MEMBERS PRESENT:

Tim Towarak, Chairman
Charles Brower
Anthony Christianson
Bud Cribley, Bureau of Land Management
Karen Clark, U.S. Fish and Wildlife Service
Bert Frost, National Park Service
Bruce Loudermilk, Bureau of Indian Affairs
Beth Pendleton, U.S. Forest Service

Ken Lord, Solicitor's Office

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PROCEEDINGS

(Anchorage, Alaska - 4/12/2016)

(On record)

CHAIRMAN TOWARAK: Good afternoon. I'd like to call the Federal Subsistence Board meeting to order. We have an agenda in front of us. We had a consultation meeting this morning and we'll be addressing that in a few minutes but we're going to go with Item 1, the -- I'm sorry, we'll have everybody introduce themselves and we'll start with the Board members on our right side and work our way down to the left.

MS. PENDLETON: Good afternoon. My name is Beth Pendleton. I'm the Regional Forester for the USDA Forest Service located in Juneau and have responsibilities for our National Forest. In Southeast Alaska, the Tongass, and the Chugach National Forest in Southcentral.

MR. LOUDERMILK: Good afternoon. My name is Bruce Loudermilk. I'm the Regional Director for the Bureau of Indian Affairs, Alaska Region, located here in Anchorage, Alaska.

MR. CHRISTIANSON: Good afternoon. I'm Anthony Christianson. I'm the Federal rural Board member.

MR. LORD: Good afternoon. My name is Ken Lord. I'm with the Office of the Solicitor of the Department of the Interior.

CHAIRMAN TOWARAK: And I'm Tim Towarak, I'm the Chairman of the Board from Unalakleet.

MR. PELTOLA: Good afternoon, all. Gene Peltola, Jr. I'm not a Board member, but I'm the assistant Regional Director for the Office of Subsistence Management.

MS. CLARK: Good afternoon. My name is Karen Clark with the US Fish and Wildlife Service here in Alaska. I'm the acting Regional Director.

MR. FROST: Good afternoon. My name's Bert Frost. I'm the Regional Director for the National
Park Service for the Alaska region.

MR. CRIBLEY: Last, but not least, I'm Bud Cribley. State Director for the Bureau of Land Management. And I note with the departure of Geoff Haskett, I am now the Senior Federal Board member, which is pretty scary.

(Laughter)

CHAIRMAN TOWARAK: And that's not because of your age.

(Laughter)

CHAIRMAN TOWARAK: We do have one more Board member, I think he's -- Charlie. We'll have him introduce himself when he gets back.

The next item on the agenda is the review and adoption of the agenda.

Yeah, and I'd like to have the RAC Board members Chairmen introduce themselves starting with you, Mr. Wilde.

MR. L. WILDE: Thank you, Mr. Chairman. My name is Lester Wilde from Hooper Bay. The RAC Chair for YK.

MS. ENTSMINGER: My name is Sue Entsminger. The RAC Chair for Eastern Interior from Mentasta Pass.

MR. COLLINS: I'm the Co-Chair of the Western Interior RAC and I'm from McGrath.

MR. BANGS: Hello. My name's Michael Bangs. I live in Petersburg, and I Chair the Southeast RAC.

MR. H. BROWER: Good afternoon, Mr. Chair. Federal Subsistence Board. My name is Harry Brower, Jr., and I'm Chair of the North Slope Regional Advisory Council.

MR. SIMEONOFF: Good afternoon. I'm Speridon Simeonoff. Chairman of the Kodiak/Aleutians.

MR. SHIEDT: Afternoon all. Attamuk.
Enoch Shiedt. Northwest Arctic Co-Chair.

MS. CHYTHLOOK: Good afternoon. Molly Chythlook. Originally from Aleknagik, but residing in Dillingham, and I Chair the Bristol Bay RAC.

CHAIRMAN TOWARAK: And we'd also like to introduce the State Staff that are here.

MS. KLEIN: Good afternoon. My name is Jill Klein. I'm a special assistant to Commissioner Sam Cotten at the Alaska Department of Fish and Game.

MS. OLSON: Thank you, Mr. Chair. Lisa Olson, I'm the Deputy Director of Division of Subsistence for Department of Fish and Game.

MR. BUTLER: Lem Butler, Assistant Director for the Division of Wildlife Conservation.

CHAIRMAN TOWARAK: Thank you. Welcome to the meeting, everyone.

There's a number of additions that we would like to add to the agenda before we approve it.

No. 1 is we've got Wildlife Proposal 16-15 is going to be added to the consensus agenda.

WP16-21 remains on the non-consensus agenda following the All Council meeting.

WP16-07 is not added to the agenda as the SERAC indicating because of State support, Proposal 16-07 as written and opposes OSM's modifications.

No. 4, we're going to -- it's designated communications person, Deborah Coble, with Stewart as backup.

Item 5 is Wildlife Proposal 16-13 and 16-22, both proposals, if approved by the Board would implement a joint State/Federal permit.

No. 6, is -- okay, we're going to do No. 7. The State MOU, brief one of the public members to make a motion, we'll take care of that later.

But WP16-19, clarification will be needed given by Mr. Lord on the record regarding the
need to remove the cultural permit from regulations regarding the cultural education permit in place this -- Southcentral RAC recommended that the permit stay in regulation.

Other changes on the agenda that needs to be made is Chris McKee, Wildlife Division would like to move the caribou proposals WP16-37 and others to a single group and start on them at the beginning of Day 2, which is tomorrow. These -- that way everyone will be fresh to tackle the complex issue and we'll have the morning -- we'll start right at the morning tomorrow at 8:30.

Since the Southcentral RAC Chair will not be able to be at the meeting until April 13th, we're going to do the Southcentral proposals on the non-consensus agenda when he is present, which will be on Monday -- on Wednesday.

And then our dancers will be having a performance at 1:30 on April 13th, which is Wednesday.

We also will be adding WSA16-01 requesting the closure of Federal lands on Unit 23 to non-Federally-qualified users.

Makhnati, Kenai, and Kasilof RFR updates will be given by Stewart Cogswell and Jennifer Hardin.

Presentation of the US Fish and Wildlife Service letter regarding the Kuskokwim Partnership, and that will be given by Trevor, from the Staff.

Presentation of letter from the State regarding the MOU and Board action request will be brought up.

I'd also like to add No. 5, there's a good possibility that this meeting would continue on through Thursday but I am scheduled to leave at 10:00 o'clock in the morning on Thursday and I have to check in at 8:00 in the morning so I'm probably not going to be here on Thursday. I tried to rearrange my flight but I can't and I would like the Board, at the end of this meeting today to pass a motion and appoint someone as a Vice-Chair so that you could take over the meeting if I'm not here on Thursday. But my intent, if it
works, is to be done by Wednesday evening, and then
that would eliminate the need immediately for one, but
I think we should be prepared to have someone to sit in
my place. I've been fortunate that I've been able to
attend every meeting that has been called so far and --
but I can't rely on that kind of luck too long. So I'd
feel more comfortable with a Vice-Chairman.

Are there any other agenda topics that
people would like to add.

(No comments)

CHAIRMAN TOWARAK: If not, the floor is
open for a motion to adopt the agenda as revised.
MS. PENDLETON: Motion that we adopt
the agenda.
MR. C. BROWER: So moved.
CHAIRMAN TOWARAK: You heard the motion
and the second. Any discussion on the motion.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, all
those in favor of the motion say aye.
OPERATOR: We do have a question on
line.
CHAIRMAN TOWARAK: I'm sorry, go ahead.
OPERATOR: We have a question on the
phone line from Jack Reakoff. You may go ahead with
your question.
CHAIRMAN TOWARAK: Go ahead, Mr.
Reakoff.
MR. REAKOFF: I just wanted -- in the
introductions, I was just letting you know I was on the
phone here. Thank you, Mr. Chair.
CHAIRMAN TOWARAK: I'm sorry, I failed
to recognize those on line. Thank you, Jack, for
attending the meeting.
There's a motion on the floor -- no, we've already adopted the agenda.

Item No. 3 is information sharing. The floor is open for any information.

(Pause)

CHAIRMAN TOWARAK: I knew there was something hanging in the air. We had a motion to approve the agenda, all those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed, say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously. Our agenda is adopted.

We will then go into information sharing. The floor is open for any Board members or RAC Chairs to -- for general information.

MS. PENDLETON: Mr. Chairman.

CHAIRMAN TOWARAK: Go ahead, Beth.

MS. PENDLETON: Mr. Chairman. The Board. The RAC. Just a couple of updates from the Forest Service. We do have a few additions to the team, subsistence team, and I'd like to call those folks out.

On the Chugach National Forest we've recently hired Dave Pearson. He's based out of Moose Pass. He is a fisheries technician in our fisheries habitat program, formerly, he's now going to be working six months each year on the subsistence program on the Chugach National Forest. David's duties include providing fisheries input into the Chugach Subsistence Program and entering harvest reports and issuing permits. We're really excited to have him on board.

And then on the Tongass, we've recently hired two fisheries biologists, Jacob Musslewhite, who is based out of Juneau, is a full-time fisheries
biologist in our subsistence program. Jacob will be primarily working and supporting Ben VanAlen with Fisheries Resource Monitoring Projects across Southeast Alaska. And then he has actively been working on the Neva, Kook and Sitkho Lake projects.

And then we've also hired Robert Cross, last year, fisheries biologist in our subsistence program. And Rob is based out of Sitka and will primarily be helping Justin Koehler with our Fisheries Resource Monitoring Projects and is the project leader at Falls Lake.

And then I also wanted to call out, we have a student here from University of Alaska, Southeast, Heather Bosher. Heather would you stand up. It's great to have Heather here, she's a student who's enrolled in the fisheries and wildlife policy class that is instructed by Jan Straley at the University of Alaska Southeast. Heather lives in Sitka and she works a good chunk of the year with the USDA Animal Plant and Health Inspection Service in the Wildlife Service's Program at the Sitka Airport keeping animals and airplanes from interacting. So it's great to have Heather here to observe and to interact with the Board this week.

Thank you.

CHAIRMAN TOWARAK: Thank you for that report. Any other general information.

Go ahead, Mr. Bangs.

MR. JOHNSON: Yes, for the record, Carl Johnson, OSM. Through the Chair, yes, Mr. Bangs, we'll be having at the conclusion of this meeting, which I suspect probably will be Thursday, just by the Chair's optimism, we'll have an All Chairs meeting and we have some materials prepared for that.
Thank you, Mr. Chair.

MR. BANGS: Thank you.

CHAIRMAN TOWARAK: Thank you, Carl.

Not seeing any other hands raised for information sharing, we're going to continue on then with Board discussion on Council topics with the Regional Advisory Council Chairs or their designees.

Our intent is to take care of the non-controversial discussions today and start the day with Item No. 6, 2016 through 2018 subparts C and D proposals, wildlife regulations. We will review the tribal and ANCSA Corporation consulting summary as the last thing today.

Are there any Board members -- or Council Chairs that would like to discuss any of the regulations coming up.

(No comments)

CHAIRMAN TOWARAK: I think we will have ample time tomorrow to address each of the proposals that have been brought forward.

MR. H. BROWER: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead, Mr. Brower.

MR. H. BROWER: Yes, thank you, Mr. Chair. Harry Brower for the record.

Just a concern I had voiced during our joint Council meeting, there is a proposed regulation regarding baiting of bears and then there's a second portion to that proposal, was taking items from National Parks for traditional use, arts and crafts and then they were combined to one proposed regulation change and I had asked for a clarification, if that was something that was consistent with the practice of the Board to take action on two separate items under one proposal. I asked Mr. Ken Lord about that when I first learned about it, but he needed to have some followup on that and I've not had a response to that question.
Mr. Chair.

CHAIRMAN TOWARAK: Ken, do you have an explanation?

MR. LORD: I do not. Mr. Brower, are you talking about the Park Service proposed regulation?

MR. H. BROWER: Yes, it is.

MR. LORD: That's not something I'm prepared to speak to at this meeting, unfortunately. Probably should leave that for another time, I apologize.

MR. H. BROWER: Thank you. Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Ms. Entsminger.

MS. ENTSMINGER: Yeah, I just wanted to bring up a concern from my region. On the -- these proposed rules done by the government and all the agencies. They come out very negatively to the user, and, particularly, when, for instance, the Park Service put out a proposed rule, something that in our region we worked on for eight to 10 years, the collection of horn and antlers, to be able to pick it up and do something with it, and then this definition of bear bait got put in without an EA. It's a big, big concern and I just thought I would bring it out here at this meeting. We have a Subsistence Resource Commission for the Wrangell Park and it affects us deeply and so it's a really big concern when things like this happen.

I just wanted to let you know.

Thank you.

CHAIRMAN TOWARAK: I assume that our Staff are discussing -- do we have an answer for this concern.

(Pause)

CHAIRMAN TOWARAK: Ken.

MR. LORD: Sue, thank you for the
We are well aware that it's a concern to the RACs, to the subsistence users and we're trying to work through with the agencies and within this program, how to draw the line between what's appropriate for the agency to be taking with regard to subsistence and what's appropriate for this Board but we don't have a good clear answer yet.

CHAIRMAN TOWARAK: Mr. Bangs, go ahead.

MR. BANGS: Thank you, Mr. Chairman. I was wondering if I could speak to some topics that are outside of the proposal realm that we spoke to each other at the All Council meeting, that many of you weren't attending. I was just wondering if we were going to have an opportunity to address Council issues other than proposals.

CHAIRMAN TOWARAK: Gene.

MR. PELTOLA: Through the Chair. Mr. Bangs. If even though it may not be a particular proposal issue, this segment is Board discussion of Council topics with Regional Advisory Council Chairs and their designees, so it would be appropriate for you to mention those, bring those up at this time.

MR. BANGS: Thank you very much. At that All Council meeting that we had last month, I brought up some topics that I felt were important to, not only our Council, but some of the other Councils in the state. One of them was just a comment on the meeting of the Chairs and how I thought it was very useful for us, or at least for me, to understand some of the other regions problems that we could share things amongst us and come up with ideas that may help other Councils. And I just wanted to say that I appreciate the opportunity to meet with the other Chairs.

And another topic that we, most all of us talked about, was engaging the youth into this program somehow. And we came up with some ideas about maybe having -- encouraging more students possibly to come at our meetings in the region, use the government class in the high school, just different ways that we could bring the youth into the program. We even talked about having possibly a high school seat on the Councils, so we weren't sure about funding. But that was another issue that we brought up.
And one of the problems, I think, we all share, I know we've had several problems with correspondence to the Federal Board, and other Federal agencies, taking long -- much longer than it seems necessary, to us, that we're not getting our letters to the Board quick enough or they get lost or whatever, but that's an issue; how can we better correspond with each other.

Another problem that I think we all are facing is budget cuts and that comes up at every meeting we have, how can we figure out ways to deal with less money and get the same thing accomplished.

Other issues, which I know most of the Councils are faced with is bycatch issues of salmon and halibut in the North Pacific and Bering Sea. And this comes up again and again for the last several years, it's a very important topic, and I hope the Board can help us come up with a solution to help mitigate that a little bit and come up with more interaction with these other Federal agencies.

We also talked about more representation on the North Pacific Marine Fisheries Council to have our voice heard a little bit more than it is now. A lot of times it goes into the Treaty, too, with Canada, salmon, we think subsistence needs a stronger voice. And if we can get any help from the Board to encourage them to listen to us it would be a big help, I think.

And the other issue, which I know Kodiak is having trouble with, too, and that's the growing population of sea otters. We're losing a lot of our subsistence foods, and I think that -- it doesn't seem like there's much we can do about it, but we should try to come up with some solutions to helping encourage harvest and try to have some way to control them a little bit. But the Federal government is not managing sea otters and they're the ones that are supposed to be managing them.

But, anyway, that was just some of the topics that I felt was kind of universal throughout the state and other regions having similar problems as we do in Southeast.

Thank you, Mr. Chair.
CHAIRMAN TOWARAK: Okay. On your concern about the bycatch issues, I'm going to request that we have someone from the North Pacific Council address this Board with their current plans on the bycatch. We've heard some from some of the Staff that have attended some of the North Pacific Fisheries Management Council meetings on their plans, but I think if we had one -- you know, if the Chairman of the North Pacific Fisheries Management Council could be in attendance with our meeting to explain their current process, I think that would be a good way for us to be updated on where they're at with the bycatch issue.

With regards to the All Chairs meeting, there was a short discussion at the meeting where everyone appreciated getting together and I'm assuming that the Staff got the message that hopefully that's going to happen more often. You know, I don't know if it'll be yearly, it could be every other year or so, but my understanding is that it's being taken a look at on how we could get the All RAC meetings done annually. It's an expensive proposition but I think it's probably worthwhile.

Does that answer your question or.....

MR. BANGS; Thank you, Mr. Chair. More so just wanted to put those ideas and thoughts that our Council had spoke about over the last several years, and most of them were addressed in our annual reports, but I just wanted to bring it out. This is something I spoke about at the All Council meeting we had and I just wanted to make sure that the Board members that weren't in attendance knew some of our concerns.

Thank you.

CHAIRMAN TOWARAK: Thank you.

MR. LORD: Mr. Chair, thanks. I just wanted to speak to Mr. Bangs final point about the sea otters in Southeast Alaska and in Kodiak, becoming a nuisance population. The reason that that's a problem is the Marine Mammal Protection Act includes lots of provisions for protecting marine mammals, but in my opinion, one of its shortcomings is that it doesn't provide for what happens when the population becomes a nuisance. There's no mechanism to allow for the takes of sea otters under those circumstances. And so it really cries out for a congressional solution, and it
might be something that maybe somebody in this room might want to try to pursue at some point.

CHAIRMAN TOWARAK: Molly, you had a comment and then Mr. Collins from McGrath.

MS. CHYTHLOOK: Thank you, Mr. Chair. I just have a comment. I didn't know that we were having an All Chairs session after this Federal Subsistence Board. My recommendation after this is to have an All Chairs session even before the Federal Subsistence Board to -- so that -- maybe it's just me, so that we would be updated and informed of, you know, the -- especially when we're going to be dealing with the proposals, at least, you know, educate us on what we need to do, what to expect from our agenda. You just had a -- on the agenda, Board discussion of Councils, you know, if -- if we want the Regional Boards to be effective and come out with suggestions, which we all need to do, is to have an All RAC Chairs to attend before this session happens. And I think that -- the Regional Chairs would be more in-tune and effective and be able to input on our agendas here.

And then another item that I would like to discuss, and I didn't really notice this until our All Region meeting last month, you know, our RAC members, we're spread out to all different regions and a majority of our RACs are volunteers and they come down here, you know, when -- they're brought down here because -- you know their fares are paid, but when they get here and they don't get per diem because they got overpaid or something happened, you know, it's not fair for, you know, some of the Board members to ask some other Board members, you know, for money to even eat. So I think my suggestion is going to be that at our next round of RAC meetings that we have an informational workshop regarding RAC per diem system, and if whoever is in charge of the per diem system, let the representatives, let the people that are going to be attending from the RACs to know that, no, you're not going to get a per diem because we overpaid you so that, you know, they could be prepared when they get here to have some, you know, money for eating and what not.

Thank you.

CHAIRMAN TOWARAK: Thank you. In looking at our schedule, we had a brief explanation
yesterday, those of us that represent rural communities, and maybe we could ask the Staff to come up here and give, maybe a five minute or 10 minute briefing of how we will conduct the meeting tomorrow. That will give you an idea what to expect in the next day or so.

And with regard to the joint -- the RACs Chair, rather than having your meeting at the end of our meeting, and usually by the time we end our meeting we're pretty tired, I would suggest maybe after today's meeting might be a better time to get you guys together so that you could address your concerns in the next day or so and get together prior to our meetings tomorrow.

So is there a problem with that, or would that work with the Staff.

Carl.

MR. JOHNSON: Thank you, Mr. Chair.

And, I'll, of course, invite Mr. Lord to offer his opinion as well. The reason why we -- the All Chairs meeting, the desire of the Chairs is just to have a meeting among the Chairs and Staff and in order to avoid any FACA problems and have it be a closed meeting, we need to avoid any regulatory discussions. And the only way we can ensure that we will avoid a prohibited topic like how the Councils will -- what their opinions are and how the Board will vote is to have those discussions after the Board's meeting is completed, because it's -- it would make it very difficult for Staff to keep steering Chairs away from any discussions that could potentially run afoul of the Federal Advisory Committee Act.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Could we ask the Staff to come up here and briefly walk us through what process we will go through tomorrow.

(Pause)

CHAIRMAN TOWARAK: Go ahead.

MR. MCKEE: Mr. Chair. For the record I'm Chris McKee, the Wildlife Division Chief.
In terms of -- the main reason for my Staff being here is to go over the non-consensus agenda items to discuss -- for us to give you our analysis on the proposals under discussion and to have Board deliberation and interaction with the Chairs on those regulatory proposals. So, you know, we've discussed how we would like to kind of rearrange some of those agenda items, namely discussing the large caribou proposals first of all. But that's really the only concerns that we had as a division in terms of how we would conduct the meeting, but our main purpose, at least from my perspective, is to make sure that we act on all those proposals, and part of that involves interaction with the Chairs and how the Councils came down on those proposals.

So in terms of how we're conducting them, it's really just a matter of going through all those agenda items, but that's -- from our perspective that's the most important thing. So in my mind it's to try to get through these proposals in a good time with enough time for deliberation and for the Board, in particular, to put its rationale on the record for how they make their decisions.

Mr. Chair.

CHAIRMAN TOWARAK: Are there any questions of the Staff on the process.

(No comments)

CHAIRMAN TOWARAK: Does that address your concerns, Molly.

MS. CHYTHLOOK: Yeah, that does cover my main -- I knew about, you know, not getting into regulator processes at our All RAC -- or All Chair meeting. My main concern was to, you know, have our RAC Chairs get together and just familiarize us with -- because some of us are new and it takes -- you know it doesn't take overnight to learn this process. My main, I guess, concern was to if we're going to have All RAC, let's have it before the Federal Subsistence Board so that we could get familiarized with even just as simple as the agenda and not go into regulatory processes and how we would be directed to vote on any of the proposals.

Thank you.
CHAIRMAN TOWARAK: Yes, Mr. Collins.

MR. COLLINS: On January 8th, 2016 in the Federal Register the Fish and Wildlife Service proposed a statewide regulatory change dealing with wolf harvest as a proposed rule, and I'm wondering if this is an appropriate time, I'd like to speak to that. But is this an appropriate time to speak to that or when would be a good time because it seems incompatible with ANILCA.

(Pause)

CHAIRMAN TOWARAK: Personally I think it's the appropriate time, it's as good a time now as any.

MR. COLLINS: Thank you. The Wildlife Refuges that were created under ANILCA are unique among the wildlife refuges in the United States. And one of the purposes was to provide for subsistence opportunities for rural residents, and this was to make up for the ANCSA, which only dealt with land, and many rural communities depend on these Refuges for subsistence resources. In order to do this wolf harvest must be one of the management tools for science-based management. Natural diversity may be appropriate for National Parks, but it will, over time, result in a population, fall of a population. We've seen that around the state. I know we experienced that in McGrath, we weren't getting any calf survival because of the predators taking so many of the calves. We saw that in the caribou herd out on the chain because there was not sufficient harvest of wolves, that population was at a low and it would have stayed there if the State hadn't stepped in and taken some wolves on the calving area and that turned it around and the herd started growing again.

And Senator Stevens made his comments in the Federal Register, you can check on this, I don't have the citation, but in there he said; this does not preclude predator management in ANILCA, when appropriate. And I think that it is appropriate when you have a falling population due to poor calf survival, there could be something that would trigger it. And it's inappropriate, I think, for coming out with a ruling and saying that there will be none until it gets at an extreme low, then you will cut off subsistence hunters and they don't have the resources
to harvest out there. And that's where I think it's
incompatible with ANILCA, which says that you're to
maintain healthy wildlife populations so that it'll
provide for subsistence.

So that's my comments to that. And we
could go into more detail, but, there needs to be
something that would trigger, and I think that that
proposed rule is completely inappropriate with ANILCA.

That's my comment.

CHAIRMAN TOWARAK: Thank you. That was
one observation that I made when I first came on. I
didn't realize that this Board has really no capacity
to address predator control and it's handled by the
agencies. Is there a better explanation, anyone, any
thoughts from the rest of the Board.

(No comments)

CHAIRMAN TOWARAK: My understanding is
it's in regulation and that we don't have any authority
-- or we don't have the ability to change that and I
think it would involve changing ANILCA. But I'm
searching for a discussion to find an answer for you.

(No comments)

CHAIRMAN TOWARAK: Anyone.

MR. LORD: Mr. Chair. Actually it was
set out as part of the NEPA process when this program
was established in the environmental assessment that
was done, the decision was made at the Secretarial
level that this program would not do predator control,
but that it would be left to the discretion of the
individual land managing agencies. So to change it, we
would have to go back and -- with Secretarial
permission, revisit and conduct a new, or at least a
supplemental environmental impact assessment -- or
environmental assessment, excuse me. It would be a
long process, it's not impossible, but for now that
authority rests with the agencies, not with the Board.

MR. COLLINS: But what about Senator
Stevens' comments in the Register at the time it was
passed, that was in the Congressional Record that he
stated that that would be something that -- it wasn't
something that -- it wasn't precluded by ANILCA he said, that it would be implemented when warranted.

MR. LORD: Right. The question is not whether or not it could be implemented, it could be implemented, but right now the authority to implement it lies with individual agencies, not with this Board, so it's who can implement, not whether or not it's possible.

CHAIRMAN TOWARAK: My understanding is that the only other way that it could be done is to have the State manage fish and wildlife services for the whole state rather than separating the Federal and the State of Alaska management, but that's an issue that's been brought to the State and we haven't seen any movement on it. I know that the State Board process, the Board of Game, especially, has predator control a lot more so than we do and that's -- in my mind that's the only other solution that would address your concern.

Ms. Entsminger.

MS. ENTSMINGER: Yeah, I just want to -- it's a concern that the people have here. And I think the word predator control is not really what he's saying, he's saying, he's saying about management and we get ourselves wrapped around that all the time and it's all a matter of who's hearing it and what they think it says. And I don't think we should confuse that all the time, I think we should be more concerned about -- even if the State had management and you're telling us that each agency has their own whatever, policies and things.

It's like it's -- it just doesn't seem like it's working well. It seems like it's a battle and I guess it comes down to the users in the field are the ones that are losing. Because they have two sets of regulations, the State regulations and the Federal regulations and it's very difficult to deal with these differing regulations all the time and to see that each agency could do something different and we have to watch what each agency's doing, it gets so cumbersome and so frustrating for people and I think you got -- the Federal agencies need to know how difficult that is for the people that live out there.

CHAIRMAN TOWARAK: That kind of leaves
us at a standstill, you know, at this point we can't do anything with that issue.

Go ahead, Mr. Frost.

MR. FROST: So I think just a point of clarification. I think that -- and I've said this before and I'll probably say it again, and I don't want to throw my friends, the State under the bus, but, you know, the reason the Park Service did their wildlife regulation last year and the reason the Fish and Wildlife Service are currently in their process, is because we felt that the State process wasn't allowing us to meet our mission mandates, and they basically put us in a box. And if the State Board process would have worked with the Federal agencies and said, okay, we recognize that managing wildlife on Refuge lands and on Park lands might be a little bit different than on BLM lands or State lands, and they would have worked with us, we would have never gone down -- I can speak for the Park Service, I think the Fish and Wildlife Service would agree, that we would have never gone down this regulatory route, but because we felt that we were sort of boxed into a very difficult situation and it was preventing us from meeting our statutory mandates that we had to go the regulatory route. We did not want to go there. But as a result of just the circumstances that we were in we felt we had to do that and that's why these two regulatory processes have moved forward.

We hope that that type of -- that that wouldn't happen again in the future. I think that everybody -- as we've gone through the process over the past couple of years, that everybody recognizes and the users are keenly aware of the difficulties it makes, because it does complicate the issues.

But, you know, I don't want to blame it all on the State but it's part of this co-management, is that, we need to understand and respect each others mandates, You know the State has this mandate for sustainable maximum sustained yield, we need to respect that, but at the same time Fish and Wildlife Service and the Park Service does not, and we would hope that they would respect and understand that and work with us so that as they implement regulations that could effect Preserve lands, in the case of the Park Service, that those would be compatible with our mission and our mandates so that we don't have to have these competing regulations.
CHAIRMAN TOWARAK: Go ahead, Mr. Brower.

MR. H. BROWER: Thank you, Mr. Chair.

Harry Brower for the record.

I think the concern is real, that it's felt not just in certain areas, but it's -- I can speak for my region as well, we feel it in different -- the Gates of the Arctic in the National Wildlife Refuge and what has occurred over time. There needs to be a triggering process in terms of when predator control should be considered by the resource managers or the land managers. Because I've seen it before, you know, there's so many predators, we're trying to conduct subsistence in our area, specifically the Arctic National Wildlife Refuge, the population kept dwindling, but -- and we requested for predator control and the Refuge manager's indicating we can't conduct predator control, but the population went down so fast pretty soon there was no more hunt, no more subsistence hunt and they had to close down the subsistence hunt for muskox, and the population still dwindled down, even though the subsistence hunt because of predators in the Refuge.

So that's an example I wanted to share. And there needs to be some kind of triggering mechanism established for that and now without that predator control, the predators continue to take the resource, pretty soon it's not even available for viewing, because now they're all gone, gone, basically like extinct from the area. We were fortunate to find -- learned later that there was a few animals that had moved across the border into the Canadian Refuge and occasionally come across the border and move back into Canada and that's the only remaining muskox population we see there now.

So I agree with the two Chairs on the other side of the room, Mr. Chair, that if there could be something up through from your Board -- as the Board -- the Federal Subsistence Board to consider and communicate with the Secretaries to identify a process to pursue in a sense that there may be populations that could be saved and it's not so -- not being reactive to a situation where populations decline so fast there's nothing left to consider.

So I wanted to share that, Mr. Chair,
I've seen the rippling effects over time with this process. And there needs to be some means of communications to initiate or trigger considering the discussion points of predator control to elevate a certain species or population of animals to grow, to be able to sustain, use for subsistence purposes.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. I don't want to belabor the situation but perhaps we could ask each of the regions to go back to your Councils and suggest a solution to the Federal Subsistence Board and, you know, ask us to follow up on such a request.

I don't know what we could do with it but that would give us direction to do something. And I'm assuming that you're saying that we can't just watch the dissemination of subsistence -- subsistence game disappear because of predators, and I'm assuming that what both of you are saying is that you've watched situations where predators have basically outmaneuvered subsistence users. So if we could request each of the RACs to take that home with you and address it and suggest solutions, not only to this Federal Subsistence Board but to our Federal Legislators, the Congressmen.

Either that or we could wait for the State to change, or take over total management of wildlife services.

So I'm assuming that this is where it should go, is there any objections from the Board on asking the RACs to tell us what we need to do.

(No comments)

CHAIRMAN TOWARAK: Go ahead.

MR. SHIEDT: I'll reverse the question, if we do come back with something, is this Board able to do something about our predators and we're mainly talking about wolves and bears. Are you, the Board, able to do what we request to do, we need to go after the predators.

(No comments)

MR. SHIEDT: You're requesting it and I'm just reversing it, can you do something about it?
MR. PELTOLA: Through the Chair.

Enoch, I was wondering if you could repeat that again, sorry about that I was doing something.

MR. SHIEDT: I just said, reverse the question, if we do come back and the majority of us will come back, that we have predators that are hurting our resources and they're declining in numbers that we can't live with, are you be able to say, okay, let's go after the predators, are you going to be able to tell us to come back and give an answer, yes, you guys could do it, but how?

MR. PELTOLA: One thing that I'd like to reiterate is that the Federal Subsistence Board policy has been that predator population manipulation is reserved and addressed by the individual bureaus for the aforementioned reasons presented by our legal counsel in addition to the Federal Subsistence Program is not a land based management agency, we don't have any lands directly under the Program. So, I mean, the Regional Advisory Councils can still express opinions about proposed individual bureau actions but the Program itself does not have the authority to initiate a particular action on Federal lands, which may not be accepted by that management agency.

CHAIRMAN TOWARAK: Okay. I'm going to -- in the interest of time then we will leave it with the Regional Council's discussion. And I'm assuming the solution would be some type of change in regulations, and it possibly would mean Legislation.

Are there any other discussions from the Regional Advisory Council Chairs on anything else.

(No comments)

CHAIRMAN TOWARAK: If not then we will move to No. 5, the public comment period on non-agenda items. If there's anyone from the public that would like to address the Board.

(No comments)

CHAIRMAN TOWARAK: Not seeing anyone
jump up. I'm assuming that -- and if something comes
up, I am usually -- Mr. Chythlook.

MR. CHYTHLOOK: Good afternoon, Mr.
Chair and Board. I guess I'm just a guest today and
happy to be able to be here and listen to the
discussion that I heard.

For the record I'm Joe Chythlook. I'm
a retired Fish and Game employee. Worked for State of
Alaska, Board of Fish, Board of Game program for 21
years so I sat in a lot of meetings such as you had and
listened to concerns of people from all of over the
state. And one thing that I think that -- perhaps
might be something that may be worth considering, and I
don't know if it's within your regulatory powers to do,
but when it comes to predator control, I don't think
that there's a blanket answer for the whole state of
Alaska and predators in different regions. However, I
find from our practice on the Board of Game in the past
that if there's a predator control issue within a given
region, like for instance in our region, in Southwest
Alaska, there was a call for proposals given out to
people to come up with a proposed solution to the
problem. And, of course, that proposal becomes the
property of the Board and it's disseminated out to
everybody for public comment and by the time it gets to
the Board you've had a lot of people, Advisory
Committees in our case, making comment on the
proposals. And so when a Board sits down to deliberate
it's already been pretty much publicized and public
comment has been heard from all the users and it really
works fairly well that way from my experience.

For example, we had a predator control
issue in Bristol Bay and all the villages within the
given area in 17B and C and I think even into Unit 9
game areas were able to address and come up with a
proposal, I think which is a solution, and reference to
working with the Federal agencies, they have
opportunity to come and make a comment as well, just
like the State does to your Board and have input on how
best to address that. And as a final result, I think
within our area, we do have a good predator control
system.

And I think perhaps maybe one
suggestion that I would like to make as a -- I guess a
past participant in the public process, that if there's
a certain region that has a concern it would seem like
it would be a good thing to focus on, one area at a
time, instead of trying to have a blanket answer to
predator control on Federal lands. I know it's kind of
a sticky issue with all the different agencies that sit
on this Board because of so many different lands
represented by the Federal agencies on different parts
on the State of Alaska, however, I think if there's a
process that becomes part of the -- the Federal RAC and
Federal support system in place, some of the concerns
perhaps have been hard to deal with might be able to be
worked with with all these different agencies, even at
that.

But, anyway, I just thought I'd lend
my, you know, just my thoughts real quickly without
looking at your regulations and not having been part of
the RAC or anything, however, I do sit on the Nushagak
Fish and Game Advisory Committee as a retired State of
Alaska employee and we do still deal with our own State
Board of Game, Board of Fish issues on the local level.

And I do really feel for the folks
because the RAC people are still a grassroots people,
of people that are trying to protect subsistence in all
of the state. And often times agencies, Federal or
State have a tendency to override concerns because of
regulations that were passed way far away from where
people live. And it takes a long time for a lot of
local people to come and understand whatever process it
takes in order to be very effective in getting your
point across to people so that an action can be taken
to correct it.

But, anyway, that's just my thought and
as a public person, I guess, attending today I wanted
to share that information from past experience anyway.
And I think it could be worked -- I noticed the
gentleman over here spoke on you have existing
regulations, whether it's Park, Fish and Wildlife or
whoever you represent, which are in place and enacted
by Congress and empowered when different agencies and
Parks and Fish and Wildlife or even in our case, in
Togiak, National Wildlife Refuges were created, that a
lot of us subsistence users, Alaska Natives, in
particular, had very little input on and I know once we
get into a process our eyes are opened and then once
you get in a process you have a hard time trying to
explain to people that these were acted and are part of
the law and regulations, either Federal or State, and
as residents or citizens of this country we have to
abide by them, however, the thing that really bothers people is that when these were implemented, very little participation took place prior to them being regulated. And I suspect that's probably why even to this day on the subsistence -- State subsistence level, as mentioned by the Chairman, the residents of the state of Alaska are having a hard time getting together and saying, yes, we want the State to have full control of management of all the resources because even at the -- the State has a hard time working with the Federal agencies that don't have the same, you know, same, I guess, mission on how to handle game and fish resources in our state.

But, anyway, not to belabor, Mr. Chair, but I just thought I'd mention this, I guess, for information you probably already have.

Thank you, very much.

CHAIRMAN TOWARAK: Thank you, Mr. Chythlook, for your comments. You've got the kind of background that we need to help us find a solution and I hope the public understands that.

We will then continue on with our agenda moving on to -- oh, go ahead.

MS. STICKWAN: I just wanted to bring up what Sue said and her concern.

The proposed rulemaking process for NPS to add on bear baiting to subsistence collections and to say that they did a Section .801 analysis, and that was done, I think the process should be looked at for rulemaking and tacking on other things -- other -- tacking on bear baiting onto subsistence collection, plant collections. I think that, as she said, bypassed public comment period, they just went ahead and did this without public input. The Board should look at that, that's -- I just don't think it's right that they did this. Each new rulemaking that is done should have a Section .810 analysis done on it because bear baiting is allowed, and what they did -- or what they are proposing is going to affect subsistence uses. It's going to eliminate people from bear baiting successfully because the things like popcorn that you use, grease, those are sources of use to be successful at getting bears through bear baiting and to remove this from the regulations is going to have an affect on
subsistence uses for people to get bears and to provide
for their families.

So I think this process of tacking on
to an existing -- what they did was do was subsistence
collections, and then they tacked on bear baiting to
that, and that should be looked at. You can't tack on
two different rulemakings and say we already did a
process, a Section .810 analysis for that so we don't
need to do it again, each new rulemaking should have
its own .810 Section analysis.

CHAIRMAN TOWARAK: Thank you for those
comments.

Ken, do you have comments.

MR. LORD: Thank you, Mr. Chair. I
just wanted to share one observation I've made over the
years. Which is, that often when we've received
proposals for wolves, black bear or brown bear to
change harvest limits, I've often heard that the
existing limits are not being met. People aren't going
out and taking as many wolves or bears as they could
under the existing regulations. And so it occurs to me
that at least a partial solution might be right under
our noses, at least in some areas, if people aren't
already going out and taking what they can, and it
might be something that the RAC Chairs might want to
look at a little more carefully.

CHAIRMAN TOWARAK: Well, thank you.
We're going to move on, but before we do I think we're
going to take a 10 minute break. It's 11 minutes until
3:00, we will reconvene at 3:00.

(Off record)

(On record)

CHAIRMAN TOWARAK: I'd like to call our
meeting back into session. We just got done with Item
No. 5, the public comments on non-agenda topics, and we
will move into Item No. 6, which is 2016-2018 Subpart C
and D proposals. We will start with Item A, the tribal
and ANCSA consultation summary.

Orville, we'll give you the floor.

MR. LIND: Thank you, Mr. Chair. Board
members. I'm going to give a quick summary of this
morning's consultation, which was, I thought, very good
and I got some great feedback so I guess we're doing
okay.

This morning we started off with BBNA,
Gala, and she talked about her representing her tribe
and were in favor of the increased harvest limit for
caribou addressing the wildlife Proposal 25 and 26, and
then 31 and 32.

And, folks, let me know if there's
anything that I really missed that you think is really
important. This is just a summary.

Also she did mention about, you know,
maybe strong or help in assistance in engaging
communities and villages with the information that we
do outreach with. She also would like to engage the
younger folks in her communities.

We heard from Suzanna Henry and she
talked a little bit about the State processes and
talked about the harvest that wasn't really a good
harvest, it was less than expected.

We then talked to Mr. Verner Wilson,
III., from BBNA. He was new, he's the new president of
BBNA. He supports the co-management and also talked a
little bit about the outreach efforts and the need to
include everyone that's involved. That it's important
to the tribes for the things to work better.

We heard from Mr. Brower, talked about
including tribes and the RAC members to work closer
together in this whole subsistence issues that they're
having out there.

We heard from Gloria who talked a
little bit about Paxson and concern that people may ask
little bit about how caribou is very
Molly Chythlook talked a little bit about the weakness in some of the outreach processes and that we need to work together to make that stronger. Working with the RAC Chairs and with the other corporations, she stated that herself, she's involved in both the RAC and corporations and there are many people out there that do the same thing she does, wearing many hats. And you could have those for contacts we would go a little further.

Myron talked a little bit about the -- he explained that he was thankful for the outreach efforts and would like to see an increased effort in meeting with tribes and corporations before Federal Subsistence Board meetings.

Michael Bangs talked about maybe the materials sent out to -- extensive materials and they should be sent out to the tribes and they receive a response from the tribes from that.

Mr. Ashenfelter talked a little bit about missing the tribal consultation process, that can be corrected by a request letter from the tribe.

Mr. Kelly talked about sending members to the RAC meetings and they would return to the villages and report. Need to be stronger and also work closer with the State of Alaska.

Mr. Speridon from Kodiak stated that the information should try to include everyone that's affected by the proposals and that there should be communication both ways.

Mr. Peltola talked a little bit about the difference between temporary and special actions. OSM would agree that Nushagak Planning Committee could be added to the -- I don't know if I wrote this down right, a designated letter, is that -- oh, delegation of authority.

And, again, Michael Bangs mentioned that the RAC Chairs -- encourage everyone to also work with local folks.
Stronger effective outreach -- I mentioned that we are making progress. We're getting more tribes calling in. We're going to make it better with their help. And then updating our contact lists with the help of our partners, tribes, corporations.

And that is all I have for the summary this morning, Mr. Chairman.

CHAIRMAN TOWARAK: Thank you, Orville.

Are there any questions from the Board regarding the tribal consultation process.

(No comments)

CHAIRMAN TOWARAK: Thank you, Orville. We will move on to announcement of the consensus agenda.

Gene.

MR. PELTOLA: Yeah, Mr. Chair, if I may.

There are a total of 34 proposals, which could be found on Page 3 to 5 of the meeting booklet and these have been included on the consensus agenda. These are proposals for which there is agreement among Federal Subsistence Regional Advisory Councils, the Federal InterAgency Staff Committee and the Alaska Department of Fish and Game concerning Board action. Anyone may request that the Board remove a proposal from the consensus agenda and place it on the regular agenda. The Board retains final authority for removal of a proposal from the consensus agenda. The Board will take final action on the consensus agenda after deliberation and discussion of all other proposals.

As I mentioned, Mr. Chair, the consensus agenda proposals can be found on Pages 3 to 5, a total of 34 of them. They're available for viewing. And due to the length I wasn't going to go to through and read each title.

Mr. Chair.

CHAIRMAN TOWARAK: We're going to open
the floor for public comments on the consensus agenda items.

(No comments)

CHAIRMAN TOWARAK: Are there any desire to change any of the consensus topics to -- anyone want to move any proposals from the consensus to non-consensus status.

(No comments)

CHAIRMAN TOWARAK: Not hearing any then we will -- this opportunity -- the opportunity to change anything from consensus to non-consensus will be available at the beginning of every meeting subsequent to the day prior to final action. So if you see something that you would like to put on to the non-consensus topics, that opportunity will be available tomorrow.

We will then begin the deliberation process on the non-consensus agenda items.

We will go through our normal process. We will have analysis by our lead authors with the Staff.

MR. SUMINSKI: Good afternoon, Mr. Chairman. My name is Terry Suminski, I'm with the US Forest Service and the subsistence program leader for the Tongass National Forest. Good afternoon.

MR. REEVES: Thank you, Mr. Chairman. Good afternoon, Board members. For the record my name is Jeff Reeves and I'm also with the Forest Service. And I will be presenting the analysis for WP16-01. You can find your executive summary on Page 449 of your materials and the analysis on Page 451.

I'll let the colleague on my right introduce himself.

MR. LARSON: Thank you, Mr. Chair. My name is Robert Larson. I work with the Forest Service. My function here is the Southeast Council's coordinator.

CHAIRMAN TOWARAK: Thank you. Go
MR. REEVES: Proposal 16-01 was submitted by the Craig Tribal Association.

It requests that non-Federally-qualified subsistence users be limited to the harvest to two deer from the Federal public lands in Unit 2 and they've also requested a season ending date for Federally-qualified users be extended from December 31st to January 31st. The proposal was submitted to provide for conservation of the Unit 2 deer population by reducing harvest by non-Federally-qualified users. CTA has also asked for the season extension, and clarification with the proponent revealed that the season extension was also to include the season for the harvest of female deer.

Estimated deer harvest in Unit 2 from 1997 to 2013 can be found in Figure 2, and that harvest is broken down by months in Table 2. Estimated total harvest averages 2,850 deer during this period. Harvests have been on the increase since 1997 have been at or above ADF&G's Unit 2 harvest objective of 2,700 deer. The majority of the hunters harvesting deer in the unit between 2010 and 2012 have been residents of Unit 2. Hunters residing in Unit 1A have accounted for an average of 30 percent of the whole Unit 2 harvest.

This proposal will reduce harvest limit for non-Federally-qualified users hunting deer on Federal public lands in Unit 2 but will not change the harvest limit under the State sporthunting regulations or affect any harvest on State or private lands. If adopted, the proposal will also provide Federally-qualified subsistence users 31 additional days to hunt deer in Unit 2 after the close of the State season. The January hunt would only apply to Federal public lands. Although prior year harvest tickets can be used, Federally-qualified users would need a new State hunting license to participate in the extended season. Additional deer will be harvested with a January season, however both State and Federal managers are unable to estimate to what degree. While the potential harvest may be far lower than other months during the typical deer season, the harvest of female deer may increase dramatically beyond current levels as female deer are typically in better physical condition than bucks are in January. Lastly, differentiating between male and female deer during the month of January will be difficult as most bucks have shed their antlers and
will have hair growth over their pedicles.

The Staff recommendation is to oppose Proposal 16-01. Reducing the harvest limit for non-Federally-qualified users in Unit 2 is not needed. Although Unit 2 harvest have been on the increase the harvest percentage by non-rural users has not dramatically increased beyond previous levels.

Recent harvest data suggests that the deer population in Unit 2 is currently stable and growing. The Unit 2 Federal season currently provides Federally-qualified subsistence users eight additional hunting days in July, a closure to non-qualified users for 15 days in August on the majority of Prince of Wales Island Federal lands, a five deer harvest limit, an opportunity to harvest one female deer after October 15th. The current harvest data suggests that these priorities are benefitting Federally-qualified users. Although the January season does exist in Unit 4 in Southeast, managers believe that an extension of a season in Unit 2 may not be in the best interest of deer conservation due to ease of access through an expansive road system as well as presence of wolves in the unit. Lastly, with male deer during January being in poorer physical condition than female deer, along with the difficulty in distinguishing between the two during this time, the harvest of female deer may substantially increase resulting in potential conservation concerns.

This concludes my presentation.

Thank you.

CHAIRMAN TOWARAK: Are there any questions of the Staff.

(No comments)

CHAIRMAN TOWARAK: If not, then please proceed.

MR. LARSON: Thank you, Mr. Chair. There are two written public comments. The first is from the Klawock Cooperative Association, and they are in support of the proposal as written. Their rationale is that rural subsistence users would benefit from both of these
provisions.
The other written comment is from the Organized Village of Kasaan and they are in favor of the proposal as written.

Thank you.

CHAIRMAN TOWARAK: Any questions of the Regional Council coordinator.

(No comments)

CHAIRMAN TOWARAK: Thank you. We'll open the floor then to public testimony.

(No comments)

CHAIRMAN TOWARAK: IT doesn't appear that there -- we don't have any blue cards or anything so -- pardon -- anyone on the phone wish to make any public comments regarding this proposal.

OPERATOR: We don't have any questions currently cued or comment but phone participants can hit star one.

(No comments)

OPERATOR: It doesn't look like we have anybody coming through.

CHAIRMAN TOWARAK: If there are no public comments then we will move on to Tribal, Alaska Native Corporation comments.

MR. LIND: Mr. Chair. There are no consultations for that.

CHAIRMAN TOWARAK: Any comments from the Department of Fish and Game.

MR. BUTLER: Mr. Chair. Lem Butler, Assistant Director. We also recommend opposing the proposal and agree with the OSM analysis.

CHAIRMAN TOWARAK: Go ahead.

MS. HOWARD: Mr. Chair. I believe that we also maybe skipped over the Regional Council
recommendation from the Chair. Did we want to hear
that first before InterAgency Staff Committee comments.

CHAIRMAN TOWARAK: Go ahead, Mr. Larson.

MR. LARSON: Thank you, Mr. Chair. The
Chair of the Southeast Council is in attendance,
Michael Bangs has some comments, recommendations.

CHAIRMAN TOWARAK: Go ahead, Mr. Bangs.

MR. BANGS: Thank you, Mr. Chair.

Our Council's comments are on Page 463. And I think we gave some reasons, why, through
testimony we heard about being able to identify the
difference between a male and a female, even when there
weren't antlers, was -- was given a good argument by
some of the public and some of the Council members who
live there felt that was something that we could
overcome. And we thought it would give opportunity to
people who want fresh meat in January. So if you want
to read through the short little comments there to get
an idea of some of the justifications we used that was
our reasoning behind opposing the -- there was no
conservation concern and so we didn't feel like we
should cut out any non-Federally-qualified hunters but
we did feel this would give additional opportunities to
subsistence users.

Thank you.

CHAIRMAN TOWARAK: Are there any
questions of the Chair.

(No comments)

CHAIRMAN TOWARAK: Thank you. The
floor is open then from the Federal Subsistence Board
action on this proposal.

(Pause)

MS. PENDLETON: Mr. Chair. I believe
that we need to hear from the InterAgency Staff
Committee and hear their report.

CHAIRMAN TOWARAK: Okay. We didn't
hear from the InterAgency Staff Committee, ISC Chair.
The InterAgency Staff Committee found that the Staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and Federal Subsistence Board action on the proposal.

In addition to the standard ISC comments, if the Board agrees with the Council recommendation it could support the proposal, WP16-01 with modification, to only extend the season from July 24th through December 31st, to July 24th through January 31st.

Deer populations in Unit 2 are at a reasonably high level and the population is increasing, however, based on the Staff analysis, the season change could cause a conservation concern for deer in Unit 2. Council comments during deliberations at their recent October 27th through 29th, 2015 meeting indicated that it is a traditional practice to harvest deer in January and that even without antlers male deer could be identified in January.

As stated in the Staff analysis, there is no legal or biological basis for restricting non-Federally-qualified users in Unit 2.

That concludes the ISC comments for this proposal.

Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Are there any questions.

(No comments)

CHAIRMAN TOWARAK: We've already heard from the Council Chairs and the State liaison. The floor is then open for Board action on 16-01.

MS. PENDLETON: Mr. Chair. I'm prepared to make a motion.
CHAIRMAN TOWARAK: Go ahead.

MS. PENDLETON: I move to adopt Proposal WP16-01 as submitted by the Craig Tribal Association. This proposal as noted is shown on Page 449 of the Board book, and following a second I intend to move to amend the proposal to reflect the recommendation of the Southeast Subsistence Regional Advisory Council. So I would need a second on that before I go forward.

MR. CHRISTIANSON: Second.

CHAIRMAN TOWARAK: You heard the motion and a second. The floor is open for discussion.

MS. PENDLETON: So I move to amend WP16-01 to strike out the reduction on the harvest limit of deer by non-Federal users. And if I get a second to my motion I'll provide the rationale why I intend to support this amendment.

MR. CHRISTIANSON: I second that.

CHAIRMAN TOWARAK: You heard the motion and the second, please proceed.

MS. PENDLETON: Thank you. My rationale for amending the proposal as recommended by the Southeast RAC is as follows:

And first I'll address extending the season through January. The rationale here is that deer populations in Unit 2 are currently stable and growing. It's traditional practices, as was noted by the InterAgency Committee, to harvest deer in January. Any increase in harvest of female deer is expected to be minimal and sustainable. Female deer currently make up about four percent of the harvest. The Forest Service District Rangers also have delegated authority to manage deer in Unit 2 in-season and have the authority to close the season early should there be conservation reasons.

Secondly, I'd like to address limiting non-Federally-qualified users. The rationale here is that limiting non-rural users is not necessary because there is no conservation concern for deer in Unit 2. And, furthermore, data support that competition with non-rural users in Unit 2 is not reducing the hunting
success of Federally-qualified users. There's no legal basis for restricting non-Federal users at this time.

And I believe that these are compelling reasons to support the Council's recommendations of extending the season ending date to January 31st and deleting the portion of the proposal that would reduce harvest limit of deer by non-Federal users.

Thank you.

CHAIRMAN TOWARAK: Any further discussion.

(No comments)

CHAIRMAN TOWARAK: The floor is open to call for the question.

MR. C. BROWER: Question.

CHAIRMAN TOWARAK: Question's been called for. All those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously.

Mr. Christianson.

MR. CHRISTIANSON: That was an amendment to the original motion, do we need to now go back to the main motion.

CHAIRMAN TOWARAK: Okay, you're right. This puts the main motion on the floor to adopt 16-01 as amended.

Is there any discussion.

(No comments)

CHAIRMAN TOWARAK: If not, all those in favor of the motion say aye.
IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed, say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously. The next proposal -- we're on Proposal 16-07 on Page 467 and we'll have the analysis by the Staff.

MR. REEVES: Thank you, Mr. Chairman. Again, Jeff Reeves, US Forest Service.

The executive summary is on Page 466 of your materials, the analysis on Page 467.

Proposal WP16-07 was submitted by the Southeast Regional Subsistence Advisory Council, and they're requesting that firearms be allowed to harvest beaver in Units 1 through 5 under the Federal Subsistence trapping regulations.

The proponent believes the proposal is necessary to provide consistency in State and Federal regulations. That the take of beaver with a firearm under a trapping license is allowed in other parts of the state. Beaver are often used for food and there are no conservation issues with beavers in these units.

The Federal trapping regulations for the unit were adopted from the State trapping regulations at the time of Federal management at the beginning and, although trapping regulations typically allow trappers to harvest furbearers with a firearm, harvesting beaver in Southeast had been prohibited. Additionally, the National Park Service prohibits the use of firearms to take free ranging furbearers under a trapping license.

Beaver populations in these units are considered healthy. Allowing the take of beaver with a firearm should not dramatically increase beaver harvest or create conservation issues. The proposal will align State and Federal regulations and provide Federally-qualified users an additional method for harvesting beaver.

The proposal would not apply to
National Park Service lands, a separate provision currently restricts the firearm use on those lands.

The recommendation is to support Proposal 16-07 with modification. And the modified language would specify that firearms may not be used on National Park Service lands. So the modified regulation would read:

In Units 1 through 5, a firearm may be used to take beaver under a trapping license during an open beaver season, except on National Park Service lands.

Allowing firearms to take beaver will provide for better quality when taking a beaver for food and it is allowed in other areas of the state. If adopted as modified, the proposal does not create conservation issues, will provide additional means to harvest beaver and it'll align State and Federal regulations while maintaining the prohibition of firearm use on Park Service lands.

Thank you.

CHAIRMAN TOWARAK: Any questions of the Staff.

(No comments)

CHAIRMAN TOWARAK: If not then we'll have a summary of public comments.

MR. LARSON: Mr. Chair. There are no written public comments.

CHAIRMAN TOWARAK: Thank you. The floor is open for any public testimony.

(No comments)

CHAIRMAN TOWARAK: Anyone on line wish to address the Board on this proposal.

OPERATOR: I have no questions from the phone.

CHAIRMAN TOWARAK: Thank you. The Regional Council recommendation.
MR. BANGS: Thank you, Mr. Chairman.

Our Council's comments are on Page 472. And I think that it's self-explanatory. And I would like to mention that as Board member Pendleton said, there is in-season management authority and if something is not working right, if there is a conservation concern the season could be stopped.

Thank you.

CHAIRMAN TOWARAK: At any time if anybody has questions, please, feel free to address the Staff.

Have Tribal, Alaska Native Corporation comments. Orville.

MR. LIND: Mr. Chair. Orville Lind, OSM. No comments.

CHAIRMAN TOWARAK: Thank you. The Department of Fish and Game comments.

MR. BUTLER: Mr. Chair. The Department recommends supporting this proposal to align State and Federal regulations. We do note that we're opposed to the closure, or the restriction on Park Service lands. We don't see a biological reason to impose that limitation on subsistence users.

CHAIRMAN TOWARAK: Thank you. Any questions of the State.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, then we will go on to the InterAgency Staff Committee comments.

MS. HOWARD: Thank you, Mr. Chair.

Amee Howard, again, for the ISC.

The InterAgency Staff Committee determined that adopting this proposal as written would result in conflicting regulations on lands administered by the National Park Service. The modification as proposed by OSM and supported by the Southeast Council will align Federal and State rules and clarify that National Park Service lands are excluded from the
Taking beaver with a firearm is allowed in many other areas of the state without resulting in conservation concern. It is anticipated that adopting this proposal, as modified by OSM, will provide additional opportunity to harvest beaver for food and reduce regulatory complexities.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Board discussion with the Council Chair and State liaison.

(No comments)

CHAIRMAN TOWARAK: Any questions or comments.

(No comments)

CHAIRMAN TOWARAK: Not hearing any then the floor is open for Board action.

MS. PENDLETON: Mr. Chair. I'd move to adopt Proposal WP16-07 as modified by the Office of Subsistence Management that firearms be allowed for harvesting beaver in Units 1 through 5 under Federal subsistence trapping regulations, except on National Park Service lands. This modification, as noted, is shown on Page 470 of the Board book. And following a second I will provide rationale why I support the modified proposal.

MR. C. BROWER: Second.

CHAIRMAN TOWARAK: You heard the motion and a second. Further discussion.

MS. PENDLETON: So my rationale for supporting the proposal as modified by OSM is the following:

First or all the modified proposal is consistent with the recommendation of the Southeast Regional Advisory Council. The proposal does not create conservation issues because beaver populations in these units are healthy. The proposal provides additional means to harvest beaver. The proposal aligns State and Federal regulations as noted, while
maintaining the prohibition of firearm use to take furbearers on National Park Service system lands. And a couple more reasons would be allowing firearms to take beaver also provides for better quality when taking beaver for food and is allowed in other areas across the state. This regulation will reduce the need to issue nuisance harvest permits for beaver, and, finally, it will benefit subsistence users by allowing the take of beaver encountered while trapping other species.

And I found these reasons to be compelling to support Proposal WP16-07 as modified by OSM and consistent with the recommendation from the Council.

Thank you.

CHAIRMAN TOWARAK: Any further discussion.

(No comments)

CHAIRMAN TOWARAK: The floor is open for the calling for the question.

MR. CHRISTIANSON: Question.

CHAIRMAN TOWARAK: Question's been called for. All those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed, say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously.

The next proposal is 16-09. It's on Page 473. Go ahead, Mr. Larson.

MR. LARSON: Thank you, Mr. Chair. Again, my name is Robert Larson. I work for the US Fish and Wildlife Service -- or the US Forest Service.

(Laughter)
MR. LARSON: I sometimes get those confused.

(Laughter)

MR. LARSON: I am the analyst for this proposal. If you look on Page 473 you can see the executive summary.

Proposal 16-09 was submitted by the Alaska Department of Fish and Game and requests that the Board close the subsistence marten trapping season on Kuiu Island. The reason stated for the proposal is that the Department believes there is a serious conservation concern for martens on Kuiu Island.

The current Federal subsistence trapping season is December 1st through February 15th with no limit.

OSM's preliminary conclusions is to support WP16-09 with modifications to close the marten trapping season on Kuiu Island beginning on January 1st.

The State season is closed. And use by Federally-qualified subsistence users has been low. Allowing a one month season for Federally-qualified subsistence users would provide some opportunity for the continuation of subsistence uses. Additionally, sealing of marten is required and would allow the collection of harvest statistics and biological samples for use by managers in monitoring this population. A December-only season provides a significant reduction in harvest opportunity from what is currently allowable and will provide adequate protections for the conservation of marten on Kuiu Island.

The Board has not made a customary and traditional use determination for martens in Unit 3, therefore, all rural residents may harvest marten in this unit. There's been a history of management actions beginning in 2008. Regulatory actions have been taken by both Federal and State authorities to either close or restrict the marten trapping season on Kuiu Island.

Generally marten harvest levels are directly related to fur prices and winter weather conditions during the trapping season. The number of
The number of individuals trapping marten on Kuiu Island has ranged from zero to three per year between 1995 and 2014, no more than one of which has been Federally-qualified. There's been a pattern of little trapping on the island in recent years and this closure would have a minimal effect on Federally-qualified subsistence users. Since a number of trappers and resulting harvest is currently at low levels the closure would not have significant value as a means of increasing the marten population.

That concludes my speaking.

Mr. Chair, that's me as well. And there are none.

MR. LARSON: Mr. Chair, that's me as well. And there are none.

Our comments are on Page 484. And I think that our coordinator and the analysis gave a pretty good idea of what was presented to us and the information was alarming to us that if we didn't have some sort of a season the State would have no way to find out what the population was doing. So in addition to allowing such a short season with so few trappers that it would be a good way to monitor the population.
And if there's no value in the pelt, or if there's no value in spending your time to go out there and trap then there's probably not going to be anybody to go out there and trap. But we thought it had an additional benefit by allowing it so that we could at least have a feel of what the population was doing. And for that reason we supported it with the modification of just allowing a one month trapping season.

Thank you.

CHAIRMAN TOWARAK: Thank you. Do we have any Tribal, or Alaska Native Corporation comments.

Mr. Lind.

MR. LIND: Mr. Chairman. Orville Lind, OSM. No comments.

CHAIRMAN TOWARAK: Thank you. The Department of Fish and Game comments.

MR. BUTLER: Mr. Chair. We support the proposal, as written.

We've had a seven year study on the island and we've noted very low marten abundance, low recruitment levels, very little prey and feel that the closure is warranted for conservation purposes.

We're also not sure that we could get adequate information from a small harvest to actually benefit our monitoring program. We use trapper questionnaires to collect information on population abundance, it doesn't require harvest, and we could use that as a mechanism for monitoring the population.

So, again, we don't really acknowledge this additional month of trapping would be a benefit to managers.

CHAIRMAN TOWARAK: Thank you. Any questions of the State.

MR. LORD: May I.

CHAIRMAN TOWARAK: Go ahead.

MR. LORD: Maybe I misunderstood you. Did you say that you use trapper questionnaires to get
the information but if there's no trapping then you'll still have adequate information?

MR. BUTLER: Yeah. The trapper questionnaire survey is mailed out randomly to various trappers in an area and it asks questions about what they're seeing in the field in terms of signs of animals and other things so we would have that as a mechanism to continue to monitor, marten abundance in this case, and we could bolster those efforts if there's a concern that we're not capturing enough information currently. But that's what we do. It's mailed out trappers, and general people who buy trapping license, so it's not like we'd have to identify who a marten trapper is, we'd be looking for people who are engaged in the area, in the field, historically even, to the extent that people -- we need a better sample size.

MR. LORD: So you mean people trapping for other things might trap marten incidentally and you get information from that, is that what you're saying?

MR. BUTLER: I'm saying as trappers go out in the field they see and observe sign of other animals, non-targeted species, including marten in this case if the season were closed, and they'd be able to report their observations.

MR. LORD: Thanks for clarifying that.

CHAIRMAN TOWARAK: If there's no further questions or discussion with the State, we'll get the InterAgency Staff Committee comments.

MS. HOWARD: Thank you, Mr. Chair. The InterAgency Staff Committee found the Staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and Federal Subsistence Board action on the proposal.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Any Board discussion with either the Council Chairs or the State liaison.

(No comments)
CHAIRMAN TOWARAK: Any further discussion.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, then the floor is open for Board action.

MS. PENDLETON: Mr. Chair. I'm prepared to make a motion.

I move to adopt Proposal WP16-01 as modified by the Office of Subsistence Management, which is also consistent with the recommendations from the Southeast Alaska Regional Advisory Council, and that is to reduce the marten trapping season on Kuiu Island to December 1st through the 31st.

This modification, as noted, is shown on Page 48 [sic] of the Board book and following a second I'll provide rationale for why I support the modified proposal.

MR. CHRISTIANSON: Second.

CHAIRMAN TOWARAK: You heard the motion and the second by Mr. Christianson. Any -- the floor is open for discussion.

MS. PENDLETON: My rationale for supporting the proposal, as modified by OSM, and consistent with the RAC is as follows:

First of all that modified proposal is consistent with the deliberations and recommendations from the Council. Also a December only season provides an opportunity for the continuation of subsistence uses and provides for the conservation of marten on Kuiu Island. Harvest data indicate that the result of closing the January to February portion of the season would likely reduce potential harvest by as much as 58 percent. Sealing of marten is required and allowing some harvest would facilitate collection of harvest statistics and biological samples for use by managers in monitoring this population. The number of trappers that have used this resource is very low, at only one or two currently. And finally this recommended modification was the solution that was adopted by the Board for the 2013 season.
I found these to be some compelling reasons to support this proposal, as modified by OSM and is consistent with the RAC.

Thank you.

CHAIRMAN TOWARAK: Thank you. Any further discussion.

(No comments)

CHAIRMAN TOWARAK: The floor is open to the call for the question.

MR. C. BROWER: Question.

CHAIRMAN TOWARAK: Question's been called for. All those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Motion -- any of you opposed to the motion, say nay. I'm already tired.

(Laughter)

(No opposing votes)

CHAIRMAN TOWARAK: Not hearing any, the motion passes unanimously.

We originally had the Southcentral proposals next in line but because the Chairman is not here today but he will be here tomorrow we will do the Southcentral proposals, which are 16-10a, 10b, 11, 13, 19 and 20 until tomorrow morning.

We will then proceed with the Bristol Bay proposals.

(Pause)

CHAIRMAN TOWARAK: We will start with 16-21 and have the Staff provide an analysis.

MS. WORKER: Thank you, Mr. Chair. My name is Suzanne Worker. I'm a wildlife biologist with the Office of Subsistence Management. And I'll be presenting some of the Bristol Bay Staff analysis, beginning with WP16-21.
This analysis was not included in your book, it was provided as supplemental material if you need to reference it.

This proposal was submitted by the Bristol Bay Subsistence Regional Advisory Council, and they request changing the caribou season in Units 9C remainder and 9E from the current no open season to a to be announced season, open to residents of 9C and 9E.

In 1999 the Board took -- the Board closed Units 9C remainder and 9E to caribou harvest except by residents of 9C and 9E. In 2006 the closure was extended to all user groups and that closure has been in effect since. The current proposal was prompted by the possibility that the State might open a limited Tier II hunt in the fall of 2016 contingent upon favorable population parameters.

The herd currently appears to be growing but remains well below the State's management objective of 12,000 to 15,000 animals. The last minimum population estimate was around 2,700 and that occurred in 2014. At that time the bull/cow ratio was 40 bulls to 100 cows, which is the highest level since 2003 and it does exceed the State's management objective. There has been no reported harvest since the closure was implemented in 2005.

Because this proposal requests limiting the pool of eligible users to a subset of users who have C&T, a Section .804 analysis was conducted by anthropologists in OSM and so at this point I'll turn the floor over to Pippa, who can share with you the outcome of that analysis.

MS. KENNER: Thank you, Suzanne. For the record my name is Pippa Kenner and I work for the Office of Subsistence Management here in Anchorage, Alaska and I'm an anthropologist.

As Suzanne mentioned, currently, Federal public lands in the remainder area of Unit 9C described in Federal regulations, which is Unit 9C excluding the Alagnak River drainage and in Unit 9E are closed to the harvest of caribou by all users.

At its fall 2015 meeting the Bristol Bay Council clarified its intent and asked to allow only residents of Units 9C and 9E to harvest caribou in
the remainder area of Unit 9C and in Unit 9E if an
opportunity became available. Because the Council
requested that the pool of Federally-qualified users be
reduced it required the application of ANILCA Section
.804 criteria to establish priority among those with a
customary and traditional use determination to harvest
caribou in Unit 9C remainder or in Unit 9E.

After the Bristol Bay Council meeting
in fall of 2015, Staff conducted the ANILCA Section
.804 analysis and presented it to the Bristol Bay and
Kodiak/Aleutians Councils at their joint meeting on
March 10th, 2016. That was just last month.

The preliminary conclusion of the
Section .804 subsistence user prioritization for Unit
9C remainder is that residents of Unit 9C, including
the communities of King Salmon, Nankek and South Naknek
and residents of Egegik have a higher level of
customary use and dependence on caribou in Unit 9C
remainder than do other Federally-qualified users after
the consideration of the three criteria in ANILCA
Section .804 in Federal regulations.

Moving on, the preliminary conclusion
of the Section .804 subsistence user prioritization
analysis for Unit 9E is that residents of Unit 9E have
the higher level of customary use and dependence on
caribou in Unit 9E than do other Federally-qualified
users after consideration of the three criteria in
ANILCA Section .804 in Federal regulations. The
communities in Unit 9E are Chignik Bay, Chignik Lake,
Chignik Lagoon, Ivanof Bay, Egegik, Perryville, Pilot
Point, Port Heiden and Ugashik.

Now, I'm going to move on to the
addendum to the analysis that begins on Page 20.

I write an addendum to an analysis when
the conclusion that the Council commented on has
changed and I changed the OSM conclusion after the
March 10th, 2016 joint Council meeting.

At their meeting in March, the Bristol
Bay and Kodiak/Aleutians Councils met together and,
again, reviewed the OSM analysis and conclusion,
however, this time with a Section .804 subsistence user
prioritization analysis included. A member of each
Council both voiced concerns that the communities of
Nelson Lagoon and Sand Point would not be eligible to
harvest caribou in Unit 9E if the OSM preliminary conclusion was adopted. Council members said that the southern Alaska Peninsula Caribou Herd’s migration was a long way from the communities and Sand Point residents were known to rely on caribou accessible along Stepovak Bay. Stepovak Bay is the deep bay located northeast of Sand Point and is situated in Unit 9E. After the Council meeting, Staff reviewed Council member comments and additional ethnographic documentation and changed the OSM conclusion to include residents of Nelson Island -- excuse me, Nelson Lagoon and Sand Point to those eligible to harvest caribou in Unit 9E, should an opportunity become available.

The OSM conclusion is now the same as the Bristol Bay and Kodiak/Aleutians Council recommendations.

Thank you. I'm going to turn the presentation over to Suzanne.

MS. WORKER: I don't have anything more to add, Mr. Chair, but we would certainly be willing to take questions.

CHAIRMAN TOWARAK: Thank you. Are there any questions of the Staff.

(No comments)

CHAIRMAN TOWARAK: We have -- get a summary of the public comments from the Regional coordinator.

MR. MIKE: Thank you, Mr. Chair. Donald Mike, Regional Council Coordinator.

There are no written public comments.

Thank you.

CHAIRMAN TOWARAK: Thank you. The floor is open to any public members that want to comment on this proposal.

(No comments)

CHAIRMAN TOWARAK: Is there anyone on line that would like to testify.
OPERATOR: I have no participants cued up on the phone.

CHAIRMAN TOWARAK: Thank you. Regional Council's recommendation.

MS. CHYTHLOOK: Thank you, Mr. Chair. If you go to Page 24 of your book.

The Bristol Bay Subsistence Regional Advisory Council supports WP16-24 with modifications. The Council supports the flexibility for the agencies to open up the hunt if the population continues to improve and to replace to be announced to may be announced. The may be announced season will provide for opportunity to harvest caribou. The Northern Alaska Peninsula Caribou Herd is continuing to improve and the delegation of authority to open or close the season allows for the manager to make in-season decisions in response to the changing of caribou population.

Additionally, the Council supports the Section .804 conclusion with modifications to include residents of Nelson Lagoon, Sand Point in the pool of Federally-qualified subsistence users who are eligible to harvest caribou in Unit 9E.

And in your book, Page 24, you will see the -- what was developed for the proposal.

Thank you.

CHAIRMAN TOWARAK: Thank you. Any questions of the Chair.

(No comments)

CHAIRMAN TOWARAK: Do we want to hear then from Kodiak Council.

MR. SIMEONOFF: Thank you, Mr. Chair.

At its meeting September 30, 2015, the Council expressed the concern with the Northern Alaska Peninsula Caribou Herd population growth. The Council supported that giving the in-season manager flexibility to establish a hunt if the population allowed. And at our spring meeting held on March 10th, 2016, an .804 analysis was conducted regarding eligibility to hunt caribou on Game Management Unit 9E and the communities
of Nelson Lagoon and Sand Point were omitted, following
that review, Council members clarified that community
members from Nelson Lagoon and Sand Point relied on
caribou in Unit 9E, all the communities are eligible to
hunt the Southern Peninsula Herd in 9D but the distance
to that herd was prohibited.

But as we heard, the communities of
Nelson Lagoon and Sand Point were put back in.

Thank you.

CHAIRMAN TOWARAK: Thank you. Any
questions of the Chairs.

(No comments)

CHAIRMAN TOWARAK: If not then we will
hear from the Tribal, or Alaska Native Corporation
comments.

MR. LIND: Mr. Chair. Orville Lind,
Native Liaison. There are no comments.

CHAIRMAN TOWARAK: Thank you.

Department of Fish and Game comments.

MR. BUTLER: Mr. Chair. The Department
supports the proposal. We do intend to offer a Tier II
hunt for this population. We've noted that it's been
increasing, it's reached the management objective for
bulls to cows, the calf ratio is really strong in this
population, so we expect it to continue growth towards
the population objectives with a harvest in place. So
we support that.

We're neutral on what the Board does
with the modifications regarding residency.

But we do support the proposal.

CHAIRMAN TOWARAK: The InterAgency
Staff Committee comments.

MS. HOWARD: Thank you, Mr. Chair. The
InterAgency Staff Committee found the Staff analysis to
be a thorough and accurate evaluation of the proposal
and that it provides sufficient basis for the Regional
Advisory Council recommendation and Federal Subsistence
Board action on the proposal.
Thank you.

CHAIRMAN TOWARAK: Thank you. Board discussion with any of the Council Chairs or the State liaison.

(No comments)

CHAIRMAN TOWARAK: Any further comments or discussion on the proposal.

(No comments)

CHAIRMAN TOWARAK: If not, then the floor is open for Board action.

MS. CLARK: Mr. Chair. I'm ready to make a motion.

CHAIRMAN TOWARAK: Sure.

MS. CLARK: I make a motion to adopt Proposal WP16-21 with the modifications on Pages 24 and 25 of the supplemental recommended by the Bristol Bay and Kodiak/Aleutians Councils.

MR. CHRISTIANSON: Second.

CHAIRMAN TOWARAK: Oh, I'm sorry, the motion.....

MR. CHRISTIANSON: Second.

CHAIRMAN TOWARAK: .....was seconded by Tony Christianson. Further discussion.

MS. CLARK: I'll provide my justification.

The Northern Alaska Peninsula Caribou Herd population is recovering and there may be a limited harvestable surplus of bulls in the population in the very near future. By adopting a may be announced season the Refuge manager would have flexibility to provide for harvest opportunity when the herd can support a limited harvest opportunity. However, because the opportunity will be limited it is necessary to reduce the pool of eligible subsistence users following the Section .804 criteria. The Section .804 analysis conducted by OSM provides sufficient
information to support reducing the pool of eligible
users in Unit 9C remainder to the residents of Unit 9C
and Egegik and the Unit 9C to residents of the Unit 9E
Nelson Lagoon and Sand Point.

CHAIRMAN TOWARAK: Thank you. Any
further questions.

(No comments)

CHAIRMAN TOWARAK: Further discussion.

(No comments)

CHAIRMAN TOWARAK: The floor is open
for calling the question.

MR. C. BROWER: Question.

CHAIRMAN TOWARAK: Question's been
called for. All those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed, say
nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes
unanimously. We'll move on to 16-22.

MS. WORKER: Thank you, Mr. Chair.

This is Suzanne Worker again and I will be presenting
the Staff analysis for WP16-22.

This analysis begins on Page 555 of
your Board books and it was submitted by the Alaska
Peninsula and Becharof National Wildlife Refuges.

They request requiring a Federal
registration permit for moose harvest in the portion of
Unit 9C that drains into the Naknek River from the
south for the August 20th through September 20th
season, so this is Federal lands within Becharof
National Wildlife Refuge.

Currently a State registration permit
is required for the fall season but a Federal permit is
required for the winter season that runs December 1st
through December 31st. So the main problem with
requiring a State permit for the fall season is that
the Federal season is longer than the State season but
it's the State season dates that are printed on the
State permit and so this introduces some confusion.

The proponent believes that requiring a
Federal permit will ease the confusion and will also
make regulations consistent across seasons by requiring
a Federal permit for both the fall and the winter hunt.
The proponent also requests that hunters continue to
acquire a State registration permit and report their
harvest via that permit. The logic here is that
reporting via State permit tends to result in better
harvest records. In Unit 9 a State registration permit
has been required for Federal subsistence moose harvest
since 2012 following the recommendation of the Unit 9
moose working group, except for 2015, when a special
action was approved to require a Federal permit for the
fall moose hunt within Becharof National Wildlife
Refuge.

The moose population in Unit 9 appears
to be stable although it is a low density population.
The bull/cow ratio exceeds the management objectives
and the cow/calf ratio has been somewhat erratic in
Unit 9, the 2000 estimate was around 25 calves to 100
cows. The reported harvest in Unit 9C has averaged 25
moose annually and about 60 percent of that harvest is
attributable to local users. The proportion of moose
taken by locals has increased somewhat in the past
several years and this is due primarily to a decrease
in non-resident harvest.

Adoption of this proposal would require
the use of a Federal registration permit for the
harvest of moose on Federal lands in Unit 9C south of
the Naknek River for the fall season. This would
clarify season dates and hunt conditions for hunters,
managers and law enforcement officers. However, the
Federal permit requirement would supersede the
requirement for a State permit, so the proponents
request that subsistence users continue to report the
harvest through the State cannot be required if this
proposal was adopted.

As a result of that OSM's conclusion is
to support WP16-22 with modification to require only a
Federal permit for the fall season.
That's all I have and I'm happy to take
some questions if you have any.

CHAIRMAN TOWARAK: The floor is open
for public comments regarding the proposal.

(No comments)

CHAIRMAN TOWARAK: By the Regional
Coordinator -- oh, I'm -- yeah.

MR. MIKE: Thank you, Mr. Chair.

Donald Mike, Regional Council coordinator. There are
no written public comments on WP16-22.

Thank you.

CHAIRMAN TOWARAK: The floor is now
open for anyone in the public that would like to make
comments.

(No comments)

CHAIRMAN TOWARAK: Is there anyone on
line.

OPERATOR: No participants.

CHAIRMAN TOWARAK: With no comments --
public comments, then, we will get the Regional Council
recommendations. Ms. Chythlook.

MS. CHYTHLOOK: Page 566, Bristol Bay
Regional Advisory Council supports WP16-22 as modified
by OSM.

The Council noted that OSM really
understood this issue and made a good modification.
The modified proposal provides for simplifying the
permit process for local user groups and will provide
for additional subsistence opportunity.

Thank you.

CHAIRMAN TOWARAK: Thank you. Tribal,
or Alaska Native Corporation comments.

Orville.

MR. LIND: Mr. Chair. There are no
Comments.

CHAIRMAN TOWARAK: Thank you. Department of Fish and Game comments.

MR. BUTLER: Mr. Chair. We're opposed to the adoption of this proposal. We think it will add additional confusion in terms of even the reporting process, people reporting under a different permit than they're actually hunting under. The proposal suggests that we can add Federal season dates to the permit and that's the issue that it brings up.

We've made recent changes to how we administer permits, and through policy decisions, we can now incorporate Federal season dates on our State permit and we can even include the winter season dates if the Board wanted to move towards using the State permit for the winter season as well. Again, we think this will make it less confusing for subsistence hunters and facilitate our management, particularly the reporting, tracking and monitoring of the moose harvest so we can better manage the moose population in Unit 9C for resource users.

CHAIRMAN TOWARAK: Thank you. Any questions from the Board. Go ahead.

MR. LORD: Mr. Chair. I just want to let you know how much I appreciate that, that gesture. In the past that's been an issue between our two programs and it's really helpful to hear that, so, thank you.

CHAIRMAN TOWARAK: Any further questions.

(No comments)

CHAIRMAN TOWARAK: Thank you. We'll move on to the InterAgency Staff Committee comments.

MS. HOWARD: Thank you, Mr. Chair. The InterAgency Staff Committee comments also reflect what I believe Lem just talked about.

The ISC thought the Board may want to consider retaining the requirement for a State registration permit for the fall portion of the hunt, or modifying the requirement for a State or Federal
registration permit. This option was considered in the Staff analysis, however, that option was not selected because at the time there was no agreement between State and Federal managers to allow the use of a State registration permit for a Federal hunt with different season dates, and that's been spoken to.

At the ISC meeting, the State of Alaska was agreeable to allowing the use of a State registration permit that lists the Federal season dates, which would make a separate Federal permit unnecessary. So the use of a single harvest permit would reduce confusion for users and allows for harvest reporting to a single source. And listing the Federal season dates would address concerns with using a State permit or misaligned dates.

So the ISC suggests allowing the use of the State permit with the Federal season dates on it as the State suggested as well.

CHAIRMAN TOWARAK: Any questions.

(NO comments)

CHAIRMAN TOWARAK: The floor is then open for discussion on the proposal.

MS. CLARK: Mr. Chair. I'd like to ask Molly from the Bristol Bay Council if they're amenable to the single joint permit as the State has agreed to allow for the Federal dates on the permit?

MS. CHYTHLOOK: Our Council discussed this, and a majority -- well, all of them agreed that a single permit would simplify, you know, the process. So many of our regulations and permits are so intertwined, sometimes our harvesters that aren't really informed get these permits, you know, mixed up, so I think that by using one permit -- yeah, using one permit for both seasons would really simplify our harvesters and so our -- I guess our Regional Advisory Council supported this and we were really thankful that OSM was able to help us with that and put the words to support our wishes.

Thank you.

CHAIRMAN TOWARAK: Any further discussion or questions.
CHAIRMAN TOWARAK: The floor is open then for Board action.

MS. CLARK: I'd like to make a motion.

CHAIRMAN TOWARAK: Go ahead.

MS. CLARK: I make a motion to adopt WP16-22 and will provide my justification as to why I intend to oppose this motion if I get a second.

MS. PENDLETON: Second.

MR. C. BROWER: Second.

CHAIRMAN TOWARAK: You heard the motion and the second. Any further discussion.

CHAIRMAN TOWARAK: The intent of this proposal was to address concerns with Federally-qualified subsistence users being required to use a State permit that only listed the State season dates which is shorter than the Federal season. While requiring a Federal permit would address the concerns, the State has recently agreed to use a joint State/Federal permit that would list both the State and Federal seasons, thus requiring only one permit. The use of a single joint permit would reduce confusion for all users and allow for harvest reporting to a single source. While opposing the proposal is contrary to the recommendation of the Bristol Bay Council, it seems to meet their desire for a simplified permit process.

CHAIRMAN TOWARAK: Any further discussion.

CHAIRMAN TOWARAK: The floor is open for calling the question.

MS. PENDLETON: Call for the question.

CHAIRMAN TOWARAK: The question has been called for. All those in favor of the motion say aye.

IN UNISON: Aye.
CHAIRMAN TOWARAK: Any opposed say nay.

IN UNISON: Nay.

CHAIRMAN TOWARAK: Motion passes unanimously.

We will continue -- I'm assuming that we will be -- we're going to be adjourning the meeting at 5:00 o'clock, which is another half an hour or so, so we will continue with -- did you have a question.

MR. CHRISTIANSON: Yes, I did.

CHAIRMAN TOWARAK: Well, just -- let me.....

(Pause)

MR. CHRISTIANSON: Mr. Chairman. Maybe we should.....

CHAIRMAN TOWARAK: Go ahead.

MR. CHRISTIANSON: ......reconsider this motion.

CHAIRMAN TOWARAK: Pardon.

MR. CHRISTIANSON: I think there was some confusion on it. She made a motion and then she was opposed to it and then we all voted -- I think some of us would have voted to support the Regional Advisory Council. So I think maybe we want to make a motion to reconsider our vote. I think there was just a misunderstanding there on the motion.

CHAIRMAN TOWARAK: Where's our parliamentarian.

(Pause)

CHAIRMAN TOWARAK: We're going to take a five minute break for the Staff to review our action.

(Laughter)

(Off record)

(On record)
CHAIRMAN TOWARAK: I'll call the meeting back to order. We're going to get an explanation of the actions that we need to take from one of our Staff members here. Apparently there's a little confusion about what our action was and I think we're going to be reversing that last decision we made.

Go ahead.

MR. CHRISTIANSON: Mr. Chairman.

CHAIRMAN TOWARAK: Go ahead.

MR. CHRISTIANSON: I'd like to make a motion to reconsider the last action the Board has taken on WP16-22.

MS. PENDLETON: Second that.

CHAIRMAN TOWARAK: You heard the motion and the second and is that proper procedure?

MR. LORD: It is, Mr. Chair.

CHAIRMAN TOWARAK: Okay. Any further discussion on the motion.

(No comments)

CHAIRMAN TOWARAK: Okay, not hearing any, all those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed, same sign -- say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously. Our decision on 16-22 has been reversed, the floor is open for a new motion.

MS. CLARK: I'm going to try this again.

I'd like to make a motion to adopt WP16-22 and will provide my -- I'm sorry, hold on.

(Pause)
MS. CLARK: I'd like to make a motion to adopt WP16-22 with modification to only require a State permit.

MR. FROST: Second.

CHAIRMAN TOWARAK: You heard the motion and the second. Further discussion.

MS. CLARK: The intent of this proposal was to address concerns with Federally-qualified subsistence users being required to use a State permit that only listed the State season dates, which is shorter than the Federal season. While requiring the Federal permit would address the concerns, the State has recently agreed to use a joint State/Federal permit that would list the State and Federal seasons. The use of a single joint permit would reduce confusion for all users and allow the harvest reporting to a single source. This is consistent with the desire of the Bristol Bay Council for a simplified permit process.

CHAIRMAN TOWARAK: Thank you. Any further discussion. Did you want to review the.....

MR. COGSWELL: Mr. Chair. This is Stewart Cogswell from OSM, I just want to clarify what the vote is going to be. A yea vote is to accept, a nay vote is to oppose, and the motion was to adopt with modification.

CHAIRMAN TOWARAK: Are there any questions.

(No comments)

CHAIRMAN TOWARAK: Our action is to support the new motion. All those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously. Our next proposal is 16-25 and 26.

MS. WORKER: Thank you, Mr. Chair.
WP16-25/26 begins on Page 567 of your Board books. It was submitted -- 25 was submitted by the Togiak Fish and Game Advisory Committee, and 26 was submitted by the Nushagak Fish and Game Advisory Committee.

The proponents request changing the season and harvest limit for caribou on the Nushagak Peninsula, which includes a portion of Unit 17A and 17C. Specifically the request is to change the current August 1st through September 30th and December 1st through March 31st season to a continuous season that would run August 1st through March 31st, and it also requests that the harvest limit be increased from two caribou to three caribou.

In 1994 harvest of the Nushagak Herd was authorized by the Board. And at that time a closure was established to all users except residents of Togiak, Dillingham, Manakotak, Twin Hills, Aleknagik, Clark's Point and Ekok. Despite increasing size of the Nushagak Herd, the Bristol Bay Council has recommended maintaining the closure both in 2008 and 2012 based on the continued difficulty harvesting moose and Mulchatna Caribou. This is a growing population currently. The minimum count is over 300 animals at last count, and so this is well above the Nushagak Caribou Management Plan's objective of 400 to 900 animals. At this point managers are expressing concern that sustained growth might lead to another sharp decline in population and they support additional harvest.

For the winters of 2012/13 and 2013/14 reported harvest was over 100 animals annually but poor travel conditions in the past two years have resulted in a much lower harvest. Current harvest levels are well below the recommendations laid out in the management plan, which is to harvest all animals over a minimum of 750 caribou. As you know there have been four recent special action requests that have been aimed at increasing harvest in the current regulatory year.

If this proposal is adopted the longer season and more generous harvest limit will provide additional opportunity to local users, which makes sense biologically given concerns about population growth.

As a result the OSM conclusion is to
support WP16-25, with modification, to remove regulatory language referencing harvest quota's and limits and to delegate authority to Togiak National Wildlife Refuge and to set the number of permits to be issued and harvest quotas, and to take no action on WP16-26.

That's all I have.

CHAIRMAN TOWARAK: Thank you. If there aren't any questions then we -- could we get a summary of the public comments from the Regional Coordinator.

MR. MIKE: Thank you, Mr. Chair.

Donald Mike, Regional Council Coordinator. There are no written public comments on this proposal.

Thank you.

CHAIRMAN TOWARAK: Thank you. The floor is open for any public testimony and we have two people that would like to testify.

Gala Hoseth.

MS. HOSETH: Good afternoon, Mr. Chairman and members of the Board.

For the record my name is Gala Hoseth and I represent the Curyung Tribal Council located in Dillingham, Alaska in the Bristol Bay region. I am the third tribal chief of the council and serve as a representative on the Nushagak Peninsula Caribou committee.

Thank you for this opportunity to voice our concerns and support through this public process on proposals that impact our people.

I'd like -- I don't know if you guys have a copy of it but I'd like you to reference the US Fish and Wildlife population monitoring and status of the Nushagak Peninsula Caribou Herd from 1988 to 2004 by Andy Aderman, and I would be -- I don't know if it's in your packet, if it's not in your packet I could submit it -- it's on Page 572 -- okay. Just for population numbers and sizes as I go through my testimony.

The Nushagak Peninsula Caribou Herd is
currently at a population size of approximately 1,400 caribou. The manager of this herd would like to see this population with a population threshold of about 750 to 900. This herd has been growing over the years and our region has been experiencing very warm winters over the past few years making travel conditions during the winter months very difficult. Through the cooperative agreement from 1988, as the herd continues to grow, the harvest will be allowed to increase as long as the herd can support such a harvest and still continue to grow. As you can see with this -- with the proposal and the information in your packet this herd has continued to grow, however, our bag limits have not been increasing.

Our Council is in support of the season date changes as well as the bag limit increase to three as the proposal is written. We would like to offer a recommendation to increase the bag limit for up to five caribou to be harvested. One of the reasons we are in favor of the bag increase of up to five is to allow for more local residents of the local communities to go and harvest more caribou. As you may know the cost of living in rural Alaska is very high and with an increased bag limit local hunters who are Federally-designated hunters for many locals will be able to bring back more caribou back to the villages, making this more economical for local residents to harvest caribou.

During this past winter the Federal Subsistence Board passed one of the special actions to allow for statewide residents to hunt on Federal land uplifting our restricted status. We are not in favor of uplifting our restricted status and this is why we are recommending an increased bag limit. We would like to have the opportunity to first to try to reduce this population size with increased bag limits and possibly community harvest quotas instead of only being increased by one more additional caribou. One of our concerns is, is a special action request was recently submitted last week by the Togiak Wildlife Refuge and the State of Alaska for the fall of 2016 season to allow for statewide residents to hunt on this section of the Federal land where the Nushagak Peninsula caribou are located and, again, uplift our restricted status.

My understanding is the State residents would be able to harvest two caribou and that’s why
we're asking for five caribou for our local residents.

We are in favor of extending the hunt
to other local Bristol Bay area villages and due to
regulations we understand it cannot be the entire
Bristol Bay region but within the regulations we must
follow, we are in favor of extending to the villages
the regulations will allow for.

As this herd grows and migrates on to
State land, as they have this winter, the State of
Alaska has the authority to open the hunt to harvest
the caribou and I hope we're given that opportunity
like we were this past winter into the next season as
well so residents may participate and hunt caribou on
State land.

Our tribe would like to see the herd
healthy and at a good population size, however, we are
not in favor of statewide residents coming and hunting
in our designated areas. We plan to work with the
other seven tribes in our area regarding this Nushagak
Peninsula Caribou Herd and we were told that we would
have to wait for the next proposal cycle to submit a
proposal to do community harvest quotas, so that's
something we're going to be working on when we return
back to Dillingham.

So thank you, again, for taking the
time to hear my testimony today. Please take into
consideration to amend the proposal for an increased
bag limit for up to five caribou. I appreciate the
hard work that you do to manage our subsistence
resources and I'm very happy to be a part of this
public process.

Thank you.

CHAIRMAN TOWARAK: Thank you. Are
there any questions from the Board.

MS. CLARK: I'd like to ask Ken Lord a
question.

CHAIRMAN TOWARAK: Go ahead.

MS. CLARK: Is it possible for us to
increase this to five at this point in time?

MR. LORD: Mr. Chair. It is possible.
The concept of increasing the harvest limit is part of the proposal so I think the public has had adequate notice that the harvest level could be increased to some number, whether it's the three that was proposed or some other one. I believe that we'd be on firm ground.

MS. CLARK: Thank you.

CHAIRMAN TOWARAK: Any further questions.

(No comments)

CHAIRMAN TOWARAK: Thank you very much for your proposal -- testimony.

We have another individual, Verner Wilson.

MR. WILSON: Hi, good afternoon. My name is Verner Wilson and I am the director of Natural Resources for the Bristol Bay Native Association, a consortium of 31 tribes in the Bristol Bay region. I was born and raised in Dillingham and I'm a member of the Curyung Tribe, and I go hunting and fishing in the region.

My comments are on supporting Proposals WP16-25 and 26 and 31 and 32 consistent with BBNA executive Board action. And I also support increasing the bag limit to five.

BBNA's executive board passed a resolution in January 2016 in support of a caribou hunt permit increase to three, supporting the increase of the caribou to all Bristol Bay communities. Supporting same day caribou airborne hunting for Bristol Bay residents. Supporting community harvest permits instead of personal ones and supporting transplanting caribou back to area 9E.

On my specific thoughts, in regards to the draft letter on Page 580 of the packet that was written for Chairman Towarak to sign about the proposed delegation of authority, I'm glad to see that the delegation of authority to the Togiak Refuge manager was clarified earlier for proposals under 60 days, and to notify a member of the Nushagak Peninsula Caribou Committee. We hope that the manager will go beyond
that and try to notify tribal leaders who have been
involved in this issue, including members of the BBNA
board who may be interested in such a decision.

Beyond the special action, coordination
from Federal and State agencies is currently the
practice but some tribal board members from BBNA are
very interested in the co-management with tribes of the
region on the Nushagak Peninsula Caribou population.
In the draft letters, under the guidelines for
delegation it states that the delegation of authority
will become familiar with the management history of the
wildlife species that are relevant. I hope members
here will look at that original cooperative agreement
and remember it.

It basically said that in 1988 when it
was first agreed upon that, as the herd continues to
grow the harvest will be allowed to increase as long as
the herd can support such a harvest and still continue
to grow. After five years a subsistence harvest may be
allowed depending on the size of the population. Each
year a harvest level will be established based on the
growth of the herd.

And that sort of is just consistent
with harvest levels and giving locals the ability to
hunt more to increase harvest levels. And I hope that
we move towards this original intent by increasing the
caribou limit from three to five.

While I share the concern of over
population, I'm concerned that opening the area to
statewide harvest will set precedent. We've heard
testimony of when statewide harvest was opened on the
east side of Bristol Bay and people coming over to
parts of the state and use same day airborne and really
took advantage of those populations. I believe that
instead, we must increase hunting opportunity for
locals, that includes increasing the harvest bag limit,
as I already mentioned. While the current special
action for later this year recommends a harvest limit
of up to three caribou, we should go beyond that, so I
recommend that this Board, as you stated you could do,
does do that, three to five, since we are concerned on
high caribou populations that are currently around
1,500 to the optimal 750 to 900 as stated under the
paper that Gala had mentioned earlier, the population
monitoring and status of the Nushagak Peninsula Caribou
Herd from 1988 to 2015 by Togiak Refuge wildlife
biologist Andy Aderman. This will give more
opportunity for Bristol Bay residents and our tribal
members to harvest the necessary caribou.

I'm also in support of the special
action to increase hunting from August 1st to March
31st, same day airborne opening from January to March
for local residents and to liberalize the season to
allow same day airborne hunting in the summer for
locals.

There are other solutions to prevent
over populations in the future. We will be working
together, as Gala said, to increase those
opportunities; that includes increasing the harvest
from beyond the seven communities to other Bristol Bay
communities in the region and really looking into
community harvest with higher bag limits for the
villages so that they could work together. And so in
the future we'll be putting together those proposals.

So, thank you very much.

CHAIRMAN TOWARAK: Thank you. Are
there any questions of.....

(No comments)

CHAIRMAN TOWARAK: Thank you, Mr.
Wilson.

MR. WILSON: Thank you.

CHAIRMAN TOWARAK: Is there anyone on
line that would like to testify.

OPERATOR: We have no participants.

CHAIRMAN TOWARAK: Thank you. Regional
Council recommendations.

MS. CHYTHLOOK: On Page 577, Bristol
Bay Subsistence Regional Advisory Council supports
WP16-25 as modified by OSM. No action was taken on
WP16-26.

The Council supported WP16-25 to remove
regulatory language referencing harvest quotas, limits
and number of permits available and delegate authority
to determine harvest quota. The Nushagak Peninsula
Caribou harvest is growing and can sustain larger -- or longer seasons and increase the harvest limit. The longer season and increased harvest limit will provide Federally-qualified subsistence hunters additional opportunity.

Thank you.

CHAIRMAN TOWARAK: Thank you. Are there any questions.

(No comments)

CHAIRMAN TOWARAK: Just for.....

MR. CHRISTIANSON: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.

MR. CHRISTIANSON: I just -- through the Chair, I just wanted to ask, Molly, was there discussion at the Board level about increasing it from three to five as we've heard here from the public testimony.

MS. CHYTHLOOK: I'll have to reference that to Donald, because I was looking at our comments, in our minutes, to see if there was any discussions. We had discussions to increase two to three, but I'm not -- Donald, do you remember any discussions on that.

MR. MIKE: Thank you, Mr. Chair.

Member Molly. During our fall meeting the Council discussed the limits of up to three caribou, but I think later on during the discussions -- there was no official action taken, in hindsight they recognized that they should have increased the bag limit up to five caribou.

Thank you, Mr. Chairman.

CHAIRMAN TOWARAK: Any further questions.

(No comments)

CHAIRMAN TOWARAK: Just for the record, this proposal also affects the Western Interior Alaska -- the Regional Advisory Council but no action was taken on it. Currently no one from the Western
Interior Region is eligible for this hunt, so I'm assuming that we don't need to consult with -- any further discussion.

(No comments)

CHAIRMAN TOWARAK: Are there any Tribal, or Alaska Native Corporation comments.

Orville.

MR. LIND: Mr. Chairman. Orville Lind, Native Liaison. There are no comments.

CHAIRMAN TOWARAK: Thank you. Department of Fish and Game comments.

MR. BUTLER: Mr. Chair. We support the bag limit increase to three caribou. The population, as noted, is almost twice the objective. It's an introduced population that was transplanted there to provide opportunity. The bull -- calf/cow ratio is almost 50 calves per 100 cows, which suggests rapid growth and so we recommend anything that the Board can do to help regulate the population would be desirable. The idea of up to five caribou may even be something to consider but I'd leave that at the discretion of the local managers to set the actual bag limit in any given year based on population modeling. That'd be my recommendation.

But it'd provide additional opportunity, potentially, to the extent that the population can support it. And, again, the goal is to reduce it from what's currently 1,300 caribou to 750, taking all animals above 750 so that seems reasonable.

However, we do recommend that you lift the closure to non-Federally-qualified users. We believe it's time to let additional opportunity to occur. And we can work with the local communities to try to develop a plan that doesn't overwhelm people with outside hunters. We certainly wouldn't be considering same-day airborne on the State side. We'd probably have a limited fall hunt at first. We did open the season on Federal lands after this Board took temporary action and that was a two caribou bag limit but it was -- for us it was an extension of what was currently being offered on State lands in that case. So we can work with people on the seasons and bag
limits. The Board of Game would have to be involved, but certainly the Nushagak Planning Committee would also be heavily involved and can participate in that process and help us develop a season that's not objectionable, but still meets the mutual desired goal of reducing the population and, again, with it being an introduced population that's twice the population objective, there's really not a strong argument to limit non-Federally-qualified users.

And the State opportunity would also benefit people in King Salmon and other adjacent communities that currently can't participate under the Federal process. So there's probably a few different ways to look at that.

CHAIRMAN TOWARAK: Thank you. Are there -- go ahead.

MS. PENDLETON: Through the Chair. Mr. Butler, do we know the percentage of harvest that is being taken by non-Federally-qualified subsistence users currently?

MR. BUTLER: Previous to this last winter, the Nushagak Peninsula Caribou Herd resided exclusively on the Refuge so there has not been State hunting opportunity at all, yeah, since it was established even.

MS. PENDLETON: Thank you.

CHAIRMAN TOWARAK: If there are no further questions we will continue then to the InterAgency Staff Committee comments.

MS. HOWARD: Thank you, Mr. Chair. Amee Howard for the InterAgency Staff Committee.

The ISC found the Staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and Federal Subsistence Board action on the proposal.

Thank you.

CHAIRMAN TOWARAK: Thank you. The floor is open for Board discussion with the Chairs, Co-Council Chairs or the State Liaison.
CHAIRMAN TOWARAK: The floor is then open for Board action.

MS. CLARK: I'd like to make a motion to adopt WP16-25 as modified by OSM on Page 575 and supported by the Bristol Bay Council.

MS. PENDLETON: Second that.

CHAIRMAN TOWARAK: You heard the motion, is there.....

MS. PENDLETON: I seconded it.

CHAIRMAN TOWARAK: And a second. So further discussion.

MS. CLARK: I'd like to make an amendment to modify the harvest limit from up to three to up to five.

MR. CHRISTIANSON: I'll second that.

CHAIRMAN TOWARAK: You heard the motion and the second for modifying the original motion.

Any discussion on that.

(No comments)

CHAIRMAN TOWARAK: Any questions.

(No comments)

CHAIRMAN TOWARAK: Those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously. The amendment has passed.

MS. CLARK: Do you want any justification on that?
CHAIRMAN TOWARAK: We will take up the main motion now -- okay, go ahead with your justification.

MS. CLARK: Okay. Bear with me because I've had to modify this a little bit for the changes that we've made.

Extending the caribou season will provide more opportunity for Federally-qualified subsistence users to harvest caribou when weather and travel conditions are favorable rather than being restricted to the current split seasons. The population has been an important subsistence resource but difficult travel conditions have limited harvest in recent years. The population is well above the management objectives and managers are concerned that there will be population or habitat impacts if the population continues to increase, both of which could affect continued subsistence uses. Additionally, we've heard in consultation today and previously that a harvest limit of up to five is more efficient and more beneficial to users. Because the population is well above the management objective, it will be able to support additional harvest. Additionally, the Refuge manager has the ability to adjust the harvest limit annually as needed.

Thank you.

CHAIRMAN TOWARAK: Any further discussion.

(No comments)

CHAIRMAN TOWARAK: It's always dangerous when Staff members get together.

(Laughter)

MR. CHRISTIANSON: Question.

CHAIRMAN TOWARAK: I thought we voted on the amendment.

(Pause)

CHAIRMAN TOWARAK: We're back on the main motion, the amendment passed 8 to zero. We're now voting on the main motion with the revision to change
the harvest limit from three to five so the main motion
supports the five capacity.

MR. CHRISTIANSON: Question.

CHAIRMAN TOWARAK: Question's been
called for, all those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed same si
-- say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes
unanimously.

(Pause)

CHAIRMAN TOWARAK: There was a
proposal, 26, but the Bristol Bay Regional Advisory
Council recommended that no action be taken on WP16-26.
Do we need a formal motion.

MS. CLARK: I'll make.....

CHAIRMAN TOWARAK: Go ahead.

MS. CLARK: I'll make a motion to take
no action on WP16-22 due to action on WP16-25.

MR. CHRISTIANSON: Second.

CHAIRMAN TOWARAK: You heard the motion
and a second, any discussion.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, all
those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed same
sign.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes
unanimously.

Are we -- we have one more Bristol Bay proposal and with that I think we could take a break, we will address the YK-Delta tomorrow morning. So the floor is open for action -- or analysis from the Staff on 16-31 and 32.

MS. LAVINE: Good afternoon, Mr. Chair and members of the Board. My name is Robbin LaVine and I'm an anthropologist with the Office of Subsistence Management.

The analysis for Proposal 16-31 and 32 begins on Page 582 of your meeting book.

Proposals 16-31 and 32 were submitted by the Nushagak Advisory Committee and the Togiak Advisory Committee respectively and they request a change in Federal subsistence regulations to allow same day airborne harvest of Nushagak Peninsula Caribou during the winter hunt, January 1st through March 31st.

The proponents state that allowing same day airborne harvest of the Nushagak Peninsula Caribou Herd in Unit 17 would provide more opportunity for Federally-qualified subsistence users during the winter hunt season. They add that aircraft have traditionally been used to harvest resources in the Bristol Bay area and that poor snow cover has contributed to recent low harvest on the Nushagak Peninsula. Both proponents state that allowing same day airborne harvesting would not impact the herd as harvest is controlled by permits issued, not by means of access.

The Board has received similar proposals in the past. Proposal 48 in '97 and 56 in '98. The Board rejected Proposal 48 and Proposal 56 was rejected on recommendation from the Council. Reasons for rejection at that time included concerns over harassment of the herd, a possible increased harvest effort required by snowmachine hunters, the possibility of a harvest advantage to rural residents with a pane over those without and that some local residents of the Bristol Bay Native -- and the Bristol Bay Native Association opposed the proposal. More recently, since the writing of this proposal, the Nushagak Peninsula Caribou Herd has continued growth beyond the population objectives outlined in the herd's management plan, as
you've just heard.

In the winter of 2015/16 the Nushagak Peninsula Caribou Planning Committee submitted several special actions aimed at increasing harvest and reducing the herd size to a sustainable level. They were Wildlife Special Actions 15-14, 15-15, 15-16, and Wildlife Special Action 15-17, which mirrors this proposal and lifts the prohibition on same-day airborne harvest during the 2016 winter hunt. All were approved by the Board.

Allowing same-day airborne harvest would provide additional opportunity for Federally-qualified subsistence users during winters when snow cover is poor and travel by snowmachine is difficult. While providing advantage to residents with access to aircraft, studies demonstrate the Bristol Bay hunters are generous with their success and distribute meat throughout their community regardless of methods used to access the resource. More significantly the Nushagak Peninsula Caribou Herd has increased substantially from 462 animals in 2007 to approximately 1,300 animals by October of 2015. Adoption of this proposal would help the long-term viability of the herd as the population is already above the management objective.

The OSM conclusion is to support Wildlife Proposal 16-31 and take no action on 16-32.

And I'm ready to take questions.

Questions.

(No comments)

CHAIRMAN TOWARAK: Not hearing any then we'll have a summary of the public comments from the Regional Coordinator.

MR. MIKE: Thank you, Mr. Chair. Donald Mike, Regional Council Coordinator. There are no written public comments on Proposal 31 and 32.

Thank you.

CHAIRMAN TOWARAK: We've got -- I'm sorry, we've got two, Gala Hoseth first and then Verner
Wilson again.

MS. HOSETH: Thank you, Mr. Chairman and members of the Board again. For the record my name is Gala Hoseth and I’m representing Curyung Tribal Council in Dillingham.

We are in support of this proposal and I think that Robbin gave a good summary, that she read to you. So I would just like to put on the record that, yes, we are in support of this.

Thank you.

CHAIRMAN TOWARAK: Thank you. Any questions from the Board.

(No comments)

CHAIRMAN TOWARAK: Thank you for your testimony. Mr. Wilson.

MR. WILSON: Yeah, my name is Verner Wilson again. And I just want to also go on -- briefly go on the record say that BBNA’s executive board did pass a resolution supporting sameday caribou airborne hunting for the Nushagak area and Bristol Bay residents -- the people of Bristol Bay.

Thank you.

CHAIRMAN TOWARAK: Any questions for Mr. Wilson.

(No comments)

CHAIRMAN TOWARAK: Thank you for your testimony.

Is there anyone on line that would like to testify.

OPERATOR: We do have a Suzanna Henry. Suzanna your line is open.

MS. HENRY: Good afternoon, Mr. Chair and members of the Board. This is Suzanna Henry from Togiak Refuge over in Dillingham. We just wanted to make a few comments. We -- I’m not alone, I have Andy Aderman, our wildlife biologist and our supervisory
biologist, Pat Walsh, with me.

We were unable to get through during the discussions that were on the previous proposal, 25/26, but overall we've been trying everything we can to increase the harvest of the caribou on the Nushagak Peninsula. We've had unlimited tags throughout this season but basically weather conditions have prevented most people from accessing the caribou. We're up to about 60 caribou that have been harvested since August 1st of 2015. Because of the great abundance of the caribou we are considering looking in the future outside of just our Bristol Bay area for an opening for all State residents and we did that temporarily, of course, for this ongoing hunt that's going on right now through Friday.

I would want to point out that through the years as the population has increased, we have increased the bag limit, harvest limit went from one to two in 2013 and then from two to three this year so that is something that is fluid and we practice adaptive management working with the Nushagak Caribou -- Nushagak Peninsula Caribou Planning Committee meeting, we worked together with them on those decisions. So this is something we are trying to address through them.

You guys have some other comments.

MR. WALSH: Yeah, this is Pat Walsh from Togiak Refuge. And there's been a great deal of discussion on this topic already but one thing that hasn't been mentioned was there's kind of a parallel situation that took place about 25 years ago when a caribou population became overpopulated and that was on Hagemeister Island, they were reindeer but same thing. What happened was about half of them starved to death and the remainder had to be removed because they depleted the habitat there.

What's at stake on the Nushagak Peninsula, if we're not able to reduce numbers in a hurry is a similar habitat damage, but that's not an island so these caribou can leave, they're not going to stay in place and starve. And if that's the case we could end up completely losing this subsistence resource for all of these communities. If they leave they may not come back because that's the way of caribou. So we are considering, and recommending to
the Federal Subsistence Board to open up this hunt to
additional residents so that we can increase the
harvest and we'll design a plan that has a threshold in
it such that when the caribou are not overpopulated the
hunt would be just restricted to the local subsistence
users.

CHAIRMAN TOWARAK: Does that conclude
your testimony.

MR. WALSH: Yes. That -- sorry, that
concludes -- didn't know if you heard any of that but
yes that concludes it.

CHAIRMAN TOWARAK: We heard it all.

MR. WALSH: And we'll -- we will
provide additional information in writing later. We
don't -- what we're talking about is not really on your
agenda right now anyway so basically we're responding
to comments that were brought up by other parties,
rather than really what's on your agenda.

CHAIRMAN TOWARAK: Thank you. Did the
Regional Advisory Council have recommendations.

MS. CHYTHLOOK: Thank you, Mr. Chair.
Molly Chythlook, Bristol Bay RAC Chair.

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Regional Advisory Council supports WP16-31. The
Nushagak Peninsula caribou population has increased and
rural residents have not been able to access the herd
due to poor weather conditions. The Council supported
the proposal that will provide for greater opportunity
to Federally-qualified subsistence users in the winter
hunt of Nushagak Peninsula caribou without adversely
affecting the caribou herd population.

And then we took no action on WP16-32.

Thank you.

CHAIRMAN TOWARAK: Thank you. Do we
have any Tribal, or Alaska Native Corporation comments.

MR. LIND: Mr. Chairman. No comments.

CHAIRMAN TOWARAK: Thank you.
Department of Fish and Game comments.
MR. BUTLER: Mr. Chair. We're opposed to the adoption of what's a very liberal method of harvesting caribou without opening of the other opportunities for other resource users. So, if to the extent people could consider lifting the Federal land closure we could update or modify our recommendation on this. But, again, we see this as a very liberal step on the Federal subsistence regulations to advance with a SDA hunting opportunity without allowing other resource users to participate.

And, again, we'd be willing to work with the planning committee and with the Refuge to develop a plan and guidelines that would help govern what that other additional opportunity would look like and it would benefit other local residents of Bristol Bay to offer it.

So that's our comment.

CHAIRMAN TOWARAK: Thank you. Any questions for the State.

(No comments)

CHAIRMAN TOWARAK: Thank you for your statements. We'll move on to InterAgency Staff Committee comments.

MS. HOWARD: Thank you, Mr. Chair.

The ISC found the Staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and Federal Subsistence Board action on the proposal.

Thank you.

CHAIRMAN TOWARAK: Thank you. The floor is open for Board discussion with either the Council Chair or the State liaison.

(No comments)

CHAIRMAN TOWARAK: Not hearing any then we will -- the floor is open for Board action on WP16-31/32.

MS. CLARK: I make a motion to adopt
WP16-31 as supported by the Bristol Bay Council.

MR. CHRISTIANSON: Second.

CHAIRMAN TOWARAK: You heard the motion and the second. Discussion.

MS. CLARK: The allowance of the same day airborne will provide additional opportunity for Federally-qualified subsistence users by improving access to the Nushagak Peninsula Caribou Herd. Poor travel conditions have kept Federally-qualified subsistence users from accessing the Peninsula via snowmachines and harvesting caribou. The caribou herd is well above the management objective and managers are concerned about population and habitat impacts if the herd continues to grow. While the same day airborne allowance may be controversial it would provide access during the winter.

CHAIRMAN TOWARAK: Any further discussion.

(No comments)

MR. CHRISTIANSON: Question.

CHAIRMAN TOWARAK: Question's been called for. All those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously.

MS. CLARK: I'd like to make a motion to take no action on WP16-32 due to the action on WP16-31.

MS. PENDLETON: Second.

CHAIRMAN TOWARAK: You heard the motion and a second.

MR. CHRISTIANSON: Question.
CHAIRMAN TOWARAK: Question's been called for. All those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously.

We will -- that concludes the Bristol Bay area. The next section will be with the Yukon Kuskokwim region and we will recess tonight until 8:30 tomorrow morning.

(Off record)

(PROCEEDINGS TO BE CONTINUED)
CERTIFICATE

UNITED STATES OF AMERICA

STATE OF ALASKA

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter of Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 2 through 86 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD MEETING, VOLUME I taken electronically by our firm on the 12th day of April 2016, in Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 22nd day of April 2016.

_____________________________
Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/18