 53, 56, 59, 60 and 62.

17

18 MR. C. TRITT: I'll second.

19

20 CHAIRMAN MILLER: Okay, second. Discussion.

21

22 MR. GOOD: These are proposals basically and  
23 I think we should get this vote over with.

24

25 CHAIRMAN MILLER: Go ahead, Vince.

26

27 MR. MATHEWS: Mr. Chairman, I will lean on  
28 the representation from Upper Tanana Fortymile Advisory  
29 Committee and Delta Junction Advisory Committee. I'm trying  
30 to look through really quick, but the way I see this is that  
31 both committees would be supportive of these proposals. Is  
32 that fair to say? Frank Entsminger is shaking his head  
33 positively for Upper Tanana, and I can't -- and the gentleman  
34 for Delta Advisory Committee, so the record should reflect  
35 that the two effected advisory committees support them.

36

37 Let the record also reflect that in your book before  
38 you that there may be other written comments there, which you  
39 have had this book mailed to you earlier than this and that  
40 you've had time to review it. So there are comments -- if  
41 there are comments, they are noted in the book.

42

43 Thank you.

44

45 MR. DeMATTEO: Mr. Chair.

46

47 CHAIRMAN MILLER: Go ahead, Pete.

48

49 MR. DeMATTEO: One additional comment. The  
50 development of these analysis are widely coordinated with all

00120

1 the pertaining agency reps, most of them which I believe are  
2 here. For thoroughness, I think you may want to ask if any  
3 of those folks have something to add before you put it to  
4 vote.

5  
6 CHAIRMAN MILLER: Who?

7  
8 MR. DeMATTEO: Any one of the agencies that  
9 have a vested interest in these proposals that you're about  
10 to vote on?

11  
12 CHAIRMAN MILLER: Anybody want to say  
13 anything on these proposals?

14  
15 UNIDENTIFIED VOICE: Mr. Chair, those numbers  
16 again?

17  
18 MR. FLEENER: Proposal 51, 52, 53, 56, 59,  
19 60, and 62. And just for the record, the only ones with  
20 comments are Proposal 51 and it's one comment in support,  
21 public comment, 55 is a public comment in support and 56 is  
22 two public comments in support.

23  
24 UNIDENTIFIED VOICE: What about 55?

25  
26 MR. FLEENER: No, we're not dealing with 55  
27 at the time, excuse me.

28  
29 MR. DeMATTEO: That's next.

30  
31 MR. FLEENER: Okay. So the only public  
32 comments are in support. Question.

33  
34 CHAIRMAN MILLER: Question's been called.  
35 All in favor signify by saying aye.

36  
37 IN UNISON: Aye.

38  
39 CHAIRMAN MILLER: Opposed same sign.

40  
41 (No opposing responses)

42  
43 CHAIRMAN MILLER: The proposal passes.

44  
45 MR. DeMATTEO: Mr. Chair, the next proposal  
46 is Proposal 55 on Page 61. This proposal was submitted by  
47 the Eastern Interior Council. This would close the Federal  
48 August 10th through September 30th caribou season in Unit  
49 20(E) and 25(C), that portion south and east of the Steese  
50 Highway.

00121

1           This closure would take place when a combined Federal  
2 and State harvest of 100 bulls of the Fortymile Herd have  
3 been reached. That 100 is combined between the two subunits,  
4 not 100 each.

5  
6           The proposed regulation would ensure that 50 of the  
7 total 150 bull quota would be available for the winter season  
8 which is November 15th through February 28th in both  
9 subunits. It would prevent the harvest from exceeding 100  
10 bulls under the Federal regulation for the fall season.

11  
12           This agreement is between the Federal agencies and  
13 the State and was touched on by Mr. Gardner before under  
14 Fortymile Caribou Herd Management Plan. This 150 bull quota  
15 would be in effect the next regulatory year and in the  
16 following one and then would sunset the year 2001 when the  
17 new harvest plan, which should be a more liberal harvest,  
18 would take effect.

19  
20           The reason why this proposal was submitted to the  
21 Federal Board was we more or less follow the State's lead  
22 upon closure of the fall season at 100 bulls upon  
23 notification through emergency order from the State Board of  
24 Game. Currently, it takes a Federal Board action through a  
25 special action which can take a number of days under the best  
26 of circumstances and thus the Federal season remains open and  
27 you run the risk of additional bulls above the 100 limit  
28 being harvested and that dips into the 50 that are supposed  
29 to be allocated for the winter season.

30  
31           If this proposal is adopted, the Federal Board would  
32 thus delegate its closure authority to the Bureau of Land  
33 Management and the National Park Service. So as soon as the  
34 State would close it through emergency order, those two  
35 agencies could do it by just notifying the public more or  
36 less.

37  
38           And again, that regulation would stay in effect  
39 through the next two regulatory years and then it would  
40 sunset.

41  
42                   MR. FLEENER: Mr. Chair, I make a motion that  
43 we adopt Proposal 55.

44  
45                   MR. GOOD: Second.

46  
47                   CHAIRMAN MILLER: Discussion.

48  
49                   MR. FLEENER: I have a question. There's a  
50 public comment down here that says that we need to cleanup to

00122

1 clarify that the total take in 20(E) and 25(C) equals 100  
2 caribou. Does the State and appropriate Federal agencies see  
3 that as necessary language in the regulation?

4  
5 MR. GARDNER: Craig Gardner, area biologist  
6 in Tok. You hit on a little more complicated question and  
7 that's a good one and it comes from last year, fall harvest.

8  
9 What happened is that 25(C) and 20(E) are basically  
10 managed under the same permit. Now, up to this year,  
11 normally the harvest, there's some over in 25(C) and then the  
12 herd moves over into 20(E) and actually a majority of the  
13 harvest usually occurs there. Well, what happened this year,  
14 it all happened on the Steese Highway side and the animals --  
15 basically the quota was met prior to the herd getting over  
16 into 20(E) and the residents of 20(E) and parts of 20(D)  
17 didn't have the opportunity to hunt caribou. And so that  
18 point there was basically to separate a quota for 25(C) and  
19 20(E). You know, basically give the 25(C) people, you know,  
20 the Circle, Central, Hot Spring folks along the Steese  
21 Highway their own quota and then have a quota on the 20(E)  
22 side that would meet the Taylor Highway residents, you know,  
23 and then along the Alaska Highway.

24  
25 I am going to go in front of the Game Board in March  
26 and I'm actually going to be asking for that. I'm going to  
27 be asking for a separate quota for 25(C). I'm still kind of  
28 playing with the numbers and talking to the folks in Central  
29 and Circle, but it looks like 25, 30 for 25(C) and 50 to 55  
30 for the 20(E) portion of the hunt.

31  
32 MR. FLEENER: So are you in basic agreement  
33 with.....

34  
35 MR. GARDNER: Right.

36  
37 MR. FLEENER: .....admission of these?

38  
39 MR. GARDNER: Yeah.

40  
41 MR. FLEENER: Clarifying this, in what way do  
42 you -- how do you see that we could clarify this in the form  
43 of a motion?

44  
45 MR. GARDNER: I'm going to need some help for  
46 that from some of the Federal folk on how they want to put  
47 it.

48  
49 MR. FLEENER: Do you need a copy, oh, you've  
50 got the book, it's on Page 58 if you wanted to take a look at

00123

1 the proposal.

2

3 MR. GARDNER: Basically what I'm going to do  
4 is make a separate permit for 25(C). Now, the way it's going  
5 now it's a joint permit, you know, and that actually the  
6 State issues. Now, if the Federal side, if you guys agree,  
7 we can basically create a new permit for 25(C), that will  
8 still be joint, and then have another permit for 20(E) that  
9 will be joint. And that's actually the best language I can  
10 think of, you know, for quotas.

11

12 CHAIRMAN MILLER: Still have a combined  
13 harvest of 50?

14

15 MR. GARDNER: You would have a combined  
16 harvest of 85 between 25(C) and 20(E).

17

18 CHAIRMAN MILLER: Okay.

19

20 MR. GARDNER: Because there's another quota  
21 of 15 that goes for 20(D), Nat's country and 20(B), you know,  
22 that herd hits a lot of subunits and so there's actually  
23 another hunt there. That 15, there's no reason to change.

24

25 MR. FLEENER: Mr. Chair, would we really have  
26 to address whether or not there's two permits? I don't think  
27 our Council would have to get involved in that?

28

29 CHAIRMAN MILLER: No, that's Craig.

30

31 MR. FLEENER: The division of the permits,  
32 would we?

33

34 MR. GARDNER: No, I wouldn't think so.

35

36 CHAIRMAN MILLER: No.

37

38 MR. FLEENER: So maybe we don't really have  
39 to get into that. That would be a management type of --  
40 yeah, Vince. Vince is waiving paper.

41

42 MR. MATHEWS: The comment there's been  
43 discussion on is from the Upper Tanana Fortymile Advisory  
44 Committee and the Delta Advisory Committee support this  
45 proposal. And I know of no other comments other than the  
46 State which was commented on.

47

48 MR. MATHEWS: Anymore discussion.

49

50 MR. GOOD: Mr. Chairman, we do need to amend

00124

1 this because it does need to be adjusted here. The way this  
2 is written there would be 100 animals in each area which  
3 would be 200 which then would be 50 past the quota that  
4 Federal and the State are both agreeing to.

5  
6 So I move that we amend this to read in 20(C), the  
7 figure be changed from 100 to -- is that 50, Craig?

8  
9 CHAIRMAN MILLER: Eighty-five.

10  
11 MR. GARDNER: Where?

12  
13 MR. GOOD: In 20(E). Was that 20(C) 50 and  
14 35 in 20(E); is that what you said?

15  
16 MR. GARDNER: No, in 25(C) go with 30.

17  
18 MR. GOOD: Thirty. Okay, I move for 30 in  
19 25(C) and 50.....

20  
21 MR. GARDNER: Fifty-five.....

22  
23 MR. GOOD: .....55 in.....

24  
25 MR. GARDNER: .....in 20(E).

26  
27 MR. GOOD: .....20(E).

28  
29 MR. GARDNER: And remain with 15 in the  
30 remainder of areas.

31  
32 MR. DeMATTEO: Mr. Chair, I suggest to amend  
33 the proposal to reflect those numbers that Mr. Gardner just  
34 laid out for you, because if you don't, if we stick with the  
35 proposal as written, the BLM and the National Park Service  
36 won't have the authority to slam on the brakes until we hit  
37 100, we're right back where we started.

38  
39 CHAIRMAN MILLER: A friendly amendment.

40  
41 MR. FLEENER: Well, I consider that a  
42 friendly amendment to my motion if the second would also.

43  
44 MR. GOOD: Yes.

45  
46 MR. FLEENER: So.....

47  
48 MR. GOOD: Moved and seconded then.

49  
50 MR. FLEENER: That's been changed.

00125

1 MR. GOOD: Question.

2

3 CHAIRMAN MILLER: Okay. Question's been  
4 called. All in favor of Proposal 55 as amended signify by  
5 saying aye.

6

7 IN UNISON: Aye.

8

9 CHAIRMAN MILLER: Opposed same sign.

10

11 (No opposing responses)

12

13 CHAIRMAN MILLER: Proposal 55 passes.

14

15 MR. SHERROD: We've got 54, we skipped over  
16 it.

17

18 MR. DeMATTEO: Mr. Chair, that concludes the  
19 proposals that deal with seasons and bag limits, the rest are  
20 C&T.

21

22 CHAIRMAN MILLER: Okay.

23

24 MR. SHERROD: And there's only one and it's  
25 Proposal 54. Proposal 54 deals with black bear and brown  
26 bear in Units 20(A) and 20(C). And I'm going to, given your  
27 last action, I'm going to point out that in both of these  
28 cases there is currently a no determination for black bear  
29 and for brown bear in those areas.

30

31 It's also important to note and I think this has  
32 relevance to the last action you took, there is very limited  
33 data available on the harvest of black bear and on the use of  
34 both black bear and brown bear, which might support a  
35 decision not to take action on these proposals or to oppose  
36 these proposals. And it may be a logic that the Board might  
37 be more willing to swallow than simply that there's not a  
38 biological necessity to take action on that.

39

40 I can jump to the conclusions which are on Page 50,  
41 and basically what is listed there under the conclusion are  
42 those communities for those units for which there exists some  
43 sort of evidence suggesting use. And again, we're in the  
44 situation where more than likely there are communities out  
45 there that for a number of reasons aren't included. It's  
46 also probably relevant for you to consider that in 20(A) and  
47 20(C), we have almost no Federal lands.

48

49 So with that, unless there's other questions or you  
50 feel you need a more in-depth -- okay.

00126

1 CHAIRMAN MILLER: Go ahead, Vince.

2

3 MR. MATHEWS: Just for me to keep track, are  
4 we separating out Proposal 20 or are we combining that with  
5 50?

6

7 MR. SHERROD: Well, 20 and 50 are analyzed  
8 together. For purposes of a vote they'll have to be dealt  
9 with separately to keep the record.

10

11 MR. MATHEWS: All right. The advisory  
12 committee comments -- let's see Delta Advisory Committee  
13 opposes Proposal 54, it's too restrictive. It takes away the  
14 resident, you know, the rural residents.

15

16 I suppose I can help Hollis out. The Denali  
17 Subsistence Resource Commission supports Proposal 54 as  
18 modified in the analysis for the reasons stated in the  
19 justification.

20

21 And I don't see -- I don't think Upper Tanana  
22 Fortymile commented on this.

23

24 CHAIRMAN MILLER: Philip.

25

26 MR. P. TITUS: We discussed this proposal  
27 yesterday in Nenana -- and Minto and Nenana opposed this  
28 proposal because it would restrict other people from using  
29 the resource, which is against our (inaudible - away from  
30 mic).

31

32 MR. GOOD: Is there a motion on the floor?

33

34 MR. FLEENER: No, we don't.

35

36 MR. GOOD: And if we don't put a motion on  
37 the floor, what happens?

38

39 MR. SHERROD: I think you can just bring up  
40 20 and deal with it first, it's the black bear proposal. And  
41 then once you've dealt with that, deal with 54, the brown  
42 bear proposal. And the reason these were brought together,  
43 again, is because they deal with the same geographic unit,  
44 community descriptions are basically generic and would have  
45 been redundant and most of the bear information available to  
46 us is also somewhat generic to both brown and black bear.

47

48 MR. FLEENER: Mr. Chairman, I make a motion  
49 to adopt Proposal 20.

50

00127

1 MR. GOOD: What page is it on?

2

3 MR. FLEENER: It's on Page 38. No second, I  
4 guess it dies.

5

6 CHAIRMAN MILLER: Well, what's going on here,  
7 do we just move on?

8

9 MR. GOOD: Does that eliminate it if we  
10 simply don't second it?

11

12 MR. SHERROD: Pardon? I don't know I'm not  
13 Robert.

14

15 MR. FLEENER: Come on now.

16

17 CHAIRMAN MILLER: Vince's rules of order here  
18 or what?

19

20 MR. FLEENER: I'd like someone to second it  
21 so we could at least discuss it.

22

23 MR. DAVEY JAMES: I'll second it.

24

25 MR. FLEENER: Thank you.

26

27 MR. FLEENER: The communities that are  
28 between Milepost 216 and 309, can they currently harvest  
29 brown and black bear in Unit 13?

30

31 MR. SHERROD: There's no determination so any  
32 rural resident can currently harvest brown and black bear in  
33 Units 20(A) and 20(C).

34

35 MR. FLEENER: So this would restrict everyone  
36 except those dwelling between 216 and 309?

37

38 MR. SHERROD: No. That's as the proposal was  
39 put in. On Page 50, right at the very top would be the  
40 proposed or my suggested determinations, again, based on the  
41 data available. But as I say, with all bear proposals we run  
42 a more than likely chance that we're going to exclude  
43 somebody simply because the data hasn't been collected.

44

45 MR. FLEENER: And do we have some names of  
46 some communities on the tips of our tongues that would be  
47 excluded by adopting this proposal?

48

49 MR. SHERROD: That we know shouldn't be?

50

00128

1 MR. FLEENER: That we know shouldn't be?

2

3 MR. SHERROD: I don't have, no.

4

5 MR. GOOD: I have a question then, since  
6 Delta Junction has part of its residents living inside of  
7 20(A), why wouldn't they be considered?

8

9 MR. SHERROD: Pardon?

10

11 MR. GOOD: Since Delta Junction has part of  
12 its residents living inside of 20(A), when you look across --  
13 out here across this open spot, that's 20(A) right there.

14

15 MR. SHERROD: Right.

16

17 MR. GOOD: And part of our residents are in  
18 20(A), why would they be excluded?

19

20 MR. SHERROD: It says residents of 20(A)  
21 would be included in the Unit 20(A) determination.

22

23 MR. GOOD: Right. So part of the Delta  
24 Junction residents would be in and the rest of them on the  
25 other side of that line right there would be excluded?

26

27 MR. SHERROD: And that's an artifact of the  
28 data. And this is where, you know, if you want to move  
29 forward with a determination and you have knowledge that it's  
30 incorrect, this is the arena in which you put that on the  
31 record and we make the adjustments.

32

33 MR. GOOD: It's easier to oppose it, no  
34 determination.

35

36 CHAIRMAN MILLER: Anymore discussion, Craig?

37

38 MR. FLEENER: Question.

39

40 CHAIRMAN MILLER: Question's been called. Do  
41 you want to do them together or separate?

42

43 MR. FLEENER: Well, we can vote on this. I  
44 plan on voting no for.....

45

46 CHAIRMAN MILLER: For both of them?

47

48 MR. FLEENER: .....20 so far. That's the  
49 only one on the table.

50

00129

1 CHAIRMAN MILLER: Twenty, okay. All in favor  
2 of Proposal 20 signify by saying aye.

3  
4 (No affirmative responses)

5  
6 CHAIRMAN MILLER: Opposed same sign.

7  
8 IN UNISON: Aye.

9  
10 CHAIRMAN MILLER: Fails.

11  
12 MR. FLEENER: Mr. Chair, I make a motion that  
13 we adopt Proposal 54.

14  
15 CHAIRMAN MILLER: Second.

16  
17 MR. GOOD: I'll second.

18  
19 CHAIRMAN MILLER: Discussion.

20  
21 MR. FLEENER: Analysis.

22  
23 MR. SHERROD: Proposal 54 was basically the  
24 same analysis, the same generic. If you want me to go into  
25 detail, again, we're going from a no determination to a  
26 determination of the recommendation, the conclusion for 54 is  
27 on the bottom of Page 50. Again, these include villages for  
28 which there is some indication that they potentially  
29 harvested bear in these units.

30  
31 And you can read it or I can read it to you.

32  
33 MR. FLEENER: That won't be necessary Mr.  
34 Sherrod, thank you.

35  
36 CHAIRMAN MILLER: Lincoln.

37  
38 MR. L. TRITT: I just wonder why all this  
39 interest in bears all of a sudden, you know. Where I come  
40 from bears are not -- you know, are not taken lightly. You  
41 know, you don't just go out and start shooting bears, you  
42 know. They're powerful animals and you need to respect them.

43  
44 MR. SHERROD: Some of these proposals have  
45 been on the books since the program started and came out of  
46 letters and all sort of other things. It's not like there's  
47 all of a sudden a big interest. These have been here for  
48 awhile.

49  
50 MR. L. TRITT: I feel funny about saying,

00130

1 yeah, go out there and shoot bears, you know.

2

3 MR. FLEENER: Mr. Chair, I plan on voting no  
4 on this.

5

6 CHAIRMAN MILLER: Okay, Craig. Did I hear  
7 someone call for the question?

8

9 MR. GOOD: Question.

10

11 MR. FLEENER: Question, yes.

12

13 CHAIRMAN MILLER: Question's been called.  
14 All in favor of Proposal 54 signify by saying aye.

15

16 (No affirmative responses)

17

18 CHAIRMAN MILLER: Opposed same sign.

19

20 IN UNISON: Aye.

21

22 MR. SHERROD: And I would, if I can add, the  
23 justification or at least part of the justification is the  
24 lack of data specific to these resources in these areas.

25

26 MR. FLEENER: And that we don't want to  
27 unnecessarily exclude potential users.

28

29 MR. SHERROD: Yes.

30

31 CHAIRMAN MILLER: Yes.

32

33 MR. SHERROD: I think we ignored Mr. Haynes  
34 here in this whole process.

35

36 MR. FLEENER: I think Mr. Haynes.....

37

38 MR. GOOD: He has no objections.

39

40 MR. P. TITUS: Well, if he.....

41

42 MR. HAYNES: It might be to your advantage.

43

44 (Off record comments)

45

46 MR. MATHEWS: Mr. Chairman, there's been a  
47 request to -- I know we're bouncing all over but due to  
48 travel time there's been a request to take up Proposal 9 and  
49 11. Now, I realize, so the record reflects that in the  
50 agenda there is no mentioning of ordering of proposals and

00131

1 there's a note in the agenda that was sent out that these are  
2 estimated times in order of agenda topics. So if it's all  
3 right with you we could take up 9 and 11?

4  
5 MR. P. TITUS: Do you have a copy in there?

6  
7 MR. MATHEWS: Well, somewhere.

8  
9 MR. GOOD: Page 232 and 236.

10  
11 MR. FLEENER: Right.

12  
13 MR. MATHEWS: We have a comment that may  
14 object -- Mr. Chair, there is a comment from the.....

15  
16 MR. FLEENER: (Inaudible - away from mic).

17  
18 CHAIRMAN MILLER: Hollis.

19  
20 MR. TWITCHELL: I request that we go through  
21 Proposal 25 (inaudible - away from mic)

22  
23 CHAIRMAN MILLER: Well, step right up then  
24 Hollis.

25  
26 MR. MATHEWS: Mr. Chairman, then we'll take  
27 up number 25, and I apologize Hollis, I forgot the earlier  
28 request. Basically these are all dealing with individual --  
29 kind of dealing with individual C&T determinations. So we  
30 will get to 9 and 11 tonight, so people can -- okay, thank  
31 you.

32  
33 MR. FLEENER: I think we'll put 9 and 11 off  
34 until tomorrow afternoon.

35  
36 MR. P. TITUS: That sounds like a good time.

37  
38 MR. GOOD: Page 238.

39  
40 MR. P. TITUS: Are we in discussion?

41  
42 MR. FLEENER: Mr. Chairman, I make a motion  
43 that we adopt Proposal 25.

44  
45 MR. GOOD: Second.

46  
47 CHAIRMAN MILLER: Okay. Discussion.

48  
49 MR. TWITCHELL: In your books on Page 241 is  
50 where Proposal 25 is found. It's in Tab S, page 241.

00132

1 CHAIRMAN MILLER: Hollis, this is the same  
2 one we went through last year and the year before?

3  
4 MR. FLEENER: Yes, it is.

5  
6 MR. TWITCHELL: That's correct. Proposal 25  
7 replaces Proposal 38 from 1998 dealing with the request from  
8 a subsistence user in Denali, Dan O'Connor, requesting an  
9 individual C&T determination for use in moose on National  
10 Park lands in Denali.

11  
12 Again, the Federal subsistence regulations have a  
13 provision in them that would allow on National Park Service  
14 lands only the Federal Subsistence Board to do an individual  
15 C&T determination and this is what Dan O'Connor is  
16 requesting.

17  
18 Last year the Eastern, Western and Southcentral  
19 Regional Advisory Councils, the three of them associated with  
20 Denali all reviewed this proposal. The recommendation by the  
21 Eastern Interior Advisory Council recognizing National Park  
22 Service Subsistence Permittees for having subsistence --  
23 traditional subsistence use on Park lands as a method of  
24 dealing with these individual requests for authorization was  
25 re viewed by the other Councils and adopted as well.

26  
27 The reasoning behind that was to eliminate the  
28 situation of having individual names showing up in their  
29 regulation books as well as reducing the amount of  
30 application an individual would have to do by applying both  
31 to the Park Service for a subsistence use permit and then  
32 applying to the Board for an individual C&T request as well  
33 as to reduce the work load to the advisory councils and  
34 boards for future requests.

35  
36 The Federal Subsistence Board, before their meeting  
37 deferred Proposal 38 and requested that the solicitor's  
38 office review that regulatory provision that would allow the  
39 Board to make those determinations. To this date we have not  
40 heard back officially from the solicitor regarding that  
41 review. So that is still pending and I have not been  
42 informed as to just when that response will be forthcoming  
43 but I know it's under consideration at the solicitor's  
44 office.

45  
46 MR. FLEENER: I'd like to amend my motion to  
47 actually delete where it says, and Dan O'Connor and change  
48 that back to all 1344 permittees. It should be recognized  
49 like we had it prior for exactly the reason that Mr.  
50 Twitchell pointed out if that's okay with the seconder of my

00133

1 motion.

2

3 MR. GOOD: Acceptable.

4

5 MR. TWITCHELL: In that case, moving to the  
6 preliminary conclusions on Page 248, the preliminary  
7 conclusions recommending adopting Proposal 25 as modified by  
8 the Eastern, Western and Southcentral Regional Advisory  
9 Councils in 1998. The Councils recommended that the Federal  
10 Subsistence Board adopt the policy that individuals who have  
11 demonstrated their customary and traditional use of Park  
12 resources and have received a subsistence use permit from the  
13 National Park Service be granted a positive individual C&T  
14 use determination. The determination would be applicable on  
15 NPS, National Park and Monument lands administered by the  
16 National Park Service only. And the individual subsistence  
17 permittees names will not be listed in the Federal  
18 regulations.

19

20 If you would like I'll go through the justifications?

21

22 CHAIRMAN MILLER: Go ahead, Vince.

23

24 MR. MATHEWS: I think Hollis already probably  
25 covered the Denali SRC, correct? Their position. And then  
26 there is Delta Junction and I don't know if Upper Tanana  
27 talked about Proposal 25. But I do have Denali's and.....

28

29 MR. TWITCHELL: The Denali Commission, at  
30 their last meeting, reviewed Proposal 25 and they support it  
31 as modified by the Eastern, Western and Southcentral Regional  
32 Advisory Councils in their 1998 deliberations.

33

34 MR. MATHEWS: Okay. And the Delta Junction  
35 Advisory Committee took it up at their meeting and they  
36 support Proposal 25. You have on Page 250 the written  
37 comments from both your Council and Western Interior Council.  
38 And the only -- we have not shared is the Alaska Department  
39 of Fish and Game's comments on Proposal 25. They're on Page  
40 250.

41

42 MR. HAYNES: Mr. Chairman, I believe the  
43 preliminary recommendation for action on this proposal is  
44 consistent with our comments. We didn't support the proposal  
45 as written, but as long as the recommended action is to limit  
46 the application to Park lands then we support that proposal.

47

48 MR. FLEENER: Question.

49

50 CHAIRMAN MILLER: Question's been called.

00134

1 All in favor of Proposal 25 as modified signify by saying  
2 aye.

3  
4 IN UNISON: Aye.

5  
6 CHAIRMAN MILLER: Opposed same sign.

7  
8 (No opposing responses)

9  
10 CHAIRMAN MILLER: Proposal 25 passes.

11  
12 MR. FLEENER: Mr. Chairman, I'd also be  
13 really interested, with your permission, with us submitting  
14 another letter since it's a question of qualified subsistence  
15 users not being recognized for many years in the Parks hasn't  
16 been addressed. We haven't received a response. Maybe we  
17 could send another letter with increased urgency on it.

18  
19 Have we received anything to your knowledge, Vince?

20  
21 MR. MATHEWS: No, we have not received a  
22 response. It was sent to the Federal Subsistence Board  
23 asking for an expedited resolution to the individual C&T.

24  
25 Do you want another letter?

26  
27 MR. FLEENER: Yep.

28  
29 CHAIRMAN MILLER: Go ahead, Lincoln.

30  
31 MR. L. TRITT: Yeah, can I ask about the  
32 subsistence permit, who issues it and what is it all about?

33  
34 CHAIRMAN MILLER: Subsistence permit?

35  
36 MR. L. TRITT: Yeah.

37  
38 MR. FLEENER: Those 1344 permits are issued  
39 by the Park and maybe Mr. Twitchell could address that.

40  
41 MR. TWITCHELL: There are two processes that  
42 the Park Service uses to identify people who traditionally  
43 use Park lands.

44  
45 One of them is through resident zone identification  
46 of communities that have significant concentrations of people  
47 who have used the Park resource for subsistence.

48  
49 The second method is by using subsistence use permits  
50 for people who live elsewhere, other communities or areas

00135

1 that don't have that significant concentration. These  
2 individuals apply for a permit to the Superintendent and  
3 based upon their personal customary and traditional use as  
4 well as past family traditional use is considered in the  
5 process of applying. The individuals are looked at in terms  
6 of the full range of their personal or their families  
7 traditional use. Everything from -- well, the full range of  
8 subsistence uses, timber, plants, trapping, hunting, fishing,  
9 a variety of the wildlife species are all considered in the  
10 process. Once an individual receives a permit, anyone who  
11 lives within that household is also eligible within that  
12 individual's household as well.

13  
14           Once an individual is issued a permit, what the park  
15 does is it assimilates the Federal Subsistence Board's C&T  
16 determinations as a condition to the permit saying that  
17 subsistence taking of fish and wildlife are guided by the C&T  
18 determinations passed by the Federal Subsistence Board.

19  
20           What would occur in this situation where an  
21 individual is asking for an exception from an existing C&T,  
22 they would provide supplemental information such as Dan  
23 O'Connor has in his analysis for us. Recognizing that if the  
24 Board does grant this provision of recognizing these  
25 individuals, then we would also include within their permit  
26 an acknowledgement of this individual's use which goes beyond  
27 what the existing community C&T determinations are.

28  
29           MR. L. TRITT: That seems like it needs to be  
30 looked at. Sounds to me like a process with too many  
31 loopholes.

32  
33           MR. TWITCHELL: In what sense?

34  
35           MR. L. TRITT: If you're giving out a  
36 subsistence permit, you're defining subsistence, aren't you?

37  
38           MR. TWITCHELL: I didn't understand, would  
39 you say that again?

40  
41           MR. L. TRITT: If you are giving out a  
42 subsistence permit, aren't you defining subsistence?

43  
44           MR. TWITCHELL: No, we're not, we're simply  
45 identifying those individuals or people that have been  
46 subsistence users. We're not defining subsistence.

47  
48           MR. L. TRITT: Then how do you know who gets  
49 it?

50

00136

1 MR. TWITCHELL: Those people who have had  
2 past personal or family history of using the park area  
3 resources for subsistence purposes.

4  
5 MR. L. TRITT: That would be easy to come by.  
6 I just wanted to clarify it.

7  
8 MR. FLEENER: Mr. Chairman, I make a motion  
9 that we adopt Proposal 9.

10  
11 MR. GOOD: Second.

12  
13 MR. MATHEWS: Mr. Chairman, out of fairness  
14 to Lincoln, do you have enough understanding from Hollis'  
15 explanation of the process there that you would not change  
16 your vote on Proposal 25?

17  
18 MR. L. TRITT: No.

19  
20 MR. MATHEWS: That you're comfortable when  
21 you voted on 25 and the subsequent information that you would  
22 still vote the same?

23  
24 MR. L. TRITT: I said I didn't vote.

25  
26 MR. MATHEWS: Okay. All right.

27  
28 MR. L. TRITT: No, I abstained.

29  
30 MR. MATHEWS: Oh, you abstained?

31  
32 MR. L. TRITT: Yes.

33  
34 MR. MATHEWS: Oh, okay.

35  
36 UNIDENTIFIED VOICE: Pay attention, Vince.

37  
38 MR. FLEENER: Proposal 9, there's a proposal  
39 on the table and seconded. I have a question on Proposal 9,  
40 since it looks like our gang over here is gone. The  
41 additional family or families receive sheep maybe you guys  
42 can explain that in your analysis. If you look at Page 231  
43 the bolded area says "proposed regulation: add additional  
44 family or families for C&T of sheep in the remainder of Unit  
45 11." Maybe you guys can go into a little bit of a  
46 description of that in your analysis, as you understand it.  
47 Go ahead and do your analysis first.

48  
49 MR. CALLAWAY: I think what we were going to  
50 do in 9 and 11 is simply give you an update of where we are

00137

1 in the process. In bold right there it says the staff  
2 analysis is not available. We just did the interviews this  
3 week. We had seven applicants for individual C&T in Unit 11  
4 for (indiscernible)

5  
6 COURT REPORTER: Excuse me, sir, can you move  
7 the microphone up. Thank you.

8  
9 MR. CALLAWAY: There are seven applicants,  
10 four of which we interviewed this week. One requested that  
11 she be able to submit a written response to her proposal,  
12 since we haven't been able to set up a meeting with her. She  
13 lives in Fairbanks. The two others, one we scheduled a  
14 meeting. but the person had to be in Fairbanks, so they  
15 missed the interview. And another that we're developing a  
16 little more information on. These latter two may be  
17 withdrawn. And, essentially, these proposals are much like  
18 what Hollis just talked about, we go to the individual and we  
19 use the eight factors to ask them to document their  
20 individual and family use of sheep and/or goat in the  
21 southern part of Unit 11.

22  
23 And so, in terms of a time line, we hope to have our  
24 analysis completed around the beginning of April to allow the  
25 park some time to look it over and then present it to the SRC  
26 meeting in April for the Wrangell-St. Elias SRC meeting.

27  
28 MR. FLEENER: Mr. Chair, so where it says add  
29 additional family, that's not really just a blank slate of  
30 adding family after family, it's actually referring to  
31 families in general that have applied already?

32  
33 MR. CALLAWAY: I'm not quite sure of the  
34 history, but as I understand it is an individual family  
35 has to apply as it's now set up, put forward a proposal to be  
36 granted individual C&T, and there were seven names on this  
37 list, so it's not all families, it's just seven applicants at  
38 this point for two species in southern 11.

39  
40 MR. FLEENER: Well, I'd like a little more  
41 clarification. Maybe if Mr. Entsminger could climb up to the  
42 podium.

43  
44 MR. ENTSMINGER: Thank you, Mr. Chair,  
45 Council members. Yeah, I could give you just a little bit of  
46 background. The reason that spurred some of the families in  
47 Upper Tanana to just request individual family C&Ts is  
48 because of the -- you know, some of the exclusive  
49 determination of usage in Unit 11. Basically, two years ago  
50 the Board, although they decided Upper Tanana had some usage

00138

1 of Unit 11, they basically drew a line at the Sanford River  
2 and they said that Upper Tanana communities could use sheep  
3 north of the Sanford River with -- there's a few minor  
4 exceptions, but that's the general rule.

5  
6 But there were families in the various communities up  
7 there that had used the resources south of the Sanford River  
8 and still feel that they should be qualified to hunt south of  
9 the Sanford River, so once the Board made the determination  
10 that they no longer qualified, we felt that the only recourse  
11 we had was to try to get individual family C&Ts for usage  
12 south of the Sanford River, and that's what prompted these  
13 proposals.

14  
15 And, basically, I wrote the request to Mitch  
16 Demientieff for these individual families to get C&Ts and I  
17 had no way of knowing if there was just two or three families  
18 or if there might be five or six or 10 families that felt  
19 that they had C&T use down there, so that's where the family  
20 designation arrived from. But, basically, it's if a family  
21 feels they have a C&T usage down there, I wanted them to be  
22 able to request to the Board for their, you know, individual  
23 family usage down there, because now the community just has a  
24 general north of the Sanford River designation.

25  
26 Does that answer your question, Craig?

27  
28 MR. FLEENER: Yes. And where they would be  
29 getting the opportunity to hunt would be in the Wrangell-St.  
30 Elias area; is that.....

31  
32 MR. ENTSMINGER: That's correct. And this is  
33 just specific to Wrangell-St. Elias Park really, because  
34 actually the preserve lands they're -- you know, even under  
35 State regulations they're allowed to hunt preserve lands.

36  
37 MR. FLEENER: Right.

38  
39 MR. ENTSMINGER: But as far as the National  
40 Park lands you have to be, you know, one of the resident  
41 zoned communities or have a 1344, plus have a positive C&T  
42 designation in order to harvest resources there.

43  
44 MR. FLEENER: I think, for me, the most  
45 confusing thing would be seeing this in the regulations and I  
46 think not only would I be confused but I think anybody that  
47 read it where it says "add additional family" -- it's kind of  
48 like having an individual's name in the reg book, it seems  
49 pretty -- it seem like it's wide open so that anybody in the  
50 state could apply the way it's written here on Page 231 "add

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1 additional family or families" and if this is the way it's  
2 going to be put in the regs it seems kinds of strange. I  
3 don't know.

4  
5 MR. ENTSMINGER: In response to that, Craig.  
6 I had no way of knowing, you know, I don't think even today  
7 there's a formal procedure on how to get this through the  
8 Board and so, basically, I just wrote a letter to Mitch, you  
9 know, requesting if it could be done. You know, I kind of  
10 wanted, you know, maybe an avenue to get it done. And I  
11 think under the 1344 permitting system would probably be the  
12 way to do it though the park service regulations because it  
13 only allows for, you know, individual C&T determinations on  
14 park lands anyway, so it would be the logical step to go  
15 through the 1344 permitting system.

16  
17 MR. FLEENER: And I see here that the State  
18 has opposition because it appears that it would include areas  
19 outside of the park. And maybe Mr. Haynes could address  
20 that.

21  
22 MR. HAYNES: Mr. Chairman, this proposal was  
23 constructed in the same fashion as the previous proposal,  
24 Number 25. The idea is Dan O'Connor is seeking the same  
25 opportunity to hunt in Denali National Park as these  
26 families, these applicants, that Don has interviewed, are in  
27 Wrangell-St. Elias National Park, so the way Proposal 25 is  
28 handled would seem to be the appropriate way to address  
29 Proposals 9 and 11, and to clarify the language.

30  
31 MR. FLEENER: So if we were to say, all  
32 individual 1344 permittee holders have access to Unit 11  
33 National Park land that would -- no?

34  
35 MR. HAYNES: Let the Park -- that would  
36 satisfy our concerns to restrict us to the park areas.

37  
38 MR. CALLAWAY: Unfortunately I don't think  
39 the whole process has been formalized yet, and they're, I  
40 know, continuing discussions within the Park Service and  
41 within the Federal Subsistence Board about who will make the  
42 decision on these. I know the Regional Advisory Councils  
43 have requested that individual names not come before them,  
44 you don't have to deal with a lot of individual -- but it's  
45 unclear yet whether the Federal Subsistence Board will have  
46 to pass on these individual C&Ts or will it be something that  
47 can be delegated to the Park Service to make the decision, so  
48 that process just isn't clear yet.

49  
50 Also, there's a difference between -- a 1344 does not

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1 automatically, obviously, guarantee you to individual C&T for  
2 particular species in a particular part of the park. So that  
3 also has to be worked out. So if it was granted to all 1344  
4 permit holder they would still need to be interviewed, should  
5 they decide they want access to that resource to get  
6 individual C&T.

7

8 MR. FLEENER: Which is basically the process  
9 which you go through not anyway, isn't it?

10

11 MR. CALLAWAY: That's what we're going  
12 through now anyway.

13

14 MR. FLEENER: So.....

15

16 MR. CALLAWAY: But the difference is -- and  
17 we found out just this week, for example, it's not case,  
18 necessarily, that all 1344 permittees would be interested or  
19 all members of resident zoned communities that have access to  
20 the park but don't have the C&T would be interested. So you  
21 may have a larger pool of people that it would probably be  
22 easier to work from the individual up, rather than from the  
23 whole pool down, if that makes any sense.

24

25 MR. FLEENER: Well, it makes sense, except  
26 that it flies into the face of where we like to get away  
27 from, exclusion right away.

28

29 MR. CALLAWAY: Yeah. It wouldn't be  
30 exclusion, it would just be part of the process. In other  
31 words, if everyone with a 1344 wanted C&T, they could request  
32 it, and that would make it easier for us in the sense  
33 that.....

34

35 MR. FLEENER: Well, if we said that everybody  
36 with a 1344 would at least have access, then you guys would  
37 determine whether or not they've got C&T determination and  
38 then they could hunt in the park; is that.....

39

40 MR. CALLAWAY: The problem is it's unclear  
41 yet whether we.....

42

43 MR. FLEENER: How have other 1344 permittees  
44 been given C&T determination?

45

46 MR. CALLAWAY: 1344 permittees now have C&T  
47 as decided by the Federal Subsistence Board. It's unclear  
48 now whether individual C&T will be decided by the Federal  
49 Subsistence Board or it will be delegated to Park Service, so  
50 it may be the case, even if all 1344 permittees would want

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1 individual C&T, it maybe the case that the Federal  
2 Subsistence Board would have to decide on their application.

3  
4 MR. FLEENER: So whether or not we pass this  
5 it doesn't matter because you guys haven't decided who is  
6 going to have C&T determination or who's going to decide  
7 who's going to make the C&T determination.

8  
9 MR. CALLAWAY: I don't know. Ida, did you  
10 want to say something or -- your frustration level is rising,  
11 I can see.

12  
13 MS. HILDEBRAND: Ida Hildebrand, Staff  
14 Committee member, BIA. The discussion is just going around  
15 in circles. Part of the problem is the way that this is just  
16 thrown in there as part of the statement. That language was  
17 specifically because this Council said, we don't want to list  
18 Frank and every other person as a 1344. So a decision is  
19 made -- for instance, this is a proposal for C&T on.....

20  
21 MR. FLEENER: Sheep.

22  
23 MS. HILDEBRAND: .....sheep, then they're  
24 saying Unit 18 has C&T for sheep, Unit 11 has C&T for sheep  
25 and 1344 permittees in this unit who have been qualified.  
26 They're not going to automatically all have C&T, they would  
27 have happened to have gone through a qualification process.

28  
29 MR. FLEENER: But, you know, it hasn't been  
30 settled as to whether the Federal Subsistence Board is going  
31 to make the decision on the individual C&T or whether the  
32 Park Service is, is that correct?

33  
34 CHAIRMAN MILLER: Go ahead, Vince.

35  
36 MR. MATHEWS: Okay. Let me see if I can  
37 straighten this out. To hunt in the park in this area that's  
38 talked about they would have to have a 1344 permit and an  
39 individual C&T. Now they can have a 1344 or be a member of a  
40 resident community.

41  
42 MR. FLEENER: Right.

43  
44 MR. MATHEWS: But the reasons these proposals  
45 were submitted was because.....

46  
47 MR. FLEENER: They were not.....

48  
49 MR. MATHEWS: .....they were not in the  
50 positive C&T category, so they now have a 1344, so they can

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1 get in gate one, they cannot get in gate two, unless there is  
2 a positive C&T determination. Don explained that -- there's  
3 a question if the Board has the authority to issue individual  
4 C&T determinations, so for lack of a better term, we're in a  
5 "Catch 22" here until that can get resolved. And, if I  
6 understand Don correctly, the analysis won't be done until  
7 April for the SRC. Is the Park Service, by this action,  
8 recommending to defer this proposal another year before this  
9 Council? Or should this Council act now in lack of analysis?  
10 We cannot pull off another meeting before the Board might  
11 take this up. I think it's -- I understood you to say April,  
12 and I might have been wrong because I was walking.....

13  
14 MR. CALLAWAY: No, that's correct, the  
15 analysis on these won't be done until April and I assume it's  
16 going to go before the Board. Hollis or Janice.....

17  
18 MR. TWITCHELL: In May.

19  
20 MR. CALLAWAY: You know, we provided results  
21 to the SRC, I don't anticipate that we want or require  
22 another RAC meeting.

23  
24 MR. MATHEWS: No, but.....

25  
26 MR. CALLAWAY: And I guess you guys can make  
27 a recommendation in absence of analysis, but there's no way  
28 around that.

29  
30 MR. MATHEWS: Correct and if we're going that  
31 way, and I can't think of any other words, we're perverting  
32 the process away from this review for this group because they  
33 won't be able to take review. And I'm sure you probably  
34 presented it in your summary, a year ago the Park Service  
35 asked to delay to do this analysis, so we've already delayed  
36 one year, we'll be delaying two years, assuming the Board  
37 would not act without the Regional Council recommendation,  
38 so.....

39  
40 MR. FLEENER: Mr. Chair.....

41  
42 MR. MATHEWS: Southcentral, too.

43  
44 MR. FLEENER: .....if we were to vote in  
45 support of this proposal and then when we get the analysis,  
46 if we didn't like it, we could change it at the Board  
47 meeting, couldn't we, in absence of analysis?

48  
49 MR. MATHEWS: I don't know, I'm getting heads  
50 all over the place here.

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1 MR. SHERROD: I don't think so.

2  
3 MR. FLEENER: You don't think so?

4  
5 MR. SHERROD: Because it would be just the  
6 Chair, it wouldn't be an official Council action.

7  
8 MR. FLEENER: That's true.

9  
10 MR. SHERROD: And the other thing, this  
11 proposal would not be before Southcentral so, in fact, I'm  
12 not sure that the Board would act on a proposal that has not  
13 gone before any of the Regional Councils involved with the  
14 area. So I think in light of that it may well be that this  
15 is another year unless someone can come up with some other  
16 way of getting around it.

17  
18 MR. MATHEWS: Mr. Chair.

19  
20 CHAIRMAN MILLER: Vince.

21  
22 MR. MATHEWS: I'm pushing my coordinator's  
23 duties here, but I feel compelled to do this. Frank, you're  
24 the author of this proposal, can you -- are you -- well, can  
25 you wait another year? The law, as I read it, is to protect  
26 and recognize subsistence uses and they have a preference. I  
27 don't know, somebody has got to ask you, can another year  
28 wait go on on this? And assessment has to be made on that, I  
29 assume, the Council would want to know that.

30  
31 MR. GOOD: On this one, can't we support the  
32 development of a process that would do this by the Park  
33 Service? You know what we want if for them to (indiscernible  
34 -interrupted).

35  
36 MR. MATHEWS: No, because the question is --  
37 I'm doing too much here. The question is.....

38  
39 MR. FLEENER: Maybe Mr. Entsminger can answer  
40 the question you asked him a few minutes ago.

41  
42 MR. ENTSMINGER: Basically I'm starting to  
43 join the ranks of the elders and every year this is delayed  
44 is, you know, that one more year of, you know, not being able  
45 to harvest a resource. It's frustrating to a few of us  
46 because we actually have, right now, positive C&T to shoot  
47 mountain sheep south of the Sanford River, but we can't shoot  
48 a mountain goat. And we just don't understand why.

49  
50 MR. FLEENER: Mr. Chair, maybe we could ask,

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1 after Frank is done, maybe we could hear from Mr. Haynes and  
2 see what sort of stuff the State has to say.

3

4 MR. P. TITUS: Excuse me. That's what I was  
5 getting at this morning when I was addressing subsistence  
6 resources, that we could not exclude different species as the  
7 subsistence resource, you know? You know what I'm saying?  
8 We can't say we're just going to live on meat when there's  
9 fish there, too, and it's both C&T findings, both of them.  
10 And saying it's not available, we're not doing our job.

11

12 MR. ENTSMINGER: Well, I don't understand why  
13 the Council couldn't, you know, support the concept of trying  
14 to get individual C&Ts because both Natives and non-Natives  
15 are trying to get these individual C&Ts. There's some of the  
16 Native people that have ancestry that were born and raised in  
17 the Copper Basin and hunted animals down there, but because  
18 either by marriage or moving up to Upper Tanana they can no  
19 longer participate in harvesting down there. And we're  
20 trying to work out a mechanism to allow for this and I think  
21 at least supporting the concept would be appropriate at this  
22 time. And it would eliminate any further delays, you know,  
23 as much as possible anyway.

24

25 MR. FLEENER: Mr. Chair, I certainly have to  
26 agree with what Philip said about not granting a C&T for an  
27 animal that lives on the same hill is kind of ridiculous and  
28 I think I'm going to vote in support of this motion.

29

30 Mr. Haynes, did you have something to say?

31

32 MR. HAYNES: Our comments on Proposals 9 and  
33 11 say not to support the proposals as written. I believe  
34 that some of our concerns have been addressed by what Mr.  
35 Callaway has presented as they're obtaining the information  
36 from the individuals that would potentially qualify for  
37 eligibility and as long as those individuals who are being  
38 considered are being considered for eligibility within the  
39 areas administered within the National Park Service, for  
40 which they're eligible, this proposal appears to resemble the  
41 one that you previously addressed for Mr. O'Connor, we  
42 support that proposal and we would convey the same type of  
43 support for Proposals 9 and 11, if they were modified in that  
44 same way.

45

46 MR. FLEENER: I'm afraid I'm am lost  
47 entirely, what exactly sort of a modification in wording  
48 could you come up with, or Mr. Mathews, to help us along with  
49 this process? Because the other one say individual 1344  
50 permittees, this one doesn't so -- and I'd hate to just say

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1 that we support as concept when concept don't feed anybody.

2

3 MR. CALLAWAY: Mr. Fleener, I think it's a  
4 moot issue anyway, because it's only going to be within the  
5 hard park, so that ADF&G's concerns on the earlier proposal  
6 about it being outside is not going to happen anyway, so I  
7 don't think there needs to be any modification because the  
8 process is only within the park and so that's taken care of.  
9 Now, the 1344 amendment that you made to the previous one,  
10 that's another issue.

11

12 MR. GOOD: Mr. Chairman.

13

14 CHAIRMAN MILLER: Nat.

15

16 MR. GOOD: Do you have any recommendations at  
17 to precisely what we should do to make this happen?

18

19 MR. CALLAWAY: I think given.....

20

21 MR. FLEENER: I think we should adopt it just  
22 as it is.

23

24 MR. CALLAWAY: .....the circumstances I  
25 think, absent the analysis, support the process of obtaining  
26 individual C&T for individuals that have a family and an  
27 individual use of the resource.

28

29 MR. FLEENER: So we simply pass this?

30 Question.

31

32 CHAIRMAN MILLER: Ida, did you have something  
33 to say?

34

35 MS. HILDEBRAND: (Indiscernible - away from  
36 microphone)

37

38 MR. GOOD: Proposal 9 all in favor.

39

40 CHAIRMAN MILLER: Modified or anything?

41

42 MR. FLEENER: Just the way it is.

43

44 CHAIRMAN MILLER: Okay. All in favor of

45 Proposal 9.

46

47 IN UNISON: Aye.

48

49 CHAIRMAN MILLER: Opposed?

50

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1 (No opposing responses)

2  
3 CHAIRMAN MILLER: Eleven.

4  
5 MR. FLEENER: Eleven.

6  
7 MR. MATHEWS: Mr. Chairman, on Number 9 then  
8 you were passing Proposal -- reflecting your concerns on 25  
9 that they would only be 1344 permittees qualifying?

10  
11 MR. FLEENER: No, we adopted it exactly as  
12 it's written.

13  
14 MR. MATHEWS: As it's written, okay, thank  
15 you.

16  
17 CHAIRMAN MILLER: Do you want to break or do  
18 you guys want to recess until tomorrow morning?

19  
20 UNIDENTIFIED VOICE: Recess.

21  
22 MR. FLEENER: Well, Mr. Entsminger is wanting  
23 to leave, if we can get through this one. It should be just  
24 as quick because it's handling similar.....

25  
26 MR. GOOD: Do exactly the same thing.

27  
28 MR. FLEENER: I make a motion to adopt  
29 Proposal 11.

30  
31 MR. GOOD: Second.

32  
33 UNIDENTIFIED VOICE: Question.

34  
35 MR. FLEENER: Mr. Haynes, are there any other  
36 things to say?

37  
38 (No audible response)

39  
40 MR. FLEENER: Question.

41  
42 CHAIRMAN MILLER: Okay. Question has been  
43 called, all in favor of Proposal 11 signify by saying aye.

44  
45 IN UNISON: Aye.

46  
47 CHAIRMAN MILLER: Opposed same sign.

48  
49 (No opposing responses)

50

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1 MR. FLEENER: Our honorable elder,  
2 Mr. Entsminger can now go home.

3  
4 CHAIRMAN MILLER: Recess till tomorrow  
5 morning.

6  
7 MR. ENTSMINGER: Thank you, Council members.

8  
9 (Off record - 6:26 p.m.)

10  
11 (MEETING RECESSED)

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C E R T I F I C A T E

1  
2  
3 UNITED STATES OF AMERICA )  
4 ) ss.  
5 STATE OF ALASKA )  
6

7 I, Joseph P. Kolasinski, Notary Public in and for the  
8 State of Alaska and Owner of Computer Matrix, do hereby  
9 certify:

10  
11 THAT the foregoing pages numbered 02 through 147  
12 contain a full, true and correct Transcript of VOLUME I,  
13 EASTERN INTERIOR FEDERAL SUBSISTENCE REGIONAL COUNCIL PUBLIC  
14 MEETING, taken electronically by David Haynes on the 27th day  
15 of February, 1999, beginning at the hour of o'clock a.m. at  
16 the Delta Community Hall, Delta Junction, Alaska;

17  
18 THAT the transcript is a true and correct transcript  
19 requested to be transcribed and thereafter transcribed by  
20 under my direction to the best of my knowledge and ability;

21  
22 THAT I am not an employee, attorney, or party  
23 interested in any way in this action.

24  
25 DATED at Anchorage, Alaska, this 8th day of March,  
26 1999.

27  
28  
29  
30  
31 Joseph P. Kolasinski  
32 Notary Public in and for Alaska  
33 My Commission Expires: 4/17/00