

1 FEDERAL SUBSISTENCE BOARD
2
3 PUBLIC REGULATORY MEETING
4

5
6 VOLUME II
7

8
9 EGAN Convention Center
10 ANCHORAGE, ALASKA
11

12 April 13, 2016
13 8:30 o'clock a.m.
14

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18
19 MEMBERS PRESENT:

20
21 Tim Towarak, Chairman
22 Charles Brower
23 Anthony Christianson
24 Bud Cribley, Bureau of Land Management
25 Karen Clark, U.S. Fish and Wildlife Service
26 Bert Frost, National Park Service
27 Bruce Loudermilk, Bureau of Indian Affairs
28 Beth Pendleton, U.S. Forest Service

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31
32 Ken Lord, Solicitor's Office

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P R O C E E D I N G S

(Anchorage, Alaska - 4/13/2016)

(On record)

CHAIRMAN TOWARAK: I'll call the Federal Subsistence Board meeting back to order.

MR. CRIBLEY: Mr. Chair.

CHAIRMAN TOWARAK: Yes, go ahead.

MR. CRIBLEY: Yesterday I misspoke. In my introductions when I made the comment that I was the senior Board member.

(Laughter)

MR. CRIBLEY: And I think it's very important that we clarify the record and make everybody aware that I am not the senior Board member here, that Beth Pendleton by about eight or nine months has been a Board member longer than I have. And I think it's every important that everybody realizes that she is the senior Board member with the most experience.

(Laughter)

MR. CRIBLEY: In case that is relevant later on in our discussions.

So, thank you.

(Laughter)

CHAIRMAN TOWARAK: No comments.

(Laughter)

CHAIRMAN TOWARAK: If there aren't any other public comments we will go then into the Board deliberation and action on non-consensus items. And we will address the WP16-35, which is a YK-Delta proposal, the one YK-Delta Proposal. And we'll turn it over to the Staff for analysis of the proposal. Do you have your letter available; do you want to take time to read the letter to us.

1 MR. L. WILDE: Yes, Mr. Chair. This
2 letter was emailed to you yesterday and I was going to
3 take care of this yesterday but we didn't have the
4 signatures that was required on this letter. We got
5 all the signatures in yesterday and this letter has
6 been emailed to the Board and copies are being sent to
7 the Council Chairs that signed it.

8
9 And if I may read it, Mr. Chair.

10
11 CHAIRMAN TOWARAK: Let's go ahead and
12 have you take time to read it.

13
14 MR. L. WILDE: Okay, thank you.

15
16 It's addressed to Mr. Tim Towarak,
17 Chair of the Federal Subsistence Board.

18
19 It's in reference to the proposed rule
20 for non-subsistence take of wildlife and public
21 participation and closure procedures on National
22 Wildlife Refuge lands in Alaska.

23
24 We the undersigned Chairs are writing
25 you on behalf of our Regional Advisory
26 Councils to provide a joint statement
27 requesting that the Federal Subsistence
28 Board advocate on behalf of our
29 Councils for the US Fish and Wildlife
30 Service to withdraw the proposed rule
31 for non-subsistence take of wildlife
32 and public participation and closure
33 procedures on National Wildlife Refuge
34 lands in Alaska.

35
36 The Council requesting the support of
37 the Board represents subsistence
38 harvesters of fish and wildlife service
39 -- I'm sorry, wildlife resources on
40 Federal public lands and water in the
41 Yukon Kuskokwim Delta,
42 Kodiak/Aleutians, Bristol Bay,
43 Southcentral and Eastern Interior
44 regions, all of which include extensive
45 Refuge lands. The Councils were
46 established by authority in Title VIII
47 of Alaska National Interest Lands
48 Conservation Act, or ANILCA and are
49 chartered under the Federal Advisory
50 Committee Act, Section .805 of ANILCA

1 and the Councils charter establishes
2 its authority to initiate, review and
3 evaluate proposals for regulations,
4 policies, management plans and other
5 matters related to subsistence uses of
6 fish, wildlife within the region. The
7 Councils also review resource
8 management actions occurring outside
9 their regions that may impact
10 subsistence resource critical to
11 communities served by the Councils.
12

13 The Councils provide a forum for
14 expression of opinions and
15 recommendations regarding any matter
16 related to the subsistence uses of fish
17 and wildlife within the region.
18

19 At the recent All Council meeting held
20 in Anchorage during the week of March
21 7th to the 11th, 2016, numerous
22 Councils shared their concerns about
23 the US Fish and Wildlife proposed rule
24 in the joint session on March 7th,
25 2016. Subsequently, all of the
26 Councils were scheduled to review and
27 develop comments on the proposed rule
28 at each of their own individual Council
29 meetings that week and many have
30 expressed interest in developing a
31 joint statement.
32

33 The Yukon Kuskokwim Delta Subsistence
34 Regional Advisory Council worked to
35 draft this joint statement which the
36 signatory Councils of this letter voted
37 to endorse at their individual
38 meetings.
39

40 Specifically, the Yukon Kuskokwim
41 Council voted to develop a joint
42 statement with the other Federal
43 Subsistence Regional Advisory Councils
44 opposition to the US Fish and
45 Wildlife's proposed rule for predator
46 management on Refuges that includes a
47 request that the Board advocate on
48 behalf of the Councils for withdrawal
49 of the proposed rule.
50

1 All signatories of this letter endorsed
2 that statement at their Council
3 meetings.

4
5 During the joint sessions and their
6 individual meetings the concerns most
7 commonly expressed by the Councils were
8 the US Fish and Wildlife's proposed
9 rule would adversely impact subsistence
10 users and that implementation on Refuge
11 lands would be contrary to managing for
12 a subsistence priority. Many people in
13 rural communities utilize these
14 resources and it seems inappropriate to
15 restrict harvest methods and means of a
16 particular species as is contemplated
17 in the proposed rule when there is not
18 a conservation concern warranting these
19 restrictions.

20
21 The Councils request the Board advocate
22 on their behalf to the appropriate
23 office utilizing what means are
24 available for the withdrawal of the US
25 Fish and Wildlife's proposed rule.

26
27 To substantiate this request and fully
28 elaborate on the concerns expressed by
29 each Council in full, we request the
30 Board consider the endorsed letters
31 that are submitted by each of the
32 signatory Councils as formal comment on
33 the US Fish and Wildlife proposed rule
34 submitted to the Federal Register.

35
36 We appreciate the opportunity for
37 dialogue with the Board and hope that
38 the Board seriously considers this
39 request and recommendation. We look
40 forward to continuing discussion about
41 the issues and concerns of subsistence
42 users of all of our regions.

43
44 And it's sincerely signed by myself,
45 Sue Entsminger, Chair of the Eastern Interior; the
46 Chair of the Kodiak/Aleutians; also the Chair of the
47 Bristol Bay, I can't really pronounce the name of the
48 Speridon Simeonoff, I think is the Chair of the
49 Kodiak/Aleutians Subsistence Regional Advisory Council,
50 also Molly Chythlook, the Chair of the Bristol Bay

1 Subsistence Regional Advisory Council and Greg
2 Encelewski, the Chair of the Southcentral Alaska
3 Subsistence Regional Advisory Council.

4

5 Mr. Chair.

6

7 CHAIRMAN TOWARAK: Thank you, Mr.
8 Wilde. And procedurally that letter is going to our
9 Staff and there will be a response to your letter and
10 subsequent followup and whatever the Staff recommends,
11 and if there needs to be Board action they'll let us
12 know.

13

14 MR. L. WILDE: Thank you, very much.

15

16 CHAIRMAN TOWARAK: Are there any other
17 comments with regard to the letter.

18

19 (No comments)

20

21 CHAIRMAN TOWARAK: If not then we'll
22 make sure that it's followed up on.

23

24 MR. L. WILDE: Thank you.

25

26 CHAIRMAN TOWARAK: We will then proceed
27 as we started to address the YK-Delta proposal, 16-35
28 and that's on Page 594. The Staff analysis, please.

29

30 MS. KENNER: Thank you, Mr. Chair.
31 Hello, Mr. Chair and Board members. My name is Pippa
32 Kenner and I'm an anthropologist at the Office of
33 Subsistence Management here in Anchorage.

34

35 The analysis for the proposal begins on
36 Page 594 of your meeting book and copies are available
37 at the front desk.

38

39 Proposal 16-35 was submitted by Martin
40 Nicholi of Kwethluk. If the proposal was adopted,
41 people hunting bears at den sites in Unit 18 would be
42 allowed to use an artificial light such as a
43 flashlight. Using an artificial light when taking a
44 brown bear or a black bear at a den site was illegal in
45 State and Federal regulations until 2008. In 2008 the
46 Alaska Board of Game allowed the use of an artificial
47 light to take a black bear at a den site in an area
48 that included Unit 19A, the middle Kuskokwim River
49 drainage.

50

1 The OSM conclusion has changed from
2 what I, and other OSM Staff presented at meetings of
3 the YK-Delta, Bristol Bay, Western Interior and Seward
4 Peninsula Councils. The OSM preliminary conclusion
5 modified the proposal to the use of only a headlamp or
6 a handheld artificial light. The new OSM conclusion is
7 described in the addendum on Page 605.

8
9 I write an addendum to an analysis when
10 the conclusion that the Councils commented on has
11 changed, and OSM has changed the conclusion after the
12 fall Council meeting. The OSM conclusion is to support
13 the proposal as written, without modification, followed
14 by this justification.

15
16 The YK-Delta and Bristol Bay Councils
17 recommended supporting the proposal without the OSM
18 modification. The OSM modification to allow only
19 headlamps or handheld artificial lights was intended to
20 clarify the intent of the proponent but the YK-Delta
21 Council said the proposed modification did not provide
22 clarity. A Council member said that snowmachine
23 headlights would be an appropriate use of an artificial
24 light. The YK-Delta region encompasses Unit 18, the
25 area that is the focus of the proposal. While the
26 Western Interior and Seward Peninsula Councils
27 recommended supporting the proposal with the OSM
28 modification, the two other Councils supported the
29 proposal as written.

30
31 The proposal, as written, parallel's
32 State regulations in Unit 19 and other Interior Alaska
33 wildlife management units, and, therefore, the OSM
34 conclusion has been changed and is now to support the
35 proposal as written. And, again, that's consistent
36 with the recommendations of two Councils and it
37 captures the recommendation of the other two Councils.

38
39 Thank you.

40
41 CHAIRMAN TOWARAK: Thank you. Are
42 there any questions for the Staff.

43
44 (No comments)

45
46 CHAIRMAN TOWARAK: Thank you. And we
47 will get a summary of public comments from the Regional
48 Coordinator.

49
50 MS. PATTON: Mr. Chair. Members of the

1 Board. Eva Patton, Council Coordinator. There were no
2 written public comments submitted for this proposal.

3

4 Thank you.

5

6 CHAIRMAN TOWARAK: Is there anyone on
7 line that would like to make any public comments.

8

9 (No comments)

10

11 CHAIRMAN TOWARAK: I assume that we
12 have an operator on the other end of the phone.

13

14 REPORTER: Yes.

15

16 (Pause)

17

18 OPERATOR: Yes, this is the operator.

19

20 CHAIRMAN TOWARAK: Thank you. If
21 anyone does come up, please have them interrupt our
22 process if they want to make any public comments on the
23 proposal.

24

25 (Pause)

26

27 CHAIRMAN TOWARAK: We will then move on
28 to the Regional Council recommendations from the Chair.

29

30 Mr. Wilde.

31

32 MR. L. WILDE: Thank you, Mr. Chair.
33 The rationale for the acceptance of the proposal you
34 can find on Page 612.

35

36 Our statement on this proposal is that
37 there are a few residents who participate in harvesting
38 bears for their den -- if I may start over again. My
39 reading this morning isn't exactly as is written.

40

41 (Laughter)

42

43 CHAIRMAN TOWARAK: Go ahead.

44

45 MR. L. WILDE: There are a few
46 residents who participate in harvesting bears from
47 their dens but it is an important subsistence activity
48 for those individuals. There are no conservation
49 concerns. And the use of artificial light provides a
50 measure of safety to hunters. The modified language by

1 OSM does not provide clarity and is unnecessary.

2

3

Mr. Chairman.

4

5

CHAIRMAN TOWARAK: Thank you, Mr. Wilde. And we'll give the other Regional Advisory Councils opportunity starting with Bristol Bay, then Western Interior and then the Seward Peninsula.

9

10 MS. CHYTHLOOK: Okay. Good morning,
11 Mr. Chair. Molly Chythlook, Bristol Bay, RAC Chair.

12

13

Page 612.

14

15

Bristol Bay Subsistence Regional
16 Advisory Council supports WP16-35 using artificial
17 light for the taking of a bear in a den is for the
18 safety of the hunter. The use of light will aid the
19 hunter to ensure a clean kill of the animal, will avoid
20 unnecessary wounding of the animal.

21

22 The Council also urged the proponent to
23 submit a similar proposal to the State of Alaska Board
24 of Game for their consideration.

25

26 The Council noted it was important to
27 provide the opportunity to engage in the traditional
28 practice without violating the law.

29

30

Thank you.

31

32 CHAIRMAN TOWARAK: Thank you, Ms.
33 Chythlook.

34

35

Western Interior.

36

37

(No comments)

38

39 CHAIRMAN TOWARAK: Is -- are you on
40 Jack.

41

42

OPERATOR: Standby. Jack.....

43

44 MR. REAKOFF: Yes, Mr. Chair. I am on,
45 can you hear me?

46

47 CHAIRMAN TOWARAK: Yes, we could. Go
48 ahead with your comments.

49

50 MR. REAKOFF: The Western Interior

1 considered this proposal and I live in the northern
2 part of the Western Interior where bear denning is very
3 common by the Koyukon on the Koyukuk River drainage,
4 especially, and primarily people would use a headlamp
5 or handheld flashlights so we agreed to the
6 modification by the -- previous modification by OSM.
7 But the further expansion or back to the original
8 proposal to include snowmachine headlights would not be
9 objectionable but it would be hardly ever used that
10 way. So we're fully in favor of the proposal of using
11 an artificial light at the den site.

12

13 Thank you, Mr. Chair.

14

15 CHAIRMAN TOWARAK: Thank you, Mr.

16 Reakoff.

17

18 Do we have anyone here from the Seward
19 Peninsula.

20

21 MS. DEATHERAGE: Mr. Chair.

22

23 CHAIRMAN TOWARAK: Oh, I'm sorry, go
24 ahead.

25

26 MS. DEATHERAGE: Members of the Board.

27 My name is Karen Deatherage and I am the Council
28 Coordinator for the Seward Peninsula Subsistence
29 Regional Advisory Council. As stated yesterday no
30 representative from the Council will be available for
31 this meeting so I'd like to go ahead and put their
32 comments in for the record.

33

34 The Seward Peninsula Council did
35 approve WP16-35 as amended by OSM. Their position was
36 that this practice is not used very often by people in
37 their area but using artificial light is considered a
38 traditional activity for the residents that do engage
39 in that activity.

40

41 Thank you.

42

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

45

46 (No comments)

47

48 CHAIRMAN TOWARAK: Thank you. We will
49 go to No. 5 then. The Tribal, or Alaska Native
50 Corporation comments.

1 Mr. Lind.

2

3 MR. LIND: Good morning, Mr. Chairman.
4 Board members. Orville Lind, Native Liaison for OSM.
5 There are no comments.

6

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

9

10 MR. BUTLER: Good morning, Mr. Chair.
11 The Department is neutral on this proposal.

12

13 We typically take that position on
14 methods and means as we go through our process with the
15 State Board of Game. So far no one's proposed this for
16 Unit 18, we have adopted it in other areas as has been
17 noted.

18

19 We also acknowledge that it allows for
20 selective harvest of bears, it allows for people to
21 identify their target, which provides humane dispatch
22 of the animals that are intended to be taken,
23 differentiating between sows potentially with cubs or
24 yearlings that may also be in the den and it provides
25 human safety. So, generally, the State has been
26 supportive of these types of proposals but, again, I
27 can't speak for the Board of Game so we're neutral on
28 this position.

29

30 CHAIRMAN TOWARAK: Thank you. Are
31 there any questions.

32

33

34 (No comments)

35

36 CHAIRMAN TOWARAK: If not, we will get
37 on with the InterAgency Staff Committee comments.

38

39 MS. HOWARD: Good morning, Mr. Chair.
40 Board members. Anee Howard. I am the acting Chair for
41 the ISC and Policy Coordinator at OSM.

42

43 The InterAgency Staff Committee have
44 standard comments for this proposal. Those standard
45 comments are:

46

47 The ISC found the Staff analysis to be
48 a thorough and accurate evaluation of the proposal and
49 that it provides sufficient basis for the Regional
50 Advisory Council recommendation and Federal Subsistence

1 Board action on the proposal.

2

3 And moving forward today, if the
4 standard comments apply for the ISC I will simply state
5 that for the record for the remaining proposals.

6

7 Thank you, sir.

8

9 CHAIRMAN TOWARAK: Thank you for your
10 brevity.

11

12 (Laughter)

13

14 CHAIRMAN TOWARAK: The floor is then
15 open for the Board to discuss with the Council Chairs
16 and the State liaison on the proposal.

17

18 Are there any questions or comments
19 after the statements.

20

21 (No comments)

22

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

25

26 MS. CLARK: Mr. Chair. I'd like to
27 make a motion.

28

29 CHAIRMAN TOWARAK: Go ahead.

30

31 MS. CLARK: I make a motion to adopt
32 WP16-35 as recommended by the Yukon Kuskokwim Delta and
33 Bristol Bay Councils.

34

35 MR. C. BROWER: You heard the second
36 from Mr. Brower and the motion. Further discussion.

37

38 MS. CLARK: I'll provide my
39 justification.

40

41 The Yukon Kuskokwim Delta and Bristol
42 Bay Councils recommended supporting the proposal as
43 written stating that it supported sources of light that
44 are thought to be appropriate, such as snowmachine
45 headlights. Additionally, for human safety and to
46 allow for traditional practices. The original language
47 is consistent with State regulations in Unit 19 and
48 other nearby units, which would reduce regulatory
49 complexity.

50

1 CHAIRMAN TOWARAK: Any further
2 discussion.
3
4 (No comments)
5
6 CHAIRMAN TOWARAK: The floor is open
7 for call of the question.
8
9 MR. C. BROWER: Question.
10
11 CHAIRMAN TOWARAK: Question's been
12 called for. All those in favor of the motion say aye.
13
14 IN UNISON: Aye.
15
16 CHAIRMAN TOWARAK: Any opposed, say
17 nay.
18
19 (No opposing votes)
20
21 CHAIRMAN TOWARAK: Motion passes
22 unanimously.
23
24 We will then continue on with the Board
25 deliberation and action on non-consensus agenda -- for
26 your information we're going to do the -- there is a
27 number of proposals regarding the caribou in Northern
28 and Western Alaska and we'll have Chris briefly explain
29 the process that we're going to use to review those
30 proposals today. It's going to be a little different
31 but according to the Staff they think the proposed
32 method that we're using will be more efficient and
33 it'll be less confusing for this Board to come with a
34 plan for addressing the proposal.
35
36 So, Mr. McKee, go ahead.
37
38 MR. MCKEE: Thank you, Mr. Chair. Yes.
39 Members of the Federal Subsistence Board and Council
40 Chairs, the analysis for Wildlife Proposal WP16-37
41 begins on Page 613 of your meeting material booklet.
42
43 My name is Chris McKee and I'm the
44 Wildlife Division Chief for the Office of Subsistence
45 Management. As you can see we have the entire Wildlife
46 Division here at the table for this proposal. It's a
47 long and complex analysis spanning some 80 pages of
48 your meeting booklet and it's easily the longest and
49 most complex analysis I've seen in my five years at
50 OSM.

1 My job here on this proposal is to try
2 to kind of give a 30,000 foot course overview of the
3 proposal and kind of give an introduction to the
4 analysis and kind of walk you through how we're hoping
5 to proceed on this analysis.
6

7 So Proposal WP16-37 was submitted by
8 Jack Reakoff of Wiseman and requests changes to caribou
9 harvest regulations throughout the range of the Western
10 Arctic and Teshekpuk Caribou Herds including reduction
11 in harvest limits, shortening of the bull and cow
12 seasons, creation of new hunt areas, and to be
13 announced seasons and a prohibition on the take of
14 calves and cows with calves. The proponent requests
15 that Federal caribou regulations be aligned with
16 recently adopted State regulations in order to reduce
17 regulatory complexity and to aid in conservation of
18 both herds.
19

20 So as mentioned by the Chair at the
21 beginning, there are seven other proposals that have
22 been submitted this cycle that request changes to
23 Federal regulations for both of these herds. They are
24 WP16-45, 49, 52, 61, 62, 63 and 64.
25

26 For the most part all the analysis for
27 these proposals contain nearly identical biological
28 backgrounds and harvest histories where the relevant
29 units are concerned and the OSM conclusions are also
30 consistent as possible across all analysis and units.
31

32 So each of the affected Regional
33 Advisory Councils have made recommendations for
34 modifications to some or all of these analysis. Many
35 of the Council recommendations have been incorporated
36 into the OSM conclusions for each unit. Where they
37 differ we'll make them clear to the Board during this
38 presentation. Please be aware that some Councils took
39 no action on WP16-37 but did make recommendations for
40 the same units in the proposal 61-64 which was a series
41 of proposals submitted by the North Slope Regional
42 Advisory Council.
43

44 So in order for the Board to be made
45 aware of all the Councils recommendations we have noted
46 and highlighted where this has taken place on the Board
47 motion slides which we'll be coming to once we actually
48 get into the weeds of the regulatory end of this
49 proposal.
50

1 Although the Councils were not
2 suggesting changes to WP16-37 specifically, the intent
3 is the same in terms of how we'd like to handle it.

4
5 So due to the length and complexity of
6 this analysis, the Wildlife Division has chosen to
7 address this proposal on a unit by unit basis, rather
8 than ask the Board to act on the proposal as a whole,
9 so that the public record and your rationale for your
10 decisions are clear and as simple as possible.

11
12 As I mentioned, I'm giving the
13 introduction here but after I'm done and we go through
14 some of the procedural protocols, Lisa Maas will be
15 giving an overview of the biological background and
16 harvest history to begin with. Then each of the Staff
17 biologists will address the unit specific to the region
18 that they are responsible for. These presentations
19 will address the seven other proposals that have been
20 submitted related to these herds, as I mentioned
21 earlier. Our hope is that the Board will use WP16-37
22 as kind of a master proposal, that way the Board can
23 take action on this proposal on a unit by unit basis
24 and then choose to take no action, hopefully, on these
25 seven other proposals based on action taken on 16-37.
26 This should allow for consistency of action and try to
27 help avoid any possible conflicts. The Wildlife Staff
28 have tried to summarize proposed regulatory changes in
29 the supplemental materials that you have before you in
30 the form of color-coded maps of tables regarding each
31 unit. We hope that these materials will prove useful
32 to you as we proceed through this proposal with you.

33
34 So usually when we give an overview of
35 an analysis, as you've already seen, we go through the
36 procedure where the analyst gives an overview of the
37 analysis, we have this issue statement slide up and
38 then while the analyst is going over the analysis we
39 have the key point slide. In the case of this I think
40 it would probably be best if we wait until we have the
41 key point slide up there until after we go through the
42 rest of the procedure so I would recommend going on to
43 the public comments and then going through the rest of
44 that procedural aspect and then we can come back --
45 once we've gone through that process, we can come back
46 to the key point slide, Lisa can do the overview of the
47 biological background and the harvest history and then
48 when we get to the Board deliberation section then
49 that's when each of the analysts will actually start
50 going through each unit's specific regulations and

1 we're hoping -- what we'd like to happen is for the
2 Board to take action on each unit as if each unit was
3 its own proposal. That's kind of the intent.

4
5 So that way when you get finished going
6 through all six -- I think it's six units that are
7 covered in this analysis, you can take action on each
8 of them on a unit by unit basis, you'll be done with 37
9 as a whole, that's the hope, and then take no action on
10 the seven others and kind of take care of this in one
11 fell swoop, but given that the length and complexity of
12 this analysis was pretty overwhelming, I think the
13 regulatory section alone covers six or seven pages and
14 then our recommendation just adds to it, so it could
15 get unwieldy really quickly if we didn't do this on a
16 unit by unit basis.

17
18 So that's kind of the introduction that
19 I had and, certainly, if you have any questions over
20 the process I'd be happy to try to do my best to answer
21 them but, otherwise, I'd recommend going on and
22 starting with the rest of the procedural aspects and
23 then we can come back to overview after you go through
24 that.

25
26 So that's all I had, Mr. Chair.

27
28 CHAIRMAN TOWARAK: If it's okay with
29 you then we will just turn the floor over to you to
30 guide us down that path. But if there happens to be
31 any questions from the Board members are you
32 comfortable with them asking you at a specific point?

33
34 MR. MCKEE: I think the best way to
35 handle it would be to wait when we're actually -- I
36 mean you can ask Lisa some general biological and
37 harvest history questions after she gets through with
38 that section, but I think where we'll really be getting
39 into the weeds is going to be on the unit by unit
40 information, so I think a lot of the questions that the
41 Board is probably going to have are going to be related
42 to OSM's recommendations as opposed to the Council's
43 recommendations, sometimes there's multiple Councils
44 that act on a unit so I think that's where a lot of the
45 questions will go but before we get to that point I
46 think it's important that you go through the procedural
47 items that you have on the back of your card there. So
48 I think the best place to go from here would probably
49 be, to begin with, public comments and then go through
50 the rest of that aspect and then come back to the

1 overview that Lisa will give once you go through that
2 procedure. So that's how I think it would be best to
3 proceed.

4

5 Mr. Chair.

6

7 CHAIRMAN TOWARAK: Okay. Well, we will
8 then -- I assume start with 37 -- 16-37 and go through
9 the procedure of hearing comments, first from the
10 public and then down this specific order.

11

12 So the floor is open now for any public
13 -- let's get a summary of the public comments from the
14 Regional Council Coordinator.

15

16 MR. STEVENSON: Good morning. Thank
17 you, Mr. Chair and members of the Board, and Council
18 Chairs.

19

20 Mr. Chair. There were no written
21 public comments received for Proposal 16-37.

22

23 CHAIRMAN TOWARAK: Thank you. The
24 floor is open to the public then for any comments on
25 Proposal 16-37.

26

27 Go ahead.

28

29 MR. STEVENSON: Thank you, Mr. Chair.
30 There were written comments, however, received for
31 caribou related proposals pertaining to 16-43, and I'd
32 be happy to read that, Mr. Chair. Briefly.

33

34 CHAIRMAN TOWARAK: Go ahead.

35

36 MR. STEVENSON: On Proposal 16-43. One
37 written public comment was received and that is
38 reflected on Page 296 of your books. The author was
39 Ms. Melanie Bahnke, President of Kawerak Incorporated
40 who made the following points.

41

42 Ms. Bahnke requested an amendment,
43 instead of using GMU 22A, specified south of the
44 Unalakleet River, she requested that designation be
45 changed to GMU 22A, noting that south of Golsovia River
46 to promote the alignment of both State and Federal
47 boundaries. Secondly, Ms. Bahnke specifies that the
48 northern portion of GMU 18 and GMU 22A have individuals
49 mistakenly -- or I should say mistaking privately owned
50 reindeer for caribou, specifically because the season

1 for caribou is open in both units, which in turn causes
2 hardship on reindeer herders who must in turn report to
3 law enforcement regarding theft of privately owned
4 reindeer.

5
6 Second. There was a comment received
7 regarding Proposal 16-45. I should say that there were
8 two public written received regarding 16-45. Those are
9 found on Page 757 of your books. And, again, the
10 author, Ms. Bahnke, president of Kawerak Incorporated
11 who supports extending the boundary line of GMU 22E for
12 caribou by deleting and forgive me if I make a
13 mispronunciation here, the Sanaguich River boundary and
14 in turn adding the Tin Creek drainage up to the
15 headwaters of Ear Mountain.

16
17 The second written public comment
18 received regarding Proposal 16-45 comes from the Native
19 Village of Shishmaref and can be found in the Xeroxed
20 supplemental information packet that was provided. The
21 Native Village of Shishmaref opposes expanding the
22 boundary line in GMU 22E for caribou and recommends
23 accomplishing this by deleting the Sanaguich River
24 boundary and adding the Tin Creek drainage up to the
25 headwaters west to Ear Mountain.

26
27 Secondly, they specify that community
28 comments in region support extending the boundary line
29 in GMU 22E for caribou by deleting the Sanaguich River
30 boundary and adding Trout Creek drainage up to the
31 headwaters of Ear Mountain.

32
33 And, thirdly, express support from
34 Clifford Wyeona, and, again, forgive me if I'm
35 mispronouncing his last name, who holds reindeer
36 grazing permit and in turn extending the boundary to
37 Trout Creek which is unexpected due to increased
38 harvest and the anticipated affect, which would be --
39 they anticipate being seen particularly to subsistence
40 users in the area of Wales.

41
42 And, lastly, they recommend a Trout
43 Creek boundary would serve as a buffer zone, providing
44 benefit to reindeer herders who are in turn permitted
45 to graze in the area west of the Niluk River.

46
47 Thirdly, we have one public comment
48 letter received regarding Proposal 16-48 and that can
49 be found on Page 783 of your booklets. This letter was
50 received from Mr. Vern Cleveland, Sr., who serves as

1 the Chairman of the Western Arctic Caribou Herd Working
2 Group -- oh, pardon me, that's for Proposal 16-48.

3

4 Thank you.

5

6 Okay.

7

8 Mr. Chair, shall I continue with the
9 brief summary of the public written comment regarding
10 16-48 -- no, 16 -- pardon me.

11

12 (Pause)

13

14 MR. STEVENSON: That concludes the
15 summary of written public comments received for the
16 non-consensus items.

17

18 Thank you.

19

20 CHAIRMAN TOWARAK: Thank you, very
21 much. We will then open the floor to any public
22 testimony regarding 16-37.

23

24 Mr. Ashenfelter.

25

26 MR. ASHENFELTER: Good morning. My
27 name is Roy Ashenfelter with Bering Straits and Kawerak
28 in Nome.

29

30 I'm a little bit confused. Are we
31 commenting on all the caribou proposals for Units -- or
32 are we going by unit -- I'm sorry, I walked in late, I
33 didn't quite catch the process.

34

35 Thank you.

36

37 CHAIRMAN TOWARAK: Chris, you want to
38 answer that.

39

40 MR. MCKEE: Yes, sorry, I can easily
41 see how you could be confused if you missed the
42 beginning, but, yes, we're -- right now we're having
43 public comments on all the caribou proposals related to
44 the Western Arctic and Teshekpuk Caribou Herd proposals
45 so we're looking for a general overview of all of those
46 proposals, in general, and then we're going to get into
47 the unit by unit ones but right now, for the public
48 comment part of the caribou proposals, we're looking
49 for public comments on any of these proposals,
50 specifically 37, 45, 49 and 52 and then the North Slope

1 proposals. But, no, we're not talking about the
2 special action if that's what you were wondering about,
3 that comes later. Did that clarify it?

4
5 MR. ASHENFELTER: Yeah, clear.....

6
7 MR. MCKEE: Okay.

8
9 MR. ASHENFELTER:as mud.

10
11 (Laughter)

12
13 MR. ASHENFELTER: So when will the
14 special action be taken up?

15
16 CHAIRMAN TOWARAK: My understanding is
17 it will be after we go through these -- I forget how
18 many proposals we have, we expect to -- right after
19 that, at the end of this process we're going to do the
20 special action.

21
22 MR. ASHENFELTER: Okay. I'm kind of
23 thinking in my mind because I don't have all the
24 proposals in my mind clear about which ones are
25 speaking to specific areas. So I hope we're given an
26 opportunity to speak as we talk to specific proposals
27 that would allow public comments on but, if not, then I
28 guess I'll just have to wait until the special action
29 one to be to sure to comment on that. But I don't have
30 a -- I understand there's 36, 37, 45 but I need to --
31 anyway, I'm a little bit confused but I'll wait and
32 make sure that I comment on the special action one and
33 hopefully -- I don't know, but anyway.

34
35 CHAIRMAN TOWARAK: Mr. Ashenfelter. If
36 you want to address us -- or you're going to wait until
37 the special actions come in.

38
39 MR. ASHENFELTER: Yeah.

40
41 CHAIRMAN TOWARAK: Okay. If for some
42 reason they refer or you're comments are in regard to
43 the original proposal, the proposal we're looking at
44 right now, we'll be glad to insert you before it's
45 over.

46
47 MR. ASHENFELTER: Thank you.

48
49 CHAIRMAN TOWARAK: We'll continue then
50 with the public testimony. Is there anyone on line

1 that would like to testify.

2

3 (No comments)

4

5 CHAIRMAN TOWARAK: Not hearing
6 anything, then we will go on to the Regional Council
7 recommendations from the -- do we want to have each of
8 the Chairs that are involved -- go ahead.

9

10 MR. MCKEE: That's another point.
11 Right now, like I said, we're going through the
12 PowerPoint slides, is kind of a general overview where
13 we can know what their position is, from a general
14 standpoint, but I really want the Council Chairs to
15 talk about what their Councils are recommending also
16 when we are in the unit by unit specific so it's a
17 little bit easier because a lot of the recomm -- again,
18 the Council recommendations in some cases also go on
19 for several pages, so it's just easier, in points of
20 discussion to know what the Council's desires are in a
21 particular aspect of the proposal by having them also
22 comment on a -- when we're going through the unit by
23 unit specific descriptions as well. So here we kind of
24 have a general overview of how they acted on the
25 proposals, in general, but we don't get into the
26 specific regulatory changes they're asking for. We'd
27 rather -- think it's more appropriate to do that when
28 we go through each individual unit.

29

30 CHAIRMAN TOWARAK: Okay. Is that clear
31 to the Chairs that we will -- this general overall
32 recommendations from the Council as being noted on the
33 slide in front of you. So when it comes to specific
34 proposals you will have another opportunity at that
35 time to -- go ahead.

36

37 MR. MCKEE: Yeah, I just want to make
38 it clear that I think the Council Chairs will be able
39 to -- will better be able to let their desires be known
40 on a unit by unit basis, rather than try to give their
41 entire overview of their regulatory recommendations all
42 at once because there's just so much of it that, you
43 know, it's not going to really -- it won't make sense
44 in that aspect. So it would be a lot more effective
45 for the Board to take action and deliberate on it by
46 just knowing what the Councils want for each specific
47 unit rather than give all of it all at once. That's
48 the idea, that's our hope at least.

49

50 CHAIRMAN TOWARAK: Okay. And then I

1 assume that we're going to look specifically at 16-37?

2

3 MR. MCKEE: Well, yes, but, again,
4 we're -- this whole process is 16-37 but we're taking
5 it -- you're going to be acting on 16-37 on a unit by
6 unit basis so when we get -- for instance, the first
7 unit -- specific unit we're going to take up is going
8 to be 21D, at that time the Staff will discuss OSM's
9 recommendations and then at that time it'll also be the
10 opportunity for the Council Chairs to discuss
11 specifically what their desires are for 21D, for each
12 affected Council, and then we move on to 22 and so on
13 and so on through the other four units that 16-37 deals
14 with.

15

16 CHAIRMAN TOWARAK: Okay. I assume that
17 we're still following you.....

18

19 (Laughter)

20

21 CHAIRMAN TOWARAK:and that.....

22

23 MR. MCKEE: I hope so.

24

25 (Laughter)

26

27 CHAIRMAN TOWARAK: And the process that
28 we're going to be using will give each one an
29 opportunity to give their reports on a specific unit.

30

31 So with that -- and are there any
32 questions.

33

34 (No comments)

35

36 CHAIRMAN TOWARAK: If not then we will
37 continue on with any Tribal, or Alaska Native
38 Corporation comments from the Native Liaison.

39

40 MR. LIND: Mr. Chair. There's no
41 comments.

42

43 Thank you.

44

45 CHAIRMAN TOWARAK: Thank you. Then the
46 Department of Fish and Game.

47

48 MR. BUTLER: Thank you, Mr. Chair. We
49 support Proposal 37. We'd like to see the seasons
50 between the Federal system and State system aligned.

1 We think that provides clarity for resource users.

2

3 We're currently in the process of
4 trying to address management concerns related to the
5 Western Arctic Herd. We're proposing for the 2017
6 Board cycle for the State Board of Game that the Board
7 move towards a State registration permit so that we can
8 track and monitor harvest better. Currently, under the
9 State system people are allowed to register north of
10 the Yukon River to participate in this hunt but we'd
11 like to get a better handle on what the harvest
12 actually is so we can evaluate how that's affecting the
13 population dynamics.

14

15 The Board also recently took action for
16 Unit 22, where we had a closure of the bull season from
17 October 15th to January 31st. This year was an unusual
18 year for the Western Arctic Herd, they migrated into
19 Unit 22 in larger numbers, that's an area where we do
20 have reindeer farming and other concerns associated
21 with that industry, so it's somewhat different than
22 other areas. But as a consequence of the bull closure
23 under the State season and the influx of caribou we had
24 quite a bit of illegal cow harvest occurring. You know
25 people were unintentionally misidentifying animals most
26 likely and it resulted in issues. So the Board took
27 action at their recent Board meeting to allow the bull
28 harvest to continue through that closure period. So
29 that regulation is going to be changed in Unit 22.

30

31 We recommend that all cow seasons be
32 closed on March 31st, and that's a time when caribou
33 are getting towards the period where they're about to
34 have calves and, you know, they're getting basically
35 into their third trimester and we don't want undue
36 stress on the cow caribou. So that's another
37 recommendation.

38

39 And we recommend prohibiting the taking
40 of calves because they're important for the continued
41 population growth of this herd.

42

43 Again, as the population declines we
44 don't think that the decline is at a critical state
45 currently but we'd like to increase our ability to
46 monitor, manage and evaluate how harvest is affecting
47 this population and find a way to move forward
48 together. And the State regulations are probably going
49 to be somewhat in flux. We suspect that there will be
50 other proposals from the public to change things and we

1 acknowledge that there are regional differences in how
2 caribou harvest should be addressed. So we certainly
3 understand those concerns. But we'd like to see our
4 systems aligned to the extent possible.

5
6 Thank you.

7
8 CHAIRMAN TOWARAK: Thank you. Are
9 there any questions of the State.

10
11 (No comments)

12
13 CHAIRMAN TOWARAK: Thank you. We will
14 then ask the InterAgency Staff Committee to make their
15 comments at this point.

16
17 MS. HOWARD: Thank you, Mr. Chair. The
18 InterAgency Staff Committee has standard comments for
19 WP16-37 and the other related caribou proposals as
20 referenced by Staff.

21
22 Thank you.

23
24 CHAIRMAN TOWARAK: Thank you. Are
25 there any -- is there any Board discussion with the
26 Council Chairs or the State Liaison.

27
28 (No comments)

29
30 CHAIRMAN TOWARAK: Those opportunities
31 will come up again as we discuss each unit.

32
33 So I don't think we're going to be
34 going through the Board action at this point, we're
35 going to get all the reports unit by unit.

36
37 MR. MCKEE: Correct. Well, first we're
38 going to go back to the -- if we could go back to the
39 key points slide on this proposal, this is where I'll
40 have Lisa start with her overview of the biological
41 background and the harvest history and then after that
42 we'll begin the unit by unit discussion.

43
44 CHAIRMAN TOWARAK: Okay, the floor is
45 yours.

46
47 MS. MAAS: All right, thank you, Mr.
48 Chair. Members of the Board. For the record my name
49 is Lisa Maas and I'm a wildlife biologist in the Office
50 of Subsistence Management.

1 I'll be giving a brief overview of the
2 biology, harvest and regulatory history for the Western
3 Arctic and Teshekpuk Caribou Herds.

4
5 Some general things to keep in mind
6 about caribou is that their populations naturally
7 fluctuate over time. The last population lows occurred
8 in the 1970s. Calves orphaned after weaning in mid-
9 October have a greater chance of survival over calves
10 orphaned while they are still nursing. The Teshekpuk,
11 Western Arctic and Central Arctic Herds have
12 overlapping ranges. And you can find a map on Page 642
13 for a map of the caribou herd ranges.

14
15 Both the Teshekpuk and Western Arctic
16 Herds have experienced severe population declines in
17 recent years. Since 2008 the Teshekpuk has declined 40
18 percent but although this herd has shown some
19 improvement in 2015. Since 2003 the Western Arctic
20 Herd has declined 50 percent. The primary factors
21 contributing to this decline are increased cow
22 mortality and decreased calf survival and recruitment.
23 Historically hunting has been a minor mortality factor
24 for both herds. However, as herds decline and harvest
25 remains the same, hunting represents a larger and
26 larger percentage of caribou mortalities.
27 Overharvesting may be occurring from both herds.
28 Harvest from the Teshekpuk Herd is primarily by local
29 hunters in Unit 26A. Harvest from the Western Arctic
30 Herd is primarily by local hunters in Unit 23.

31
32 This is the first time in the history
33 of the Federal Subsistence Program that restrictions to
34 the harvest of the Western Arctic and Teshekpuk Caribou
35 Herds have been proposed.

36
37 In March of 2015, the Alaska Board of
38 Game adopted regulations that restricted harvest limits
39 and hunting opportunities for residents and non-
40 residents. In June of 2015, the Federal Subsistence
41 Board approved special actions that restricted harvest
42 limits and hunting opportunities for the regulatory
43 year 2015.

44
45 In summary, both the Western Arctic and
46 Teshekpuk Caribou Herds populations have declined
47 substantially and overharvesting may be occurring.

48
49 The State has already enacted permanent
50 regulatory changes to address the decline while the

1 Board has already adopted temporary regulations.

2

3 So I'll pause here if there are any
4 general questions about biology or harvest before
5 beginning the unit by unit discussions.

6

7 (Pause)

8

9 CHAIRMAN TOWARAK: Anyone.

10

11 Tony.

12

13 MR. CHRISTIANSON: Mr. Chair. Just so
14 we can clarify the intent the Staff has here, I'd like
15 to make a motion just so it's clear for the record that
16 we're going to address the group of caribou proposals
17 as presented and take action unit by unit.

18

19 (Pause)

20

21 MR. CHRISTIANSON: I'm making a motion.

22

23 CHAIRMAN TOWARAK: Is there a second to
24 the motion.

25

26 MR. C. BROWER: Second.

27

28 CHAIRMAN TOWARAK: There's been a
29 motion and a second and we will discuss your -- open
30 the floor for discussion on the propos -- on the
31 motion.

32

33 MR. CHRISTIANSON: Well, I'm just
34 trying to align the discussion, that the Staff's making
35 the recommendation here that we look at this proposal
36 and then take action unit by unit, so I'm just trying
37 to clarify for the record what the intent is here as we
38 deal with 37 and then go into it unit by unit and then
39 take action based upon Staff recommendations.

40

41 CHAIRMAN TOWARAK: Does that fit within
42 the parameters that he explained?

43

44 MR. MCKEE: I just think Mr.
45 Christianson is adding to what I've already said. I'm
46 not -- I'm -- unless there's some objections from the
47 Board to take it up on a unit by unit basis, which I
48 would, by the way highly recommend not objecting to,
49 but you can do whatever you want, I would say just
50 proceed and we can continue on with the -- with the

1 unit by unit discussion now unless there's any
2 objection. I don't think you really need to make a
3 motion -- approve a motion to take it unit by unit
4 unless somebody has an issue with it.

5
6 CHAIRMAN TOWARAK: Does that clarify
7 your action.

8
9 MR. CHRISTIANSON: Yep.

10
11 CHAIRMAN TOWARAK: Are you willing to
12 withdraw the motion?

13
14 MR. MCKEE: I mean if it's better to
15 have it on the record for the Board to make a motion to
16 go unit by unit that's -- that's perfectly fine with
17 us, just for clarity of the public record.

18
19 CHAIRMAN TOWARAK: And my understanding
20 is that's exactly what you were trying to do.

21
22 MR. CHRISTIANSON: That's all I'm
23 trying to do is put it on record.

24
25 MR. MCKEE: Okay, thank you.

26
27 CHAIRMAN TOWARAK: Okay. Is there
28 further discussion on the motion.

29
30 (No comments)

31
32 CHAIRMAN TOWARAK: Go ahead Mr.
33 Cribley.

34
35 MR. CRIBLEY: Call for question.

36
37 CHAIRMAN TOWARAK: Question's been
38 called for. All those in favor of the motion say aye.

39
40 IN UNISON: Aye.

41
42 CHAIRMAN TOWARAK: Any opposed, say
43 nay.

44
45 (No opposing votes)

46
47 CHAIRMAN TOWARAK: Motion passes
48 unanimously.

49
50 MR. MCKEE: Okay. Well, you've already

1 heard from her but we're going to -- the first person
2 to start on the unit by unit specific discussions will
3 be Lisa Maas for 21D.

4

5 MS. MAAS: Okay. Thank you, Mr. Chair.
6 So if all of you could find this packet in your
7 supplemental materials, it's a packet of tables and
8 maps and we will be referring to this for the remainder
9 of our discussion about these proposals.

10

11 (Pause)

12

13 MS. MAAS: Has everyone found them,
14 okay.

15

16 So if you could look at the top sheet
17 -- has everyone found these -- okay.

18

19 On the top sheet is a summary of the
20 differences between the OSM conclusions and the
21 Regional Advisory Council recommendations and it also
22 lists which proposals each unit is covered in. And I'd
23 like to reemphasize that the OSM conclusion is
24 consistent across all proposals and that the Regional
25 Advisory Council recommendations are represented in
26 these tables and on the Board motion slides. So even
27 though we're covering seven different -- eight
28 different proposals, the intent's the same and
29 everyone's opinion is represented in this table and on
30 the Board motion slides. And in several cases the OSM
31 conclusion aligns with one of the Council
32 recommendations but not the others so that might be why
33 the OSM conclusion and Council recommendations differ,
34 is because the Council recommendations differ, so OSM's
35 conclusion just aligns with one RAC recommendation.

36

37 So if you could flip the page you'll
38 see a map and a table on the following pages and the
39 colors are hunt units so hopefully it's pretty easy to
40 kind of match up the colors with the different hunt
41 areas. So we'll be going through, again, these
42 proposals in numerical order and we'll begin with Unit
43 21D. So, again, the green and purple areas and the
44 proposed changes for this purple hunt area includes
45 restricting the bull season during the rut, shortening
46 the cow season and a prohibition on the take of calves.

47

48 The OSM conclusion and the Western
49 Interior Council's recommendations align for this area.

50

1 The green hunt area is for the Galena
2 Caribou Herd and there are no proposed changes to this
3 unit with the exception of a delegation of authority
4 letter under the OSM conclusion, in order to simplify
5 regulations and increase management flexibility. And
6 this delegation of authority letter is the only
7 difference between the OSM conclusion and the Council's
8 recommendation. And the Western Interior Council, at
9 their fall meeting, did not explicitly address the
10 delegation of authority letter, they just supported the
11 unit as submitted -- the proposal for this unit as
12 submitted.

13

14 And I guess we didn't officially talk
15 about the Council recommendations so I'm not sure if
16 this is an appropriate time for the Councils to give
17 their recommendations for Unit 21D.

18

19 But that concludes my presentation. If
20 anyone has questions about Unit 21D specifically you
21 can ask but hopefully it's kind of clear in this table
22 what the regulations are and, again, there's no
23 difference between the OSM conclusion and the Council
24 recommendation for this unit other than the delegation
25 of authority letter, which is not really changing
26 anything, it's just moving regulations from the CFR
27 into a letter.

28

29 MR. MCKEE: Mr. Chair. I think this is
30 kind of the point with this first unit, 21D -- sorry --
31 I think this would be -- and, again, we're kind of in
32 new territory here, so as we go through this we're kind
33 of breaking new ground, but I think this is -- after
34 the Staff discusses what our conclusions are, I think
35 this would be the time to maybe get the Council Chair's
36 input, in this case I think it's going to be the
37 Western Interior so maybe Jack can step in at this
38 point and give his thoughts on his Council's
39 recommendation on Unit 21D, specifically.

40

41 CHAIRMAN TOWARAK: Okay, we'll do that.

42

43 Mr. Reakoff the floor is yours for any
44 comments you want to make with regards to this proposal
45 affecting 21D.

46

47 MR. REAKOFF: Can you hear me, Mr.
48 Chair?

49

50 CHAIRMAN TOWARAK: Yes, Mr. Reakoff,

1 you've got the floor to make any comments you might
2 want to make on Unit 21D.

3

4 MR. REAKOFF: Okay. When I'm on the
5 phone here I got to push star-one and it takes a little
6 bit before they let me come in.

7

8 So this is my proposal. I submitted
9 this because this Board action, State Board of Game
10 made all these regulatory changes after the Western
11 Interior Council had met last year. So this was a
12 placeholder to get this issue on the table. It's very
13 complex, that's what the Board of Game dealt with, was
14 a very complex issue.

15

16 With the decline of the Western Arctic
17 and Teshekpuk Caribou Herd there's need for
18 restrictions and to utilize these caribou more wisely,
19 not killing bull caribou in rut in October. I would
20 have preferred an October 1 closure on bull caribou but
21 the Board action closes bull caribou on October 14.
22 But this does start utilizing these caribou more wisely
23 and puts more restrictions.

24

25 As far as 21D goes, we maintain what
26 the State Board of Game had done and set these seasons
27 for bulls, five bulls per day, July 1 to October 14,
28 and then closed and then opens again on February 1
29 until the end of the regulatory year on June 30. And
30 cows are able to be harvested from September 1 to March
31 31 in Unit 21D.

32

33 And as the State said earlier, I feel
34 that all cow caribou should be closing on March 31.
35 They're really pregnant with calves. Bulls are coming
36 into really prime condition by March 31. And so I
37 would encourage the Board -- if the State Board is
38 going to make a March 31 closure I would encourage the
39 Federal Board to also maintain that March 31 closure
40 throughout these various subunits.

41

42 Thank you, Mr. Chair.

43

44 CHAIRMAN TOWARAK: Thank you, Mr.

45 Reakoff.

46

47 I assume that we want to go through all
48 the procedural process with the other -- the Fish and
49 Game, the ISC or.....

50

1 MR. MCKEE: Mr. Chair. That's what we
2 -- that's what we already did at the beginning of the
3 process when we were kind of going through the general
4 overview of the proposal as a whole.

5
6 CHAIRMAN TOWARAK: Okay.

7
8 MR. MCKEE: I don't think we need to do
9 that on a unit by unit basis. I think once we -- once
10 you hear from our Staff analysis and you hear from the
11 Chairs, the -- if you have any particular questions on
12 this specific aspect of, in this case, Unit 21D, you
13 can certainly ask questions, otherwise I think you
14 could probably either begin your deliberations or have
15 someone make a motion on this specific unit.

16
17 Mr. Chair.

18
19 CHAIRMAN TOWARAK: Okay. We're going
20 to try to keep track of this deliberate steps with the
21 help of the Staff and my understanding we just -- from
22 this discussion with the Regional Councils, that we
23 move to the eighth step, which is Board discussion with
24 the Council Chairs. If there's any questions that you
25 would like.

26
27 Mr. Cribley.

28
29 MR. CRIBLEY: I got to ask the dumb
30 question of the day so -- and it goes to the, I guess,
31 harvest limit, and it's -- you know, we're really
32 concerned about numbers and overall decline in the herd
33 and stuff, and the harvest limit is five caribou per
34 day, and I guess I -- I guess I'm trying to -- I'm not
35 -- I'm trying to understand why we're continuing or
36 remaining with that number of caribou per day. I mean
37 if it was five per season, or hunting season or
38 something like that, you know, I kind of understand
39 that, but five per day, you know, for every day just
40 seems -- it seems -- maximum flexibility, I don't know,
41 it just -- it seems odd, and I guess what the thought
42 process or the thought behind that or why we continue
43 to allow that while we're trying -- if we are so
44 concerned about the decline of the numbers in the herds
45 and such. It's just a question more just so -- so I
46 can better understand that, not that I have a better
47 recommendation or anything, just trying to understand
48 it.

49
50 CHAIRMAN TOWARAK: Go ahead.

1 MS. MAAS: Sure. Thank you, Mr. Chair.
2 We -- the request, the proposed request was just to
3 match -- for 37 was to match the State regulations, and
4 so currently the State regulations is five per day,
5 that's what the request was, five per day so that's how
6 we analyzed this proposal was five per day for this
7 unit. In other units, for example, Unit 23 it's
8 currently 15 caribou per day and it's being reduced to
9 five per day. So it might also partly depend what unit
10 you're looking at, if there's a reduction in harvest
11 limit or not. But we just analyzed the proposal as it
12 was submitted. And currently for Unit 21D it would
13 align with State regulations, the Council and OSM
14 conclusion aligns with the State.

15
16 Does that help answer your question?

17
18 MR. CRIBLEY: Not really, no. I mean I
19 understand how it aligns and everything but I just
20 don't understand why we would allow that level of -- it
21 just on the -- just from a visible standpoint it just
22 doesn't make any sense but I guess that's how we've
23 always done it so it doesn't sound like anybody's
24 asking to do anything differently. But like I said,
25 I'm just trying to understand what the thought process
26 is. It seems excessive, I don't know. That's a lot of
27 caribou, you stack them up in a freezer, that's a
28 pretty big freezer if you were real active or
29 something. But, I don't know.

30
31 But I guess if nobody's asking to do
32 anything differently and that's acceptable, I'm not
33 necessarily proposing to do anything different, it just
34 seems like -- it just seems odd considering the
35 situation and the circumstances we're in right now.

36
37 But, thank you.

38
39 CHAIRMAN TOWARAK: It's a legitimate
40 question, I think, you know, especially to understand
41 some of the intent of some of the proposals.

42
43 But historically my -- I think just
44 based on my experience in a -- part of my region is
45 included in that, but historically the herd was able to
46 withstand the five a day limit without affecting the
47 population. I think it was more a reflection probably
48 of the number of users. I think that might be
49 increasing. But there's really no explanation on what
50 the change -- why the change of population is taking

1 place and I think biologists are still looking for
2 answers to some of that.

3

4 At this point I'm assuming that that's
5 not the focus of the proposal, and that we're leaving
6 things as they are with what the State uses and we're
7 just taking a look at what Unit 21D is proposing, and
8 Mr. Reakoff.

9

10 Go ahead.

11

12 MR. MCKEE: Unfortunately, you know,
13 we've been spending the better part of a year trying to
14 figure out how to best to address this proposal before
15 the Board and there was just no way to try to make it
16 in any way that was going to be completely easy to
17 understand. But I know -- even though we're going on a
18 unit by unit basis, you have to understand that this
19 proposal was put in to request changes to the entire
20 range of the herd. So while there might not be any
21 specific harvest limit reductions requested in the
22 proposal for this specific unit, as Lisa mentioned,
23 there are some rather drastic proposed reductions and
24 harvest limits in other units for, particularly, the
25 Western Arctic Herd, particularly some of those
26 reductions that have been requested by some of the
27 other Regional Advisory Councils. You also have to
28 keep in mind that we're going from a yearround bull
29 season to a reduced season. So while we may very well
30 not be changing the harvest limit, we are reducing the
31 opportunity in this specific unit.

32

33 But, again, we're trying to address
34 this proposal to this Board on a unit by unit basis,
35 but it's important to keep in mind that the proposal is
36 calling for differences among the whole range of the
37 herd so while we might not be asking or talking about
38 any reduction in harvest limits in 21D, we are talking
39 for some very significant reductions and harvest limits
40 in other units, which we will be discussing as we move
41 through the other units.

42

43 So I understand that's not a completely
44 satisfactory answer but I think that's the clearest
45 answer that I can give to the question. But I
46 understand how you could see that just looking at this
47 unit and kind of get confused when we're talking about
48 conserving the herd. So I think you have to think of
49 it on an entire range-wide basis.

50

1 MS. MAAS: And I mean it's outside of
2 the scope for us to suggest further reduction but,
3 obviously, the Board can suggest whatever you want but
4 if you do reduce the harvest limit below five then
5 Federal regulations would be more restrictive than
6 State.

7

8 CHAIRMAN TOWARAK: Mr. Cribley.

9

10 MR. CRIBLEY: It was just a question.
11 I didn't -- I wasn't proposing to do anything
12 different. I was just trying to -- I didn't know if
13 there had been any dialogue or thoughts about that
14 aspect of it. It just seemed curious. But I don't
15 mean to take us off. We can get off this rabbit trail
16 and get back on the road. And we have a lot to do and
17 we can focus back on track and I understand what we're
18 doing as far as handling it unit by unit. I finally --
19 the light bulb finally went on and I caught up with you
20 so I think I'll be able to keep up with you, but I was
21 just curious about that, that's all.

22

23 And like I said, please, let's not beat
24 this caribou to death, okay.

25

26 CHAIRMAN TOWARAK: The Northwest Region
27 Chair an opportunity -- probably this Western Arctic
28 Caribou Herd affects that region probably more than any
29 other region if we took them one at a time but I'd like
30 -- you raised your hand, go ahead.

31

32 MR. SHIEDT: Yeah, I just wanted to
33 answer his question. That five per day, this
34 regulation was put in years back by the State and to be
35 -- so the Natives could be in compliance because we go
36 so far to get our food for the winter, that if we take
37 any -- and we don't take more than what we need. I
38 know the numbers, they sound high, five per day, but we
39 -- per day for every day, we never get no more than
40 what we need. What it was, we make sure we're in
41 compliance, that way no Natives will get cited and we'd
42 like to keep it that number because we take a reduction
43 for the Federal times, we could be able to handle 15
44 caribou we would harvest for a day, because we go a
45 long ways just to get harvest and put food on the
46 table.

47

48 I hope that makes it so you'll better
49 understand it.

50

1 CHAIRMAN TOWARAK: It's been my
2 experience, too, I don't know of any hunter that takes
3 five a day.

4
5 So we will proceed then with -- where
6 are we at with the process, did we have.....

7
8 MR. CHRISTIANSON: Mr. Chairman.

9
10 CHAIRMAN TOWARAK: Yes.

11
12 MR. CHRISTIANSON: Oh, I think we're
13 going to.....

14
15 CHAIRMAN TOWARAK: Go ahead.

16
17 MS. CLARK: I'm ready to make a motion.

18
19 CHAIRMAN TOWARAK: Go ahead.

20
21 MS. CLARK: I make a motion to adopt
22 the Unit 21D portion of WP16-37 as modified by OSM on
23 Page 663 of the meeting book.

24
25 MR. CHRISTIANSON: Second.

26
27 CHAIRMAN TOWARAK: You heard the motion
28 and the second. Further discussion.

29
30 MS. CLARK: I'll provide my
31 justification.

32
33 The OSM conclusion is consistent with
34 the recommendation of the Western Interior Council for
35 the Unit 21D remainder area and adds management
36 flexibility for the hunt area in the portion of the
37 Unit north of the Yukon River and east of the Koyukuk
38 River. The decline of the Western Arctic Caribou Herd
39 warrants regulatory changes and this will help minimize
40 complexity with recently changed State regulations.

41
42 CHAIRMAN TOWARAK: Any further
43 discussion.

44
45 (No comments)

46
47 CHAIRMAN TOWARAK: You'll have to
48 explain or clarify my next move. I had heard that we
49 would vote on all of the proposals all at once at the
50 end?

1 MR. MCKEE: No. Like I mentioned in
2 the beginning, I think the best way to think about it
3 is think of each unit as its own separate proposal.
4 Even though we're going through one proposal, because
5 there's six different units in 16-37, it would be just
6 too much for the Board to act all at once and it would
7 be -- not only would it be confusing for all of us here
8 in the room but it would be confusing for the public
9 record so that's the whole reason we're going unit by
10 unit. So just think of each unit as its own separate
11 proposal. You'll act on each unit and then once you've
12 acted on all six units within this proposal then you'll
13 be done with the proposal as a whole. But we're asking
14 for motions for each individual unit.

15
16 CHAIRMAN TOWARAK: Any further
17 discussion by the Board.

18
19 (No comments)

20
21 CHAIRMAN TOWARAK: The floor is open
22 for call of the question.

23
24 MS. PENDLETON: Question.

25
26 CHAIRMAN TOWARAK: Question's been
27 called for. All those in favor of the motion say aye.

28
29 IN UNISON: Aye.

30
31 CHAIRMAN TOWARAK: Any opposed, say
32 nay.

33
34 (No opposing votes)

35
36 CHAIRMAN TOWARAK: The motion on Unit
37 22 proposal is approved -- 21D.

38
39 MR. MCKEE: Correct, Mr. Chair. And
40 that's one in a row so we're on a roll now.

41
42 (Laughter)

43
44 MR. MCKEE: Suzanne Worker will take up
45 the next unit. She'll be discussing Unit 22.

46
47 MS. WORKER: Thank you, Mr. Chair. My
48 name is Suzanne Worker and I'm a wildlife biologist
49 with the Office of Subsistence Management. And I'll be
50 going over the relevant proposals for caribou for Unit

1 22.

2

3

4 There are two proposals that will
5 affect Unit 22, one of them is 37, which we've been
6 discussing and the second one is WP16-45. This proposal
7 was submitted by the Seward Peninsula Regional Advisory
8 Council and it requests the western boundary of the
9 Unit 22E hunt area be moved westward from the Sanaguich
10 River drainage to the Tin Creek drainage, which would
11 essentially open an additional portion of the Bering
12 LandBridge National Preserve to subsistence harvest of
13 caribou.

13

14

15 In Unit 22, 16-37, as Chris and Lisa
16 described earlier, would create separate bull and cow
17 seasons in areas where harvest is currently allowed.
18 It would prohibit the harvest of calves and it would
19 create a may be announced season in Unit 22 remainder
20 where currently there is a no open season.

20

21

22 OSM's conclusion in Unit 22 was heavily
23 influenced by what we heard from the Councils at the
24 meeting in October in Nome. The Council's main
25 objections to the proposed changes in 16-37 stem from
26 the misalignment of proposed bull and cow seasons with
27 the times that bulls and cows are actually present in
28 the area. And they also noted the relatively small
29 proportion of total harvest from the Western Arctic
30 Caribou Herd that can be attributed to residents of
31 Unit 22.

31

32

33 Since Unit 22 includes several hunt
34 areas, I'm going to go through them one by one and I'll
35 just point out the areas where the OSM conclusion is
36 not consistent with what the Council recommended.

36

37

38 So Unit 22 map in the supplemental
39 materials that Lisa pointed out, and the first area I
40 want to describe is the hunt area that's described as
41 Units 22A, 22B remainder, that portion of Unit 22D in
42 the Kougarok, Kuzitrin, American, Aygiapuk River
43 drainages and Unit 22E, that portion east of and
44 including the Sanaguich River. For this hunt area the
45 Council recommended a yearround season with no bull or
46 cow restrictions and they suggested moving the hunt
47 area boundary even farther west to Trout Creek. OSM's
48 conclusion is consistent with the Council's
49 recommendation with regard to the seasons and the sex
50 restrictions. So the only disagreement in this hunt
51 area between OSM and the Council is where that western

1 boundary of the hunt area is. And there's a map on
2 Page 746 of your Board books, this is actually a map
3 that was included in Proposal 45, if you want to get an
4 idea of the geography and sort of the drainages that
5 we're talking about and where they're located.

6
7 OSM's conclusion is to move the
8 boundary to the Tin Creek drainage as originally
9 proposed. This conclusion was a result of several
10 conversations I had with local residents who were
11 involved in the reindeer industry. And the main
12 concern among those folks that I talked to was that
13 moving the boundary too far west is that it approaches
14 one of the few remaining active reindeer grazing ranges
15 on the Seward Peninsula. And there's a concern that
16 having an open season that is near or adjacent to a
17 reindeer grazing area opens the door to either
18 intentional or inadvertent harvest of reindeer under a
19 caribou regulation. And so for that reason we suggest
20 going with the proposal as it was submitted.

21
22 So that's all I have for this hunt
23 area. I can take questions if anybody has them or I
24 can move on to the next hunt area.

25
26 CHAIRMAN TOWARAK: Go ahead, Mr.
27 Christianson.

28
29 MR. CHRISTIANSON: I was just trying to
30 look on here, what's the difference in the area between
31 Trout Creek and Tin Creek?

32
33 MS. WORKER: Yeah, it's not -- I'm
34 sorry, it's not on that -- those drainages are not on
35 the map in the supplemental materials but they're on
36 Page 746 of your book.

37
38 MR. CHRISTIANSON: Oh, there they are.

39
40 MS. WORKER: It's.....

41
42 MR. CHRISTIANSON: It doesn't seem like
43 that big of an area.

44
45 MS. WORKER: So if we look at the area
46 between the current hunt area boundary and the new
47 proposed hunt area boundary at Tin Creek, you know, I
48 don't know how much actual acreage that would open up
49 but then if we consider the distance between Tin Creek
50 and Trout Creek it would open up about the same amount

1 of extra. And I believe that the farthest west
2 drainage, Trout Creek, is about 10 miles or so from the
3 Niluk River, which is the boundary of the reindeer
4 grazing range.

5

6 MR. CHRISTIANSON: Thank you.

7

8 MS. WORKER: Okay. Well, I will move
9 on to the next hunt area. This is the hunt area that
10 is in orange on your map. And on your table, this is
11 Unit 22A, south of the Golsovia River.

12

13 The Council recommended that this area
14 be managed independently from Unit 22 remainder since
15 the two areas are geographically distinct and the
16 timing of caribou presence wouldn't necessarily
17 expected to be the same for the two areas and they also
18 recommended a yearround may be announced season with no
19 sex restrictions.

20

21 OSM's conclusion is consistent with the
22 Council's recommendation in this hunt area.

23

24 So next up is Unit 22 remainder, this
25 is the blue area on your map. The Council recommended
26 a yearround may be announced season with no sex
27 restrictions and OSM's conclusion is consistent with
28 that recommendation in this hunt area as well.

29

30 So then the final two hunt areas are
31 the small portions in the center of your map, the
32 yellow and the green areas. The gold area is Unit 22D,
33 that portion in the Pilgrim River drainage. In this
34 area the Council recommended a yearround may be
35 announced season with no sex restriction. And this is
36 a little bit different from OSM's conclusion, which is
37 to have an open season October 1st through April 30th
38 and a may be announced season for the remainder of the
39 years. OSM's conclusion would provide additional
40 harvest opportunity and would also result in general
41 alignment of the Federal and State seasons, which could
42 facilitate parallel in-season management if required.
43 And this might be an important consideration just
44 because there's not a local Federal manager for caribou
45 on the Seward Peninsula. The in-season manager for
46 this area is the BLM Anchorage Field Office. I'll also
47 note that the Council's conclusion would result in
48 there actually being more opportunity under State
49 regulation than under Federal regulation, which may or
50 may not be an important consideration given this small

1 amount of Federal land in this area.

2

3 So that's all I have for that hunt
4 area, are there any questions before I move on to the
5 last one.

6

7 (No comments)

8

9 CHAIRMAN TOWARAK: Go ahead.

10

11 MS. WORKER: Okay. The final hunt area
12 is Unit 22D west of Globnin Bay and west of a line
13 along the west bank of the Fish and Niluk Rivers and
14 excluding the Libby River drainage. This is the green
15 area.

16

17 The difference that I just described in
18 the Pilgrim drainage is very similar to the difference
19 that I'm going to describe in this area. The Council
20 recommended a yearround may be announced season with no
21 sex restrictions. And, again, this is different than
22 OSM's conclusion, who recommended an open season
23 October 1st through April 30th and a may be announced
24 season for the remainder of the year. In this area it
25 would maintain the current level of harvest opportunity
26 and would result in general alignment of the Federal
27 and State seasons which could facilitate in-season
28 management, if necessary.

29

30 So that is all I have for Unit 22 but
31 I'm happy to take questions or make clarifications if
32 needed.

33

34 CHAIRMAN TOWARAK: Go ahead.

35

36 MR. FROST: So I'm confused.

37

38 (Laughter)

39

40 MR. FROST: Why does OSM recommend the
41 October 1, April 30 open and the may be announced May
42 1, September 30 for those last two hunt areas, as
43 opposed to just having it -- it seems like that's extra
44 steps when the RAC recommended just a yearround may be
45 announced and they could have the flexibility to do
46 whatever they needed. It seems like with the may be
47 announced yearround, you can already do what the OSM
48 proposal is.

49

50 MS. WORKER: That is true.

1 And one of the main motivations was
2 trying to get those may be announced seasons aligned
3 with the State. And, again, I don't have any practical
4 experience with in-season management but my impression
5 has been that BLM might be inclined to follow the lead
6 of the State on this just because they have a local
7 representative who can respond to reports if there are
8 caribou in the area and that consideration might be
9 warranted for opening an area, and the Federal manager
10 simply is not out there.

11
12 MR. FROST: So I guess what's -- so
13 what's the advantage to the OSM recommendation? If you
14 can do the same thing with both recommendations, what's
15 the advantage to the OSM recommendation as opposed to
16 just the RAC?

17
18 MS. WORKER: The State will not be
19 conducting in-season management during the open season.

20
21 MR. FROST: So the State has an open
22 season from October 1 to April.....

23
24 MS. WORKER: That's right.

25
26 MR. FROST:30 right now?

27
28 MS. WORKER: And I'll mention that at
29 their Board of Game meeting just last month, or I guess
30 it was last month, the Board of Game did vote to change
31 the State regulations in Unit 22 and the OSM
32 recommendation is in general alignment with those new
33 State seasons. The only difference, as Lem mentioned,
34 is that they will end the cow season on March 31st, I
35 believe it is, in all cases and in all cases, this
36 recommendation would leave the cow season open. But in
37 terms of in-season management and may be announced
38 seasons we would be consistent with the State.

39
40 MR. FROST: Yeah, I understand but I
41 don't know if I agree.

42
43 MR. MCKEE: Mr. Chair.

44
45 CHAIRMAN TOWARAK: Go ahead.

46
47 MR. MCKEE: I'll probably be injecting
48 myself throughout this process just to try to make sure
49 that we're trying to stay consistent between units so I
50 think the best thing to do now would probably, like we

1 did with 21D, go on to the Council recommendations for
2 Unit 22.

3

4 Thank you.

5

6 CHAIRMAN TOWARAK: Have the Seward
7 Peninsula RAC recommendations.

8

9 MS. DEATHERAGE: Mr. Chair. Members of
10 the Board. This is Karen Deatherage, the Coordinator
11 for the Seward Peninsula RAC speaking as a result of no
12 representative here, again.

13

14 What I'd like to do is go ahead and
15 speak to Unit 22 as a whole for the justification, I
16 think this will put why the Council made the
17 modifications that it did to the proposal in context.

18

19 The belief of the Council is that all
20 caribou hunting restrictions in Unit 22 should be
21 lifted as a result of the general lack of caribou and
22 small percentage of harvest by subsistence users in the
23 region. Actions taken to expand some hunt areas will
24 not be in conflict with reindeer herders as caribou
25 hunts will be opened on a to be announced basis only
26 when caribou are in the area. The Council voted to
27 amend WP16-37 for Unit 22 to establish yearround season
28 in the unit with no sex restrictions and a five caribou
29 per day in all of 22.

30

31 And going back to the first area that
32 Suzanne referenced, in 22E for the expansion of the
33 hunt area into, as originally proposed, into Trout
34 Creek, the Council was briefed at the March 10th
35 meeting about the possible conflict with reindeer
36 herders in that area so they -- there was no objection
37 to going back to the OSM recommendation to use Tin
38 Creek as the boundary for that area versus the proposed
39 Trout Creek that the Council had originally requested.

40

41 For the Pilgrim Creek River drainage in
42 22A, the Council recommended to establish a to be
43 announced season for that drainage west of the Niukluk
44 River.

45

46 For the area in 22A near the Golsovia
47 River they wanted to create a new hunt area south of
48 the Golsovia River in Unit 22A on a to be announced
49 season.

50

1 So those are the recommendations from
2 the Council. Again, I think they are in concurrence
3 with OSM on going back to Tin Creek for Unit 22E, but
4 they would like to have a full to be announced season
5 yearround for caribou in that unit because, again, of
6 the lack of caribou that show up in the unit and the
7 low harvest that has historically been reported for
8 users in 22.

9

10 Thank you.

11

12 CHAIRMAN TOWARAK: Go ahead.

13

14 MR. FROST: So just following up on my
15 previous question, so -- and your comments sparked a
16 memory that I think I heard maybe at a Western Arctic
17 Caribou Working Group meeting or something, but, so the
18 reason that it was stated, that the may be announced
19 was preferred by the RAC was because caribou are -- it
20 doesn't -- they come in and they don't come in on a
21 regular basis and so to provide the flexibility of the
22 in-season manager to open the season when the caribou
23 are there, if you have a fixed season and the caribou
24 aren't there then you're sort of stuck, right?

25

26 MS. WORKER: Yeah, that's right.

27

28 The Seward Peninsula, you know, hasn't
29 really been part of the Western Arctic Caribou Herds
30 core range and they've been encroaching there for
31 probably 20 years now or so. But -- and increasingly
32 moving farther and farther west. So this isn't
33 something that's reflected in the -- you know the
34 formal motions that the Council has made, but their
35 feeling is generally if caribou are present we would
36 like to be able to harvest them and they do, of course,
37 have interest in the reindeer herding industry and
38 they're concerned about conflicts with that and caribou
39 and reindeer don't mix very well. And so, you know,
40 certainly if caribou are present they want to be able
41 to harvest them both for their subsistence needs.

42

43 MR. FROST: And then just a question on
44 a different -- a different question, if I may.

45

46 So the RAC recommends no calf harvest
47 and OSM recommends calf harvest if.....

48

49 MS. WORKER: That.....

50

1 MR. FROST:if we're worried about
2 population decline that seems counter-intuitive.
3
4 MS. WORKER: No, let me clarify. The
5 Council recommends that the take of calves be
6 prohibited.
7
8 MR. FROST: Oh, be prohibited.
9
10 MS. WORKER: And the Council simply
11 didn't address that in their deliberations.
12
13 MR. FROST: All right.
14
15 MS. WORKER: They voiced no opposition
16 to that formally. I think they generally -- at least
17 my impression was that they thought that was fine.
18
19 MR. FROST: It's how the question is
20 asked, you got to read the question correctly and I
21 read it incorrectly.
22
23 CHAIRMAN TOWARAK: Go ahead, Mr.
24 Christianson.
25
26 MR. CHRISTIANSON: I just caught one
27 part of your presentation, you said one area would be
28 more restrictive than the State, could you elaborate on
29 that part?
30
31 MS. WORKER: Yes. Currently in the
32 Pilgrim River drainage, which is the small gold colored
33 area in the center of the map, the Council recommended
34 a yearround may be announced season and there actually
35 is a seventh month open season under State regulation
36 in that area. So if the Board adopted the Council
37 recommendation, harvest would actually be more
38 restricted under Federal regulation than under State
39 regulation. But having said that there's a very small
40 amount of Federal land in that area.
41
42 MR. CHRISTIANSON: More restrictive
43 just in the season that may or may not be open.
44
45 MS. WORKER: That's right.
46
47 MR. CHRISTIANSON: Okay. Not in
48 numbers of caribou to be harvested.
49
50 MS. WORKER: Right. Only in terms of

1 season.

2

3 MR. CHRISTIANSON: Okay.

4

5 CHAIRMAN TOWARAK: I'm assuming that
6 you're recommending that we hear the Regional Council
7 from Unit 22 and we did that.

8

9 Are there any Tribal, or Alaska Native
10 Corporation comments.

11

12 MR. LIND: Mr. Chairman. There's no
13 comments.

14

15 Thank you.

16

17 CHAIRMAN TOWARAK: Thank you.

18

19 (Pause)

20

21 CHAIRMAN TOWARAK: Okay, I've been
22 corrected, we're -- we had given, I guess an
23 opportunity right at the beginning for the tribes, Fish
24 and Game and ISC so we're going to skip those three
25 steps and go straight to Board discussion with the
26 Council Chairs and State liaison and then do the
27 deliberation -- or the Board action on Unit 22.

28

29 So the floor is open for any Board
30 discussion with the Council Chairs or the State
31 liaison.

32

33 Go ahead, Mr. Sharp [sic].

34

35 MR. FROST: So I would just query the
36 Council Chairs as to, you know, going back to the thing
37 I've been talking about, the to be -- may determined,
38 yearround or having a set season with the rest of the
39 season, I mean are the Council Chairs, can they live
40 with the proposal by OSM or would -- I mean I guess,
41 you know, I'd like to hear how important the may be
42 announced yearround season is to the Council Chairs as
43 opposed to being the other way which aligns with the
44 State season, and if the alignment with the State
45 season, if they can live with that I think that'd be
46 important to understand.

47

48 MR. PELTOLA: Mr. Chair, if I may.
49 Gene Peltola, Jr., ARD of OSM. I'd like to remind the
50 Board that the one most affected game management unit

1 by this aspect of the proposal is 22, our Regional
2 Advisory Council Chair is not here. We have an OSM
3 employee sitting in place to pass on written comments
4 and it probably would not be appropriate if an OSM
5 employee tried to inject more than what we're given to
6 present on behalf of the Chair.

7

8 CHAIRMAN TOWARAK: Go ahead, Sue.

9

10 MS. ENTSMINGER: Yeah, thank you, Mr.
11 Chair. Even though this is not in our region, I will
12 say that the Nelchina Caribou migrate through our
13 region and we have a similar to be announced with Fish
14 and Game and the Refuge managers and it works real
15 well.

16

17 CHAIRMAN TOWARAK: Thank you. Any
18 further discussion.

19

20 MR. BUTLER: Thank you, Mr. Chair.
21 It's my understanding that the may be announced season
22 has been arrived at through a lot of public discussion
23 and debate and it primarily does concern the reindeer
24 industry. It's an attempt to prevent the inadvertent
25 harvest of reindeer, when the caribou migrate into the
26 area so that's why the State's maintained may be
27 announced in those areas. And for the Pilgrim River
28 area, specifically, I don't have any direct knowledge
29 but to my limited knowledge, no one's requested that
30 same provision be provided in that area.

31

32 But, again, the may be announced is
33 really to prevent conflicts with the reindeer industry
34 is my understanding.

35

36 CHAIRMAN TOWARAK: Thank you. A mee.

37

38 MS. HOWARD: Mr. Chair. I also was just
39 curious if -- I think that Mr. Reakoff was on the line
40 and he may have a comment over the phone and so I just
41 wanted to remind you that maybe he might have something
42 to add.

43

44 MR. REAKOFF: Yeah, Mr. Chair, can you
45 hear me?

46

47 CHAIRMAN TOWARAK: Yes, we could, Mr.
48 Reakoff, go ahead you have the floor.

49

50 MR. REAKOFF: I would have no comment

1 on Unit 22, I do feel that, you know, there's -- from
2 the actions taken by the Seward Penn on Unit 22 are
3 appropriate for that region. I would feel
4 uncomfortable discussing what their recommendations
5 are.

6

7 My phone was blocked when Mr. Cribley
8 was asking about the five caribou limit. There are
9 super harvesters that harvest for community members,
10 they're not just filling up a giant freezer for their
11 own use, they're harvesting for the whole community and
12 there's lots of studies done on, you know, people that
13 take 25, 30 caribou for the whole community, they're
14 not just taking. So that's why the five caribou per
15 day bag limit. If caribou are present, since they are
16 migratory, typically people go out and kill multiple
17 caribou and start passing them out throughout the
18 community.

19

20 Thank you, Mr. Chair.

21

22 CHAIRMAN TOWARAK: Thank you, Mr.
23 Reakoff.

24

25 If that concludes the comment period,
26 Board discussion, we will move to Federal Board action.

27

28 (Pause)

29

30 MR. CHRISTIANSON: I move we adopt 22
31 as presented with the OSM conclusion.

32

33 MR. CRIBLEY: I second.

34

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

37

38 Go ahead.

39

40 MR. LORD: Mr. Chair. Just to be
41 clear, you're talking about the proposed language
42 that's laid out on Page 664 and bleeding over on to
43 Page 665, correct?

44

45 MR. CHRISTIANSON: That would be
46 correct, yes, the Unit 22 language, it goes to 22 to
47 22B remainder to 22B.....

48

49 MR. LORD: I'm looking at the big book.

50

1 MR. CHRISTIANSON: Oh, the big book,
2 which one are you on?

3
4 MR. LORD: Page 664 and 665.

5
6 MR. CHRISTIANSON: Yes, up until it
7 starts on Unit 23.

8
9 MR. LORD: Thank you. Just want to be
10 clear.

11
12 CHAIRMAN TOWARAK: From the Staff
13 point, are we all on the same page?

14
15 MR. MCKEE: Well, I think I gave you
16 all a false sense of security when we went through 21D
17 because that was relatively simple compared -- yeah, I
18 think we're doing the best we can here, but 22, Unit 22
19 is by far the most complicated portion of 37 just
20 because of all the differences in hunt areas, the
21 seasons and then, you know, like Suzanne was talking
22 about, for a couple of reasons, the differences between
23 OSM's conclusion and the Councils.

24
25 So I would just urge you to be very
26 careful and deliberate in your motion for this because
27 of all the working parts. But I'm not going to try to
28 encourage the Board to take action one way or the
29 other, just to be very explicit about the action that
30 you do take because of the complexity of this unit.

31
32 Mr. Chair.

33
34 And we do have the OSM language up
35 there although, you know, again, we had a challenge of
36 trying to put this language up on the screen that would
37 be readable to folks and I'm -- maybe it's my middle-
38 aged eyes but I'm having a tough time reading this, so
39 it might be easier to read it in the book, or maybe
40 it's easy for you folks here on the TV screen, I don't
41 see it, but I just want to make sure you guys can
42 clearly see the language.

43
44 MR. CHRISTIANSON: Oh, yeah, it's in
45 the book.

46
47 CHAIRMAN TOWARAK: Any further
48 discussion.

49
50 MS. CLARK: Can you repeat what your

1 motion was. I just want to make sure I'm voting on the
2 right motion.

3

4 MR. CHRISTIANSON: Well, my motion,
5 here, through the Chair, was to accept the Council -- I
6 mean OSM conclusion and recommendation for Unit 22
7 caribou. For clarification that would be Unit 22, with
8 22A, 22D [sic] and 22C, 22D [sic], 22E remainder.

9

10 CHAIRMAN TOWARAK: Go ahead, Chris.

11

12 MR. MCKEE: I think Tony's already kind
13 of said it but as long as you put on the record that
14 you're making a motion to adopt the OSM conclusion as
15 is detailed on Page 664 and 665 of the meeting booklet
16 I think that's sufficient for matters of the public
17 record, if that's how you decide to go for Unit 22.

18

19 CHAIRMAN TOWARAK: Further discussion.

20 Go ahead.

21

22 MR. FROST: So can I just ask a
23 question. So when Lem was talking of the State closure
24 for cows on March 31st, I just -- do we -- I'm just
25 throwing that out there, did OSM Staff consider that, I
26 mean it wasn't part of the proposal but since we're
27 trying to align other things with the State seasons, it
28 may seem prudent to at least talk about that for a
29 minute and see if that's something that we would want
30 to consider.

31

32 MS. WORKER: Thank you, Mr. Frost.
33 Through the Chair. That was not considered in this
34 analysis because that regulation was passed by the
35 Board of Game less than a month ago, at which point
36 this was finalized. So we did not consider ending the
37 cow season on March 31st to align with the State.

38

39 CHAIRMAN TOWARAK: Further discussion.

40

41 (No comments)

42

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

45

46 MR. C. BROWER: Question.

47

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

50

1 IN UNISON: Aye.
2
3 CHAIRMAN TOWARAK: Any opposed, say
4 nay.
5
6 (No opposing votes)
7
8 CHAIRMAN TOWARAK: The motion passes
9 unanimously.
10
11 MR. C. BROWER: Mr. Chair.
12
13 CHAIRMAN TOWARAK: Yes.
14
15 MR. C. BROWER: Can we take a break.
16
17 CHAIRMAN TOWARAK: Yes, we'll take a 10
18 minute break here and proceed with Unit 23 next.
19
20 (Off record)
21
22 (On record)
23
24 CHAIRMAN TOWARAK: Could I ask the
25 Board members to take your chairs, we'd like to
26 reconvene the meeting.
27
28 (Pause)
29
30 CHAIRMAN TOWARAK: I'm going to call
31 the meeting back to order. We had just completed the
32 Unit 22 proposals and Fish and Wildlife Service would
33 like to add a justification for the motion so the floor
34 would be turned to.....
35
36 MS. CLARK: Thank you. I'd like to add
37 the justification that this is generally consistent
38 with the Seward Peninsula Council and it reduces
39 complexity by aligning with State openings, which does
40 two things. It takes into consideration reindeer
41 herding activities and because of the longer season
42 provides for rural preference. And, finally, it
43 officially addresses the prohibition of taking calves
44 which also aligns with State regulations.
45
46 Thank you.
47
48 CHAIRMAN TOWARAK: Thank you. We will
49 add that to the record then.
50

1 MR. CHRISTIANSON: Thank you.
2
3 CHAIRMAN TOWARAK: Any other discussion
4 on 22.
5
6 (No comments)
7
8 CHAIRMAN TOWARAK: If not then we will
9 move on to Unit 23. And for the Staff analysis.
10
11 MS. MAAS: Okay, thank you, Mr. Chair.
12 And, again, for the record my name is Lisa Maas. And
13 before I get into Unit 23, perhaps I should have made
14 -- emphasized this more in the general overview, but
15 this -- you know the caribou ranges span six units but
16 the core of the range is in certain units versus other
17 units so the impact these regulations will have in some
18 units is much greater than in other units. For
19 example, the harvest in Unit 23 is about 12,000 caribou
20 a year whereas the harvest out of Unit 21D is about 10.
21 So there's a huge difference in harvest and usage
22 across units. So just keeping that in mind when you're
23 looking at all of these different regulations on a unit
24 by unit basis.
25
26 Okay. Moving on to Unit 23.
27
28 Proposed changes for this unit include
29 creation of a new hunt area, which is blue, that Point
30 Hope blue hunt area on the map. Reduction in harvest
31 limit from 15 to five caribou per day. Restricting the
32 bull season during the rut. Shortening the cow season.
33 Restricting the take of cows with calves during nursing
34 periods and prohibiting the take of calves.
35
36 These general changes are consistent
37 across hunt areas and between Council recommendations
38 and the OSM conclusion. The only differences between
39 them are exact dates with the exception of the
40 Northwest Arctic Council did not support the creation
41 of the new blue hunt area.
42
43 The OSM conclusion for Unit 23
44 remainder, which is the green portion on the map aligns
45 with the Northwest Arctic Council's recommendation
46 while the OSM conclusion for the Point Hope blue hunt
47 area aligns with the North Slope Council's
48 recommendation. The hunt area descriptor between the
49 OSM conclusion and the North Slope Council's
50 recommendation differs slightly but this is really just

1 a clarification of the hunt area descriptor and the
2 intent is the same.

3

4 So I'm going to pause here if there are
5 any questions or I can continue to go further into
6 detail on the differences between exact dates or if you
7 want to hear from the Council recommendations at this
8 point.

9

10 CHAIRMAN TOWARAK: Go ahead.

11

12 MR. FROST: So on the descriptor of the
13 new hunt unit there's -- you say it's just -- the
14 intent's the same but the language is different, so if
15 we have to vote on something how do we -- I mean I
16 don't know what either one of these things mean. I
17 don't think the detail is there with the map to help me
18 understand whether the North Slope RAC is the better
19 descriptor than the OSM recommendation. So how do we
20 -- how can we figure that out?

21

22 MS. MAAS: Sure. If you flip the page
23 over to where you see the tables, you can see in the
24 blue -- I'll wait until you get there -- yeah, uh-huh,
25 so on the bottom table where it says North Slope RAC
26 recommendation and it's colored blue, it says, Unit 23
27 north of and including the Singoalik River drainage and
28 then the OSM conclusion says Unit 23, all drainages
29 north and west of and including Singoalik River
30 drainage. So the only difference is adding in all
31 drainages. And when we asked the State or inquired
32 with the State the intent of this hunt area descriptor
33 they said it's a drainage based -- the intent is to be
34 drainage based but if you go with the North Slope
35 Council recommendation, which aligns with the OSM
36 preliminary conclusion, and the State hunt area
37 descriptor it would -- the way you read it is a
38 straight line going north, whereas the OSM conclusion
39 just clarifies it's a drainage based descriptor and
40 that's -- so the intent's the same it's just clarifying
41 that it's all drainages.

42

43 MR. EVANS: I could add something to
44 that. So if you look at the map and you look at the
45 Singoalik Drainage, it doesn't go all the way up to the
46 boundary of the Unit 26A and so the OSM's description
47 is just a more complete Federal description to
48 designate the hunt area that was intended.

49

50 CHAIRMAN TOWARAK: If there are no

1 further questions you could go ahead and proceed with
2 the next phase.

3

4 MS. MAAS: Okay, thank you, Mr. Chair.
5 So next -- I mean I'm just going to get into the weeds
6 here on the exact differences between the season dates
7 recommended between the different Councils and I guess
8 once I conclude that then the Councils can give their
9 recommendations.

10

11 So, again, looking at the table for
12 both hunt areas, you can see the bull season
13 recommended by the Northwest Arctic Council is two
14 weeks longer than that recommended by the North Slope
15 Council, and the Northwest Arctic Council supported a
16 longer bull season to allow harvest by residents in the
17 southern portions of Unit 23, such as Buckland and
18 Deering as caribou may not pass through these areas
19 until late October. However, the North Slope Council
20 did not support a longer bull season as they do not
21 consider bulls edible during that time period due to
22 the rut.

23

24 So moving on to the cow season.

25

26 In WP16-49, which was submitted by the
27 Northwest Arctic Council, they proposed a cow season of
28 July 1 to October 10th, however, at their fall meeting
29 the Council acted on their own proposal and supported
30 extending the cow season closure another month in order
31 to protect cows with calves.

32

33 The North Slope Council supported OSM's
34 preliminary conclusion which align Federal and State
35 cow seasons as was proposed in WP16-37.

36

37 So the differences between the starting
38 states of the cow with calf restrictions reflect the
39 differences in the recommended cow seasons and the
40 difference in the ending date of this restriction is
41 only four days. And the OSM supports October 14th as
42 the ending date instead of October 10th, as this
43 reduces regulatory complexity by aligning with the
44 closing date of the bull season.

45

46 So that summarizes the differences in
47 season dates between the Council recommendations and
48 OSM conclusions.

49

50 (Pause)

1 CHAIRMAN TOWARAK: We'd like to open
2 the floor to the Regional Council Chairs starting with
3 Enoch.

4
5 MR. SHIEDT: Yeah, I heard you said
6 that for Unit 23 we did not support -- are we talking
7 about 16-37?

8
9 MS. MAAS: We are talking about 16-37
10 as well as 16-49.

11
12 MR. SHIEDT: Yeah, on Page 674,
13 Northwest Arctic Regional Advisory Council supported
14 with modification and yet you said we did not support
15 it. I mean I want a clarification on, I'm hearing.....

16
17 MS. MAAS: Oh, no I said.....

18
19 MR. SHIEDT:two different things.

20
21 MS. MAAS: Oh, sorry. Through the
22 Chair. I think what you heard me say was that you did
23 not support the creation of a new hunt area. So when
24 you look at that map you see the green and blue area
25 and the Northwest Arctic Council supported just
26 maintaining one hunt area as Unit 23, as one hunt area,
27 versus dividing it into two different hunt areas.

28
29 MR. SHIEDT: Okay. We'll not support
30 16-37 as she recommended, thanks, yeah, it was by our
31 Council at Buckland.

32
33 (Pause)

34
35 MR. SHIEDT: Yeah, the one we did in
36 Buckland, we supported it with modification for Unit 23
37 for 16-37.

38
39 MS. MAAS: Right, so, Enoch, again, you
40 acted -- the Northwest Arctic Council supported 16-49
41 but then they just applied the same modifications to
42 16-37 since it was kind of overlapping regulations in
43 units and the language, or the Northwest Arctic Council
44 recommendation and justification is on Page 812 of your
45 meeting book so it might help to refer to Page 812.

46
47 MR. SHIEDT: Yeah, I'm getting mixed up
48 like everybody else so.....

49
50 MS. MAAS: Yeah. The different units

1 and proposals is confusing.

2

3 MR. SHIEDT: Say the page number again.

4

5 MS. MAAS: 812. 812.

6

7 (Pause)

8

9 MR. SHIEDT: Okay. 812 is 16-49, not
10 37, on 812. On my book here anyhow.

11

12 MS. MAAS: Right. So we are addressing
13 all caribou proposals right now so that includes 37 and
14 49.

15

16 MR. MCKEE: Mr. Chair, if I may.

17

18 CHAIRMAN TOWARAK: Go ahead.

19

20 MR. MCKEE: And, again, Enoch, and I
21 understand the confusion, what we're trying to do is
22 just kind of -- maybe it might help if you just think
23 of it in context of the unit and not get too worried
24 about what the proposal is, just think about the unit
25 because, you know, there's some things that some
26 Councils acted on in 37 and other things they didn't.
27 So I think you just probably need to concentrate on
28 what your Council's recommendations are for Unit 23,
29 rather than getting too caught up in the weeds about
30 which proposal you might have recommended it.

31

32 So we are talking about the same thing
33 even though it might not seem like it. We're talking
34 about the same unit, just different proposals.

35

36 MR. SHIEDT: Okay. For WP16-49 as
37 written, could put in a hardship on the users and
38 resources, including not providing enough protection of
39 cows and calves. Amending the bull season dates to
40 make it easier for users to harvest bull caribou
41 especially in an area where bulls are not available
42 after October 9 due to the warming trends and stay
43 longer, warmer longer and days within -- as written,
44 and not in rut. The modification dates for cow season,
45 so portion that is closed to the take of cows with
46 calves would also allow for the additional protection
47 of cows and calves to ensure a better chance for
48 survival. Starting the season date on July 31st would
49 make it easier to identify with calves overall causes
50 -- is concerned about the population of the herd into

1 the future, and protecting the herd from overharvest.

2

3 That's the one you wanted to hear, is
4 it? I hope I'm on the right track.

5

6 And I could add on, when we were at
7 Buckland, when they were migrating late into October,
8 at the time when we were there, some of the Council
9 were there and they were not in rut yet and that made
10 me question, maybe we need amended dates a little bit
11 due to what happened at Buckland.

12

13 Thanks.

14

15 CHAIRMAN TOWARAK: We will continue the
16 process and move to No. 8 the Board discussion with
17 Council Chairs and State liaison. Are there any
18 questions from the Board.

19

20 (No comments)

21

22 CHAIRMAN TOWARAK: Oh, I'm sorry --
23 yeah, I'm sorry, we should have addressed the North
24 Slope Borough concerns and if the Seward Peninsula
25 wants, they could also be up next.

26

27 Mr. Brower.

28

29 MR. H. BROWER: Thank you, Mr. Chair.
30 I was going to raise my hand a little bit higher if you
31 didn't see me over here. But, thank you, Gene, for
32 reminding the Chair.

33

34 Anyway, yes, the North Slope Regional
35 Advisory Council did make comments on Proposal 16-37,
36 there's differing numbers again. North Slope Regional
37 Advisory Council supported 16-49/52 as modified by OSM.
38 This is noted on Page 812 of your Board booklet.

39

40 The Council is primarily concerned
41 about the Singoalik River drainage added in the OSM
42 modification since that is within the North Slope RAC
43 region. But also agrees with OSM on modification to
44 keep regulations consistent throughout the unit to
45 avoid confusion for those who hunt in the region.

46

47 Saying that, you know, we have
48 representation because of an imaginary line, we have
49 North Slope Regional Advisory Council in Unit --
50 members that are in Unit 26 and then right across the

1 border it's Unit 23, which includes Point Hope. So
2 that's the dilemma we have to deal with in our region.
3 We have boundaries that are crossed over by our users,
4 our constituents on the North Slope, and that -- we
5 have to have some clarification added to the discussion
6 of how caribou harvest is identified within the
7 respective communities.

8
9 The other thing, Mr. Chair, is that the
10 Council is very concerned about generating proposed
11 regulations for another unit, which it implies to the
12 other user groups beyond Point Hope, so we are
13 concerned about that, not trying to implement
14 regulations to the other user groups outside of Point
15 Hope or lower than Point Hope, if you look at the map.
16 So that's always our first concern. We want to be
17 specific to our communities and our constituents that
18 we represent and being cognizant of generating these
19 regulations or proposed regulations, which could impact
20 others unknowingly but we try to keep that from
21 happening in our discussions with our conversations
22 with our OSM Staff folks that come up to Barrow, our
23 Regional Coordinator, in identifying these concerns.
24 And these are the very issues that sometimes do not get
25 discussed at these types of meetings, I think that
26 needs to be, in a sense, part of the criteria in
27 looking at what communities are near these boundaries
28 or these imaginary lines that are developed for
29 subunits or units, within a specific region.

30
31 So I wanted to make sure I shared that
32 with you, Mr. Chair, and these are some of the lengthy
33 discussions we've had as Council members and it doesn't
34 get reflected in the paragraphs that have been provided
35 for how the Council acted.

36
37 The remaining language reads:

38
39 The Council supports the knowledge and
40 recommendations of the Northwest Arctic
41 RAC that submitted Proposal 16-49 and
42 agrees with the conservation effort to
43 help the caribou herd recover,
44 including protection for calves and
45 cows with calves.

46
47 So, again, Mr. Chair, we've had some
48 lengthy discussions as to the conservation measures and
49 timing, as you could see, differs a little bit from
50 regional areas, and harvest of caribou. And I think

1 some of the other discussion points, Mr. Chair, is
2 identifying or defining a bull. Because in our
3 language we have the young buck and the mature bull
4 that we subsist and that leaves the young -- the young
5 bucks in the middle kind of, that we're not even
6 identifying but they're identified all as one species,
7 one group of animals when they're at age differences.
8 So I think there needs to be that communications to
9 that effect as well at some point in time in terms of
10 how we perceive the English language in the sense that
11 when you're identifying a mature bull, you know, a
12 breeding bull, sometimes with the other user groups
13 it's a trophy bull, sporthunting and guiding hunting
14 that go hunt and make antler soup sometimes to that
15 effect. So that's what I have to think about in how we
16 communicate these things to be more effective.

17
18 Mr. Chair. I think these kind of
19 explanations need to occur with what we're discussing
20 here, and I'll end that here, Mr. Chair. I'm beyond my
21 English language in the document.

22
23 Thank you.

24
25 CHAIRMAN TOWARAK: Thank you, Mr.
26 Brower.

27
28 Do we want to hear from the Seward
29 Peninsula.

30
31 MS. DEATHERAGE: Thank you, Mr. Chair.
32 Members of the Board. This is Karen Deatherage,
33 Council coordinator speaking for the record for the
34 Seward Peninsula Council on Proposal WP16-49/52.

35
36 The Council took no action.

37
38 The justification was the Council voted
39 to take no action on this proposal because it did not
40 affect subsistence regulations in their region.

41
42 Thank you, very much.

43
44 CHAIRMAN TOWARAK: Thank you.

45
46 MR. H. BROWER: Mr. Chair.

47
48 CHAIRMAN TOWARAK: Yes, go ahead.

49
50 MR. H. BROWER: I forgot to recognize

1 the other page that I needed to identify within regards
2 to our Council discussions was on 912 for the North
3 Slope Regional Advisory Council recommendation.

4
5 So there's two segments and discussions
6 that we've had.

7
8 Again, North Slope Regional Advisory
9 Council recommendation. North Slope support WP16-61,
10 WP16-53 and WP16-64 as modified by OSM.

11
12 If I may, Mr. Chair, I could read the
13 remaining paragraphs below that.

14
15 CHAIRMAN TOWARAK: Go ahead.

16
17 MR. H. BROWER: The Council noted that
18 their proposal, WP16-61 for Unit 23 only made a request
19 to change the regulations for the area affecting Point
20 Hope based on their feedback.

21
22 From consultations from some Council
23 members had been involved with over the past year, so
24 as not to make a recommendation affecting communities
25 outside of the North Slope Regional Advisory Council,
26 however, the Council supported the OSM modification to
27 make changes to Unit 23 remainder so that regulations
28 would be consistent throughout the unit and simplify
29 hunt area descriptors and Northwest Arctic Council had
30 already provided their recommendation in support of
31 this. The Council disagreed with the Northwest Arctic
32 Regional Advisory Council modifications to extend the
33 bull season to October 30 due to the poor quality of
34 meat during the rut. The Council discussed Inupiaq
35 ways of knowing caribou. Nothing that there are two
36 Inupiat words to describe a bull caribou,
37 differentiating a young bull and a mature bull. The
38 Council suggested modifying the language in the
39 regulations to specify a mature bull may be helpful for
40 clarification but did not add this specifically as an
41 amendment.

42
43 Thank you, Mr. Chair.

44
45 CHAIRMAN TOWARAK: Thank you. Any
46 further discussion.

47
48 MR. CHRISTIANSON: Mr. Chair.

49
50 CHAIRMAN TOWARAK: Go ahead, Mr.

1 Christianson.

2

3 MR. CHRISTIANSON: Just to clarify for
4 myself as I'm looking at what Mr. Brower is talking
5 about there in the proposals, if we flip forward to in
6 the book, I see that those proposals are reflected in
7 this Unit 23 caribou that we are discussing so his
8 comments are spot on there. And I was just looking at
9 the dates to see if the Staff had interjected that and
10 it's in this current proposal. So I just wanted to say
11 that.

12

13 CHAIRMAN TOWARAK: If there's no
14 further discussion then we will move to Item No. 8,
15 which is the Board discussion with Council Chairs or
16 State liaison -- I'm sorry, go ahead, Enoch.

17

18 MR. SHIEDT: I don't know if this is
19 the time but earlier she said that a harvest for Unit
20 23 was large but she did not say that -- I'm the one
21 that did the harvest survey for Northwest Alaska for
22 the Western Arctic Caribou Herd for 14 years in our
23 villages but I did Galena area, Huslia and two villages
24 all the way to Koyuk, that's why the numbers were --
25 harvest was -- and that's for your recommendation, you
26 said they were high but, yet, when I did the surveys
27 for 14 years with Maniilaq, how many caribou is being
28 harvested, we did it in Galena area and all the way to
29 Nome because they're harvesting our caribou, our same
30 herd.

31

32 So I think you need to correct how you
33 say it please.

34

35 MS. MAAS: Okay, thanks, Enoch.

36

37 I only meant to say that there's more
38 caribou harvested from the Western Arctic Caribou Herd
39 out of Unit 23 than out of Unit 21D.

40

41 Does that -- okay. I was just trying
42 to get at there's more harvest from some units than
43 other units.

44

45 CHAIRMAN TOWARAK: Any further
46 discussions.

47

48 (No comments)

49

50 CHAIRMAN TOWARAK: If not then we're

1 ready for Board action Unit 23 or -- yeah.
2
3 MR. FROST: I'd like to make a motion.
4
5 CHAIRMAN TOWARAK: Go ahead.
6
7 MR. FROST: I move to adopt the OSM
8 recommendation as it appears on Page 665.
9
10 MR. CHRISTIANSON: Second.
11
12 MR. FROST: I could provide some
13 justification.
14
15 CHAIRMAN TOWARAK: You heard the motion
16 and a second, go ahead.
17
18 MR. FROST: The OSM recommendation is
19 consistent with the recommendation of the home RACs,
20 Regional Advisory Councils. Differing closure dates
21 for the hunt areas align -- also align with the State
22 seasons.
23
24 CHAIRMAN TOWARAK: Any further
25 discussion.
26
27 (No comments)
28
29 CHAIRMAN TOWARAK: The floor is open
30 for calling the question.
31
32 MS. PENDLETON: Question.
33
34 CHAIRMAN TOWARAK: Question's been
35 called for. All those in favor of the motion say aye.
36
37 IN UNISON: Aye.
38
39 CHAIRMAN TOWARAK: Any opposed, say
40 nay.
41
42 (No opposing votes)
43
44 CHAIRMAN TOWARAK: The motion passes
45 unanimously.
46
47 What's next, 24 -- yes, we will then
48 move on to Unit 24.
49
50 MS. MAAS: Okay, thank you, Mr. Chair.

1 So moving on to Unit 24.
2
3 Proposed changes for this unit include
4 creation of new hunt areas. Restricting the bull
5 season during the rut. Shortening the cow season. And
6 a prohibition on the take of calves.
7
8 Both the Western Interior and the North
9 Slope Councils made recommendations for this unit.
10
11 The green and yellow hunt areas on the
12 maps are for the Ray Mountain herd. The Council
13 recommendations and the OSM conclusion are identical
14 for these areas.
15
16 The Council recommendations and OSM
17 conclusion for the blue hunt areas are identical with
18 the exception of the hunt area descriptor and, similar
19 to Unit 23, this is really just a housekeeping issues
20 as there are some errors in the previous versions of
21 the descriptor. But, currently, the hunt area
22 descriptor in the OSM conclusion aligns with the State
23 and actually covers the intended area.
24
25 The OSM conclusion for Unit 24C and D,
26 the purple hunt area aligns with the Western Interior
27 Council's recommendations. The North Slope Council
28 supported maintaining the current Federal regulations
29 for this area, however, in their justification the
30 North Slope Council stated that this hunt area is
31 outside of their region and they wished to defer to the
32 Western Interior Council's recommendation.
33
34 So primarily the OSM conclusion and all
35 the Council recommendations align for Unit 24.
36
37 And if there's any further questions or
38 clarifications needed, I'm happy to take those.
39
40 CHAIRMAN TOWARAK: If there's no
41 questions of the Staff we'll move on to the Regional
42 Council recommendations.
43
44 (No comments)
45
46 CHAIRMAN TOWARAK: Go ahead.
47
48 MR. REAKOFF: Mr. Chair, can you hear
49 me?
50

1 CHAIRMAN TOWARAK: Yes, go ahead, Mr.
2 Reakoff.

3
4 MR. REAKOFF: The Council addressed
5 Unit 24 and maintained all of the State seasons and the
6 description of the hunt boundary that Lisa's talking
7 about is strictly a delineation between the Ray
8 Mountain Herd which is a small herd of about 1,500
9 animals and migratory caribou of the Western Arctic
10 come into Unit 24. But this addressed -- the actions
11 of the Council addressed the primary concern to stay
12 within the stated -- new State language and regulation.

13
14 Thank you, Mr. Chair.

15
16 CHAIRMAN TOWARAK: Thank you. We will
17 move on then to Item No. 8 on our process, the Board
18 discussion with Council Chairs and the State liaison --
19 I'm sorry, Mr. Brower.

20
21 MR. H. BROWER: Again, thank you, Mr.
22 Chair. Harry Brower for the record, Chair for the
23 North Slope Regional Advisory Council.

24
25 Our comments regarding this Unit 24
26 proposal WP16-62 with modification, to accept only
27 OSM's unit descriptor changes. The Council supported
28 the proposal WP16-62 for Unit 24 affecting Anaktuvuk
29 Pass north of the Kanuti River with only the OSM's
30 modification specifying the unit descriptor.

31
32 The Council, again, discussed concerns
33 that they did not want to make regulatory
34 recommendations affecting communities outside the North
35 Slope RAC region, and in this case Unit 24C and Unit
36 24D have a distinct boundary so that the Council
37 deferred to the Western Interior RAC to make
38 recommendations for that area in their region.

39
40 The Council did discuss concerns about
41 the restriction on the take of cows with calves only
42 extending until October 15, and that a young caribou
43 could still face difficulties to survive on its own if
44 all open after that date. The Council stressed that
45 the local practice would not take a cow only to leave
46 the calf to fend for itself from the predators and this
47 may only happen inadvertently on rare occasions.

48
49 The Council stressed that current
50 conservation efforts are to protect the calf and cow

1 with calf to best support the rebound of caribou
2 population.

3
4 The Council also discussed local
5 knowledge of Inupiat ways to identifying cows that are
6 no longer bearing as opposed to -- it says
7 spellchecking -- which is able to bear calves. So
8 there's the differences between the cow that is not
9 rearing any young anymore and the cow that continues to
10 rear young on an annual basis. So there's those
11 distinctions as well in our Inupiat knowledge of
12 caribou. So these are things we share with you, Mr.
13 Chair, and the Board in terms of caribou knowledge.

14
15 There were specific concerns discussed
16 about restricting the opportunity to harvest calves for
17 the people of Anaktuvuk Pass due to the traditional use
18 of calf skins in making their drums, making of the
19 drums, however, the Council supported the proposal for
20 conservation reasons due to the benefit of supporting
21 calf recruitment for the caribou population to rebound.

22
23 Thank you, Mr. Chair.

24
25 CHAIRMAN TOWARAK: Thank you, Mr.
26 Brower.

27
28 Does the State have comments.

29
30 MR. BUTLER: Not at this time, thank
31 you.

32
33 CHAIRMAN TOWARAK: Thank you. We will
34 then move on to Board action.

35
36 MS. CLARK: Mr. Chair. I'm ready to
37 make a motion.

38
39 CHAIRMAN TOWARAK: You have the floor.

40
41 MS. CLARK: I make a motion to adopt
42 the Unit 24 portion of WP16-37 as modified by OSM on
43 Pages 665 and 666 of the meeting book.

44
45 MR. CHRISTIANSON: Second.

46
47 CHAIRMAN TOWARAK: The motion passes --
48 or introduced and seconded by Mr. Christianson.

49
50 Discussion.

1 MS. CLARK: I'll provide further
2 justification.
3
4 The OSM modification clarifies the hunt
5 area descriptor for Units 24A remainder and 24B
6 remainder but is otherwise consistent with the
7 recommendation of the Western Interior Council and is
8 mostly consistent with the recommendation of the North
9 Slope Council. The decline of the Western Arctic
10 Caribou Herd warrants the regulatory changes and this
11 will help minimize complexity with recently changed
12 State regulations.
13
14 CHAIRMAN TOWARAK: Any further
15 discussion or questions.
16
17 (No comments)
18
19 CHAIRMAN TOWARAK: The floor is open
20 for call of the question.
21
22 MR. C. BROWER: Question.
23
24 CHAIRMAN TOWARAK: Question's been
25 called for. All those in favor of the motion say aye.
26
27 IN UNISON: Aye.
28
29 CHAIRMAN TOWARAK: Any opposed, say
30 nay.
31
32 (No opposing votes)
33
34 CHAIRMAN TOWARAK: The motion passes
35 unanimously.
36
37 We will move then on to Unit 24 -- or
38 26, I'm sorry.
39
40 MR. MCKEE: The last unit, Mr. Chair,
41 and Tom Evans will be taking over for this one.
42
43 MR. FROST: Mr. Chair. Before we move
44 forward, could I ask you a question.
45
46 CHAIRMAN TOWARAK: Yes.
47
48 MR. FROST: So I would like to ask for
49 a five or 10 minute break so we can sort of get our act
50 together before we get into the details to make sure we

1 have our motion prepared correctly.

2

3 CHAIRMAN TOWARAK: Okay, I'll declare a
4 five minute break.

5

6 MR. FROST: Thank you.

7

8 (Off record)

9

10 (On record)

11

12 CHAIRMAN TOWARAK: I'd like to
13 reconvene the Board meeting.

14

15 (Pause)

16

17 CHAIRMAN TOWARAK: We've got our full
18 Board here so I'll call the meeting back to order and
19 we, I think, are ready to address 26A, and have the
20 Staff do their analysis.

21

22 MR. EVANS: Thank you, Mr. Chairman and
23 Members of the Board. My name is Tom Evans. I'm a
24 wildlife biologist with OSM. I will be presenting a
25 summary of the caribou proposals for Units 26A and 26B.
26 Again, please refer to your tables and maps and your
27 supplemental materials, that'll help follow along.

28

29 The recommendations from the North
30 Slope RAC were incorporated for each unit into WP16-37.

31

32 Starting off with Unit 26A, the harvest
33 limit was reduced from 10 to five caribou per day.
34 There's a prohibition on the take of calves. In
35 recognition of the seasonal use and migration patterns
36 by the Western Arctic Caribou Herd and the Teshekpuk
37 Caribou Herd, Unit 26A was split up into two hunt
38 areas, a north half which corresponds to the Teshekpuk
39 Caribou Herd, it's referred to in the table as Unit 26A
40 remainder and a south half which corresponds to the
41 Western Arctic Caribou Herd, which was referred to as
42 that portion of the Colville River drainage upstream
43 from the Anaktuvuk River in the tables.

44

45 This change was brought up at the All
46 Council meeting in March and the North Slope RAC
47 expressed support for splitting Unit 26A into the two
48 hunt areas.

49

50 The bull and cow seasons were

1 shortened. The opening date for the bull season
2 following the rut was changed to December 6th as
3 requested specifically by the North Slope RAC. This
4 provides a minimum of additional three weeks of harvest
5 opportunity for Federally-qualified subsistence users
6 compared to the State regulations.

7
8 The cow season for the north half
9 reflects the need to protect cow and calf early in the
10 breedings season. Cows with calves are protected from
11 mid-July to October 15th in both areas. After October
12 15th the calves are more independent and more than
13 likely to survive if they become separated from their
14 mother.

15
16 So I'll take questions now on Unit 26A
17 and then after that then I'll go on to 26 -- well, I'll
18 do 26A, we'll go through the process and then I'll
19 start with 26B.

20
21 CHAIRMAN TOWARAK: Any questions of the
22 Staff.

23
24 Go ahead.

25
26 MR. FROST: So when the RAC makes a
27 recommendation of July 16th and the OSM comes in with
28 July 15th, what -- that just seems really confusing and
29 I'm just trying to understand why a minor change like
30 that when it just complicates things, why do things
31 like that happen?

32
33 MR. EVANS: That happened because the
34 State regulations had those ending dates so we made it
35 the same as the State regulations.

36
37 CHAIRMAN TOWARAK: Further questions.

38
39 (No comments)

40
41 CHAIRMAN TOWARAK: The next step is for
42 the Regional Council's recommendations.

43
44 Mr. Brower do you want to start the
45 process.

46
47 MR. H. BROWER: Thank you, Mr. Chair.
48 Again, referring back to Page 912 in the middle of the
49 booklet regarding Unit 26A.

50

1 The Council supported their proposal,
2 WP16-63 for Unit 26A with the modification by OSM. The
3 Council supports any additional opportunity to take
4 bulls and supports extending protection of cows with
5 calves. The Council did express some concern about the
6 wording on the take of cow with calf in recognition of
7 traditional conservation measures that are already
8 practiced that avoid leaving a calf orphan when it
9 can't protect itself.

10
11 The discussion of the OSM modification
12 of cows accompanied by calves may not be taken July 16
13 through October 15 was reviewed again, that is -- was
14 assumed the calf would be weaned by October 15th and
15 fully developed enough to be able to be on their own
16 and, therefore, no longer considered a calf. The
17 Council discussed Inupiat knowledge of recognizing when
18 a calf is grown up enough to be on its own, elaborating
19 that it is evident that when a calf is on its own
20 because they are fattened up with good meat.

21
22 So that's the extent of the language
23 that's on Page 912, Mr. Chair.

24
25 CHAIRMAN TOWARAK: Thank you, Mr.
26 Brower.

27
28 Any questions.

29
30 (No comments)

31
32 CHAIRMAN TOWARAK: Thank you. We will
33 then -- the Northwest Arctic Borough -- I mean Regional
34 Advisory Council.

35
36 MR. SHIEDT: Just give me a minute, I'm
37 still trying to find my area.

38
39 MR. MCKEE: Mr. Chair. I don't believe
40 the Northwest Arctic had a recommendation on this
41 particular unit.

42
43 CHAIRMAN TOWARAK: Does the Seward
44 Peninsula have any comments.

45
46 MR. MCKEE: Mr. Chair.

47
48 CHAIRMAN TOWARAK: Go ahead.

49
50 MR. MCKEE: Just for clarity, the only

1 -- the only -- if I'm not mistaken but I'm pretty sure
2 that the only Council that took action on Units 26A and
3 26B is the North Slope so that'll be the only Council
4 that you'll need to hear from on these last two units.
5 Excuse me, Western Interior for 26B as well. I knew if
6 I said that I'd be wrong.

7

8 (Laughter)

9

10 MR. MCKEE: But we'll come to that in
11 26B. But for now 26A is only for North Slope.

12

13 CHAIRMAN TOWARAK: With that then we
14 will move to Item No. 8 have the Board discussion with
15 Council Chairs and the State liaison.

16

17 (No comments)

18

19 CHAIRMAN TOWARAK: Any questions of the
20 two.

21

22 Go ahead, Mr. Brower.

23

24 MR. H. BROWER: Thank you, again, Mr.
25 Chair. Harry Brower for the record, Chair of the North
26 Slope RAC.

27

28 I have to elaborate a little bit more
29 on this proposal because the Council did have very
30 lengthy discussions on trying to address the concerns
31 of our constituents within the North Slope. And in
32 regards to these discussions, Mr. Chair, it wasn't just
33 our Regional Advisory Council, we had involvement from
34 our North Slope Borough Fish and Game Management
35 Committee, which consists of a member from each of our
36 villages on the North Slope. They also communicate on
37 renewable resources management on all different
38 resources. They also act as our local Advisory
39 Committee to the Alaska Board of Game and Board of
40 Fish. So we had lengthy discussions amongst ourselves
41 as constituents.

42

43 And, again, concerning Anaktuvuk Pass
44 and the need of caribou that hadn't been met for
45 several years and how regulations are not helping that
46 community in a sense when the regulatory agencies are
47 looking at something else other than a community need.

48

49 You all understand how the State
50 management regime works, everybody's a subsistence

1 resources user recognized by the State but under the
2 Federal program, and, Mr. Chair, we have very limited
3 lands in regards to north of AKP, which the concern was
4 being voiced constantly by our community leadership,
5 our representatives about how to help the community on
6 minimizing the impacts to the availability of the
7 resource. So these discussions went on for hours.
8 And, Mr. Chair, our North Slope Regional Advisory
9 Council met in Anaktuvuk Pass last fall and we have a
10 very long copy of our minutes, Mr. Chair, that
11 references the community's involvement and concern over
12 caribou and referenced many attempts to help the
13 community with regulations to make the resource
14 available to the community, which, in turn, the
15 regulations didn't benefit at all. So there's some
16 consideration about how to evaluate the effectiveness
17 of these proposed regulations, regulations that have
18 been in existence for -- to see if that's working for
19 the community's benefit to be able to subsist off this
20 resource.

21

22 So, Mr. Chair, I have to be mindful of
23 my constituents in the minutes that have been
24 transcribed for you by our court reporter, Tina, to be
25 able to reference these issues of concern.

26

27 And I don't know how to express it but
28 not to take them too lightly, you know, when you hear
29 about children going to school, going to school hungry
30 and the teacher notices that the student is not
31 performing and communicates with the student about why
32 that student is in this state, trying to learn more of
33 what's wrong at home, the children replying we don't
34 have sufficient food at home and I'm hungry right now.
35 And these kind of remarks are very touching, Mr. Chair.
36 And how do you see as resource managers from the State
37 or the Federal Subsistence Program come together to
38 address that need, you know, there's a lot of
39 opportunities for other uses. They, you know, monetary
40 means, their leverage with contacts with people in
41 urban communities, their access is really elevated more
42 than what's available in a community. These things you
43 have to be considerate about in terms of how important
44 caribou is to our rural villages.

45

46 I, sometimes, think that, you, as Board
47 members, should visit our smaller villages and go up to
48 their stores to see what's on the shelves. You'll see
49 a lot of empty space on those shelves, nothing filled,
50 because of situations that are beyond our control. And

1 the resources that they depend on are being affected
2 before they even come to that community by other user
3 groups or other activity that's occurring.

4
5 So I have to go through this, Mr.
6 Chair, and I had meant to communicate some of our
7 Council members feelings over this in terms of how do
8 we get this fixed. I mean the community has been
9 pounding the table for years trying to work with our
10 State, trying to work with our Federal Management
11 Program but we see we have very limited lands to
12 reflect on besides the Gates of the Arctic and north of
13 the community Anaktuvuk Pass is BLM but it's managed by
14 the State. And these things that are sometimes an
15 oversight by resource managers, it's just a small
16 community, you know, but that small community is very
17 dependent on this resource, caribou. You know, other
18 resources availability is even getting harder because
19 of the changes we're all going through, you know,
20 global climate change impacts, these are very
21 restrictive things that -- access to the resource is a
22 very big issue. You know when you have our National
23 Park Service or Gates of the Arctic that restricts
24 access to areas, even to Native allotments to be able
25 to use that allotment for subsisting and having access
26 to that is very hinderous, you have to get permission
27 from the land managers to gain that access when -- to
28 meet that movement of the caribou as they're migrating
29 and if you don't get that permission, you become a
30 person breaking the law.

31
32 Mr. Chair, these are things I have to
33 share with you in terms of how the local communities
34 are being affected from decisions that you, as the
35 Board, and the Board of Game also makes. We try to
36 work with the regulatory processes but that's not
37 what's functioning for us. There needs to be a
38 different mechanism to be considered in making
39 meaningful decisions as to how these resources are
40 moved. We tried incorporating traditional knowledge
41 and sharing local knowledge of what should be
42 considered for a migration to occur normally. You know
43 we talk about the first group of caribou and the
44 community tells us not to hunt from that first group,
45 this is local knowledge, we have passed it on from
46 generation to generation, even before the Gates of the
47 Arctic was even in there, we did not hunt those
48 caribou, the leaders of the migration. We had to make
49 sure they developed a scent trail for the rest of the
50 caribou to follow through. And we explain these things

1 and conditions that could help movement of resources to
2 a community that depends, very heartfelt community
3 communications occurs through these things and, yet,
4 when it's not being reflected on by resource managers
5 it draws you back. You know we've been fighting and
6 saying this for the last 25, 30 years and what does it
7 mean to the resource managers, not very much in the
8 sense that the community begins to go through its
9 hardships of the hunters not being successful, the
10 children going to school hungry, and, yet, we don't see
11 a disaster claim being provided by resource managers or
12 the land managers in the event when they go through
13 these hardships. When you compare a fisheries
14 disaster, boy, the State comes right in and here's a
15 process you could identify with, submit your claim and
16 we'll provide you some compensation for that fact, it's
17 a loss of a resource, and, yet we don't even see that
18 for our subsistence communities.

19

20 Commercialized enterprises are a very
21 methodical means of addressing their loss of resource,
22 compensation, and we don't see that for subsistence,
23 Mr. Chair.

24

25 I think I'll stop here even though I
26 could probably read the document entirely but it might
27 take a couple days and I know we don't have that time
28 so I'll stop there, Mr. Chair.

29

30 Thank you.

31

32 CHAIRMAN TOWARAK: Thank you, Mr.
33 Brower. I agree with everything you've said, it's a
34 constant battle and I appreciate your comments.

35

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

37

38 CHAIRMAN TOWARAK: We will move on then
39 to Item No. 8 or 9. If there aren't any other
40 discussions with the Council Chairs or the State
41 liaison we will -- the floor is open for Board action.

42

43 MR. FROST: I'd like to make a motion.

44

45 CHAIRMAN TOWARAK: The floor is yours.

46

47 MR. FROST: I move to adopt the OSM
48 modification for Unit 26A as found on Pages 666 and
49 667.

50

1 MR. CHRISTIANSON: Second.
2
3 CHAIRMAN TOWARAK: You heard the motion
4 and the second.
5
6 Further discussion.
7
8 MR. FROST: Mr. Chair. I'd like to do
9 a little more justification.
10
11 CHAIRMAN TOWARAK: Go ahead.
12
13 MR. FROST: While the closure date for
14 the cow season in hunt area one is later in the OSM
15 modification, by doing that that would make the Federal
16 regulation less restrictive than the State's.
17
18 CHAIRMAN TOWARAK: Further discussion.
19
20 Mr. Brower.
21
22 MR. C. BROWER: Mr. Chair, I thank you
23 for the motion but at the same time I think the RAC's
24 recommendation from July 16th to March 15th is a very
25 conservative date that they've put their -- appeared to
26 have put their own season to recommending. The
27 rationale for this date of being March 15 is the
28 protection of the pregnant female cows that will be
29 weaning their calves here within the next month so I
30 think there's a rationale for why they have that date
31 set of March 31.
32
33 Thank you.
34
35 I make that an amending motion to the
36 RACs recommendation.
37
38 It might be wrong but if Harry can back
39 me up or from the North Slope of what I just said,
40 thank you, Mr. Chair.
41
42 CHAIRMAN TOWARAK: Could we get a
43 second on the motion so we could lay it on the table.
44
45 MR. CHRISTIANSON: I'll second that
46 just for discussion right now.
47
48 CHAIRMAN TOWARAK: There was a motion
49 to amend the original motion and seconded. The floor
50 is open for discussion.

1 Mr. Brower.

2

3 MR. H. BROWER: Thank you, for allowing
4 this, Mr. Chair.

5

6 I think what Board member Brower is
7 indicating that the Regional Advisory Council had,
8 again, had considerable discussions about the timing
9 and knowledge of the caribou and when they identified
10 end date of March 31 they were thinking about to
11 minimizing the takes of cow caribou that are pregnant
12 from that point on because the fetus are developing
13 through this timeframe, through the winter season and
14 into the spring season and getting ready to give birth
15 by end of May or early June and it would lessen that
16 impact to the cow caribou.

17

18 Mr. Chair.

19

20 CHAIRMAN TOWARAK: Thank you. Any
21 further discussion.

22

23 Mr. Frost.

24

25 MR. FROST: So just a point of
26 clarification, the RAC recommendation was through March
27 15th not March 31st, so I just want to make sure we
28 have the right dates there -- March 15th.

29

30 CHAIRMAN TOWARAK: Okay. For the
31 record, does that motion reflect that date.

32

33 MR. C. BROWER: March 15th.

34

35 CHAIRMAN TOWARAK: March 15th, okay.

36

37 Any further discussion.

38

39 Mr. Cribley.

40

41 MR. CRIBLEY: Just a little bit further
42 clarification on Mr. Brower's amendment, is it all of
43 the RAC recommendations or just the RAC recommendations
44 regarding the cow season because there's a difference
45 between the harvest limit also and I was wondering if
46 he was including that with his recommendation, in hunt
47 area one.

48

49 MR. C. BROWER: I'm just referring to
50 this 26A recommendation from the RAC.

1 MR. CRIBLEY: So it's the entire RAC
2 recommendation.
3
4 MR. C. BROWER: Yes.
5
6 MR. CRIBLEY: Okay.
7
8 MR. C. BROWER: Just for the cow.
9
10 MR. CRIBLEY: Oh, okay, just for the
11 cow season.
12
13 MR. C. BROWER: Yes.
14
15 MR. CRIBLEY: Okay.
16
17 CHAIRMAN TOWARAK: Any further
18 discussion.
19
20 MS. CLARK: I'd like to ask a question.
21
22 CHAIRMAN TOWARAK: You have the floor.
23
24 MS. CLARK: Maybe -- I think this is
25 for OSM, so the way I understand this is that the State
26 -- the change was to align with State regulations, the
27 State regulation is July 15th through April 30th and
28 that the State regulations apply to Federal lands, is
29 there really diff -- is there a reason to make a -- is
30 there a reason not to align it if that's already what's
31 going to happen. Does that question make sense.
32
33 MR. CHRISTIANSON: Well, I don't mean
34 to speak for Mr. Brower here, but what I think he's
35 trying to get at and reflect is what Harry was talking
36 about, about the intimate knowledge that Regional
37 Advisory Councils have on the caribou herd and in
38 incorporating traditional knowledge of what the animal
39 is doing at a specific time. I think the
40 recommendation and amendment here is to reflect the
41 local's knowledge on what's happening with the herd at
42 that specific time and if they can move that date back,
43 even though it doesn't align with the State, it
44 provides better opportunity to increase the herd size
45 by not shooting pregnant cows and so the recommendation
46 amendment is to reflect a management practice the
47 locals would like to see in place that would limit the
48 taking of cows with calves in their bellies but.....
49
50 MS. CLARK: Thank you.

1 MR. CHRISTIANSON:not to align
2 with the State.
3
4 MS. CLARK: Thank you.
5
6 CHAIRMAN TOWARAK: Any further
7 discussion.
8
9
10 (No comments)
11
12 CHAIRMAN TOWARAK: The floor is open to
13 call for the question.
14
15 MR. CRIBLEY: Call for the question.
16
17 CHAIRMAN TOWARAK: Question's been
18 called for. All those in favor of the amendment to the
19 original motion say aye.
20
21 IN UNISON: Aye.
22
23 CHAIRMAN TOWARAK: Any opposed, say
24 nay.
25
26 (No opposing votes)
27
28 CHAIRMAN TOWARAK: Motion passes
29 unanimously. That brings us back to the full motion.
30 And for the record the full motion reflects -- I'm
31 sorry, go ahead.
32
33 MR. MCKEE: Mr. Chair, I'm sorry, I'm
34 kind of running back and forth between places. But I
35 just want clarification for the record on the amendment
36 you just made, was it to just adopt the cow season,
37 nothing else having to deal with.....
38
39 (Board nods affirmatively)
40
41 MR. MCKEE: Okay I just wanted to make
42 that clear.
43
44 Thank you.
45
46 CHAIRMAN TOWARAK: Any further
47 discussion.
48
49 (No comments)
50

1 MR. C. BROWER: Question.
2
3 CHAIRMAN TOWARAK: All those in favor
4 of the main motion with the amendment say aye.
5
6 IN UNISON: Aye.
7
8 CHAIRMAN TOWARAK: Any opposed, say
9 nay.
10
11 (No opposing votes)
12
13 CHAIRMAN TOWARAK: Motion passes
14 unanimously.
15
16 The next proposal we will take is Unit
17 26B.
18
19 MR. EVANS: Thank you, Mr. Chairman.
20
21 So I'd like to first of all thank Harry
22 for his comments. I was at that meeting in Anaktuvuk
23 Pass. And 26B is perhaps more important to Anaktuvuk
24 Pass than 26A. But we took some of the comments that
25 we heard at Anaktuvuk Pass and tried to incorporate
26 them into the regulations for this to give them more
27 opportunity to be able to harvest caribou.
28
29 One of the things that you're probably
30 all aware of but Anaktuvuk Pass, in terms of
31 subsistence needs, caribou makes up like 90 percent,
32 90, 95 percent of their subsistence harvest, so it's
33 extremely important and they've had bad years. For the
34 last four or five years there's been one year maybe
35 where they got some but basically it's been a really
36 low harvest for a long time so incorporating things
37 into 26B we thought about those things and some of the
38 seasons are a little bit longer but that was done on
39 purpose to try to give Anaktuvuk Pass residents as much
40 opportunity to harvest caribou if they came through the
41 area.
42
43 So starting with that, the North Slope
44 RAC proposed a new hunt area in 26B resulting in two
45 hunt areas proposed under the Federal Subsistence
46 regulations versus four under the State regulations.
47 The new hunt area is south of 69 degrees, 30 minutes
48 and west of the Dalton Highway and that's the area in
49 yellow on your map.
50

1 The harvest limit was reduced from 10
2 caribou to five caribou per day. The cow season was
3 lengthened to reflect the seasonal occurrence of the
4 Central Arctic Caribou Herd and the Teshekpuk Caribou
5 Herd in Unit 26B. The Central Arctic Caribou Herd,
6 which is a relatively stable population occurs in the
7 area south of 69 degrees, 30 minutes and west of the
8 Dalton Highway from June to mid-October. And the
9 Teshekpuk Caribou Herd occurs in the area from mid-
10 October to May. the cow caribou season for Unit 26B in
11 this area is July 1st, April 30th; the State season is
12 July 1st to October 10th. So the State basically has
13 no hunt from the Teshekpuk Caribou Herd in the fall,
14 which would be mid-October through May.

15
16 The prohibition on the take of calves
17 from the area south of 69 degrees, 30 and west of the
18 Dalton Highway was removed because the harvest during
19 -- it's primarily during the spring and summer will be
20 primarily from the Central Arctic Caribou Herd. And
21 during the fall, which would be after October 15th, the
22 harvest would be primarily from the Teshekpuk Caribou
23 Herd when the calves are more independent and more
24 likely to survive if the cow/calf relationship ends.

25
26 So that's the summary of the
27 information for that unit. South of 69 degrees, 30
28 minutes west of the Dalton Highway. And I'll just stop
29 there and see if you have any questions on that before
30 I go on to 26B remainder.

31
32 CHAIRMAN TOWARAK: Any questions from
33 the Board.

34
35 (No comments)

36
37 CHAIRMAN TOWARAK: Not seeing any,
38 please proceed.

39
40 MR. EVANS: Okay. So this is for Unit
41 26B remainder, the area in green on your map.

42
43 Most of the subsistence hunt in Unit
44 26B remainder occurs in the summer from August through
45 September and during the spring from March to April.
46 Thus the caribou season for Unit 26B remainder was
47 proposed from July 1st to May 15th. The bull caribou
48 season in Unit 26B remainder was lengthened to a
49 yearround season, which is currently the same as the
50 current Federal Subsistence regulations because most of

1 the harvest on Federal public lands occurs in the
2 southwest corner of Unit 26B where the harvest is
3 primarily from the Central Arctic Caribou Herd. So a
4 good portion of Unit 26B remainder actually falls on
5 State lands.

6
7 We recommended five caribou per day
8 versus five caribou total, which is what's under the
9 State regulations because this gives Federally-
10 qualified users more harvest opportunity and aligns
11 with the recommendation by the North Slope and is more
12 consistent with the other game management units.

13
14 Thank you.

15
16 So any questions.

17
18 CHAIRMAN TOWARAK: Are there any
19 questions from the Board to the Staff.

20
21 MR. CRIBLEY: I have a quick question.

22
23 CHAIRMAN TOWARAK: Go ahead.

24
25 MR. CRIBLEY: This hunt area in 26B,
26 that hunt area that's just north of Anaktuvuk Pass
27 isn't most of that State and corporation lands and
28 private lands, there's very little Federal lands in
29 there, isn't there, if any?

30
31 MR. EVANS: So if you look at the map
32 for 26B, the areas that are kind of shaded are the
33 Federal lands.

34
35 MR. CRIBLEY: Okay.

36
37 MR. EVANS: So you got the BLM lands
38 that kind of go along the Dalton Highway.

39
40 MR. CRIBLEY: Dalton Highway.

41
42 MR. EVANS: You have Gates of the
43 Arctic kind of in the southwest corner there.

44
45 MR. CRIBLEY: Okay.

46
47 MR. EVANS: And then you have, and then
48 those are part of, I'm guessing the Arctic Refuge.....

49
50 MR. CRIBLEY: Okay.

1 MR. EVANS:on the southeast
2 corner.
3
4 MR. CRIBLEY: So those are the hunt
5 opportunities under these regulations?
6
7 MR. EVANS: Yes, on Federal public
8 lands. Yes.
9
10 MR. CRIBLEY: Okay, thank you.
11
12 CHAIRMAN TOWARAK: Any further
13 questions.
14
15 (No comments)
16
17 CHAIRMAN TOWARAK: We'll move then to
18 the Regional Council recommendations.
19
20 Mr. Brower.
21
22 MR. H. BROWER: Thank you, again, Mr.
23 Chair. Harry Brower for the record, Chair of the North
24 Slope Regional Advisory Council.
25
26 Again, the document is found on Page
27 912 regarding the Councils -- the Council supports
28 their proposal, WP16-64 for Unit 26B with the
29 modification by OSM. The Council supports any
30 additional opportunity to take bulls when they are good
31 eating. While supporting conservation measures for
32 cows and calves, the Council also supports reducing
33 regulatory complexity between hunt areas for local
34 hunters.
35
36 The Council further supports the hunt
37 boundary description that was developed in order to
38 protect the Teshekpuk Caribou Herd by allowing more
39 liberal harvest of the healthy Central Arctic Herd in
40 the area when two herds do not overlap.
41
42 That's the contents of the information,
43 Mr. Chair.
44
45 CHAIRMAN TOWARAK: Thank you. Are
46 there any questions to the Chair.
47
48 (No comments)
49
50 CHAIRMAN TOWARAK: Is Mr. Reakoff on

1 line.

2

3 MR. REAKOFF: Yeah, Mr. Chair. Can you
4 hear me?

5

6 CHAIRMAN TOWARAK: Yes, you have the
7 floor.

8

9 MR. REAKOFF: The Western Interior
10 Regional Advisory Council addressed 26B, we have
11 customary and traditional use within 26B, that is, the
12 State regulation west of the Dalton Highway precludes
13 harvest before the middle of May before bull caribou
14 and that is in violation of subsistence harvest
15 practices of harvesting bulls in early -- late winter,
16 early spring and moving away from cow harvest. So the
17 Regional Council actually supported WP16-61 for that --
18 which allows harvest of bulls earlier than the State
19 regulations.

20

21 We had real concerns in 2010 when the
22 Board of Game opened sporthunting within 26B for cows
23 on July 1, including cows with calves. People in
24 Anaktuvuk are having a heck of a time getting Central
25 Arctic Caribou or caribou in general primarily because
26 the Central Arctic Herd, when it tries to migrate to
27 the southwest it gets driven back to the east, and so
28 since 2010 we've had a lot of problems with caribou
29 being pushed east over into the Chandalar drainage and
30 wintering far to the east of the Central Brooks range
31 and so -- but when the caribou move back to the north
32 in the springtime, if I don't have caribou on this side
33 of the Brooks Range we will move on to the north side
34 and we'll catch Central Arctic bulls crossing to the
35 northwest, moving towards the Kuparuk calving areas.

36

37 And so we supported the proposal WP16-
38 61 for 26B and I'll take any further questions.

39

40 Thank you, Mr. Chair.

41

42 CHAIRMAN TOWARAK: Thank you, Mr.

43 Reakoff.

44

45 Are there any questions of Mr. Reakoff.

46

47 (No comments)

48

49 CHAIRMAN TOWARAK: If not then we will
50 open the floor for any discussion with the Council

1 Chairs or the State liaison.
2
3 (No comments)
4
5 CHAIRMAN TOWARAK: Do you have any
6 comments Mr.....
7
8 MR. BUTLER: Mr. Chair. I don't have
9 any comments at this time. Thanks.
10
11 CHAIRMAN TOWARAK: Thank you. If there
12 are no further discussions then we will move on to No.
13 9, the Federal Subsistence Board action. the floor is
14 open.
15
16 MR. CRIBLEY: Mr. Chair. I'd like to
17 make a motion to adopt the regulatory language for Unit
18 26B as presented in the OSM recommendations on Page 667
19 of the Board book. And with a second I have a
20 justification.
21
22 MR. C. BROWER: Second.
23
24 CHAIRMAN TOWARAK: You heard the motion
25 and the second. Go ahead.
26
27 MR. CRIBLEY: Justification for the
28 motion is as described in the justification on Page
29 669. The recommended changes will align with the State
30 season in the area and not be as restricted. The
31 allowance on calf harvesting recognizes the caribou
32 from the Central Arctic Herd compromise a majority of
33 the region's harvest and it's recognized that the
34 Central Arctic Herd is in a better situation or
35 healthier than the Teshekpuk and Western Arctic Herd.
36
37 Thank you.
38
39 CHAIRMAN TOWARAK: Any further
40 discussion.
41
42 (No comments)
43
44 CHAIRMAN TOWARAK: The floor is open
45 for call of the question.
46
47 MR. CHRISTIANSON: Question.
48
49 CHAIRMAN TOWARAK: Question's been
50 called for by Mr. Christianson. All those in favor of

1 the motion say aye.
2
3 IN UNISON: Aye.
4
5 CHAIRMAN TOWARAK: Any opposed, say
6 nay.
7
8 (No opposing votes)
9
10 CHAIRMAN TOWARAK: Motion passes
11 unanimously.
12
13 MR. CHRISTIANSON: Mr. Chair. I'd also
14 like to entertain a motion at this time to take no
15 action on Proposals WP16-45; 16-49; 16-52; 16-51 [sic];
16 16-62; 16-63; and 16-64 based on the action just taken
17 on Proposal WP16-37 as all of those proposals have been
18 addressed within the context of which we've just worked
19 on all morning this morning.
20
21 MR. C. BROWER: Second.
22
23 CHAIRMAN TOWARAK: You heard the motion
24 and the second. Any further discussion.
25
26 MR. LORD: Mr. Chair. Did you include
27 51 in that, that's a muskox proposal.
28
29 MR. CHRISTIANSON: No.
30
31 MR. MCKEE: I think he meant 61.
32
33 MR. CHRISTIANSON: 61.
34
35 MR. LORD: Okay, I heard it wrong.
36 Thank you.
37
38 CHAIRMAN TOWARAK: Any other questions.
39
40 (No comments)
41
42 MR. CRIBLEY: Call for question.
43
44 CHAIRMAN TOWARAK: Question's been
45 called for. All those in favor of the motion say aye.
46
47 IN UNISON: Aye.
48
49 CHAIRMAN TOWARAK: Any opposed, say
50 nay.

1 (No opposing votes)
2
3 CHAIRMAN TOWARAK: Motion passes
4 unanimously.
5
6 So where are we here.....
7
8 MR. MCKEE: Thank you, Mr. Chair.
9 We're done with 37 and we're done with the other seven
10 proposals so thank you for all your hard work and
11 bearing with us and I hope it was as uncomplicated as
12 possible recognizing that that was also impossible so I
13 appreciate all your hard work.
14
15 MR. CHRISTIANSON: I think we're at
16 lunch.
17
18 CHAIRMAN TOWARAK: We're going to call
19 for a lunch break, and I'd like to ask that people get
20 here before 1:30. We have a dance group coming in at
21 1:30 to perform for us and then we will proceed with
22 the rest of the day.
23
24 We will be addressing the -- I see we
25 don't have anyone here yet from the Southcentral but
26 hopefully that will change by after lunch.
27
28 (Off record)
29
30 (On record)
31
32 CHAIRMAN TOWARAK: I'd like to call
33 this meeting back to order if we could.
34
35 (Pause)
36
37 CHAIRMAN TOWARAK: We scheduled the
38 dance right after lunch so it would wake everybody up.
39
40 So we just got done doing the caribou
41 proposals, our next action is going to be the special
42 action request and we will have the Staff up here to
43 give us an analysis of what's on the agenda.
44
45 MR. MCKEE: Hi, Mr. Chair. Again, for
46 the record I'm Chris McKee the Wildlife Division Chief
47 for OSM. I'm up here with Lisa Maas, wildlife
48 biologist, and she is going to be giving you an
49 overview of the analysis for Special Action WSA16-01.
50

1 MS. MAAS: Okay. Thank you, Mr. Chair.
2 Member of the Board. For the record my name is Lisa
3 Maas and I'm a wildlife biologist in the Office of
4 Subsistence Management. I'll be presenting a summary
5 of the analysis for a temporary special action request
6 WSA16-01, which is included in your supplemental
7 materials packet.

8
9 Temporary Special Action Request WSA16-
10 01 submitted by the Northwest Arctic Regional Advisory
11 Council requests that Federal public lands in Unit 23 e
12 closed to caribou hunting by non-Federally-qualified
13 subsistence users during the 2016/17 regulatory year
14 beginning July 1st, 2016.

15
16 The proponent is concerned with the
17 health and declining population of the Western Arctic
18 Caribou Herd, the lack of recent population data and
19 the negative effects that outside hunting activity
20 combined with the declining caribou population is
21 having on local subsistence users.

22
23 The proponent states that the requested
24 closure is necessary for conservation purposes.

25
26 The Western Arctic Caribou Herd or WACH
27 is the largest caribou herd with the largest range in
28 Alaska. The WACH working group developed a management
29 table for this herd which is found on Page 9 of the
30 analysis and also as a separate sheet in your
31 supplemental materials. Referring to this table could
32 aid in understanding management for the Western Arctic
33 Herd.

34
35 Caribou populations naturally fluctuate
36 over time. In 1976 the Western Arctic Herd reached a
37 low of 75,000 caribou. Then the WACH population
38 increased reaching a peak of 490,000 caribou in 2003.
39 Since 2003 the WACH population has declined about 50
40 percent to an estimated 235,000 caribou in 2013.
41 Again, the primary factors contributing to this decline
42 are increased cow mortality and decreased calf survival
43 and recruitment.

44
45 Hunting -- again, hunting, which has
46 historically been a minor mortality factor now
47 represents a greater percentage of mortality as the
48 herd declines and harvest remains the same. The State
49 conducted an aerial photo census of the herd in July
50 2015, however, due to poor light conditions the photos

1 could not be used. The State will attempt another
2 photo census this summer. However, based on cow
3 mortality and calf survival, the decline continues,
4 although the rate of decline seems to be decreasing.

5
6 Currently the population may be around
7 200,000 caribou.

8
9 Between 1999 and 2013 the average
10 annual harvest from the WACH was an estimated 13,450
11 caribou. The vast majority of the WACH are harvested
12 within Unit 23. Of the Unit 23 harvest residents
13 living within the range of the WACH harvest 95 percent
14 of the caribou on average while all other hunters only
15 account for five percent of the harvest on average.
16 And keep in mind that these estimates are for all of
17 Unit 23, the harvest by non-local residents and non-
18 residents on Federal public lands in Unit 23 is even
19 less. And there is a lot of uncertainty in harvest
20 estimates but if harvest and caribou population
21 estimates are accurate overharvesting may already be
22 occurring.

23
24 On Selawik National Wildlife Refuge the
25 number of hunters transported by commercial
26 transporters is turning downward while the number of
27 transported hunters on Noatak National Preserve has
28 increased. Under the preservative and critical
29 management levels the WACH management plan recommends,
30 and this is on that color tabled as a handout,
31 restricting harvest to residents only and that the
32 closure of some Federal public lands to non-qualified
33 users may be necessary.

34
35 Most caribou hunting in Unit 23 occurs
36 in September through November when caribou migrate
37 through the unit. Local hunters primarily travel by
38 boat and try to intercept caribou at water crossings.
39 Caribou dominate the subsistence harvest in Unit 23.
40 In pounds of edible weight caribou are the most
41 harvested species.

42
43 In recent years local people have been
44 having trouble getting caribou which is hurting
45 villages. Local people, particularly in Noatak, are
46 concerned about aircraft and non-local hunters
47 disrupting caribou migration and reducing harvest
48 success by camping along migration routes, scaring
49 caribou away from river crossings and shooting lead
50 caribou. Another concern is that non-locals disrespect

1 local hunting traditions by wasting meat, hunting for
2 trophies instead of meat, leaving litter and trash and
3 displacing locals from traditional hunting grounds. A
4 survey of sporthunters in the Noatak National Preserve
5 somewhat validate these concerns.

6

7 Efforts to mitigate user conflict
8 include the Noatak Controlled Use Area established by
9 ADF&G, the Noatak Delayed Entry Zone established by the
10 National Park Service, and areas closed to commercial
11 use in Selawik National Wildlife Refuge. In 2007 the
12 Federal Subsistence Board, under authority of ANILCA,
13 Title VIII, adopted a closure policy stating that
14 closures may be implemented for the conservation of
15 wildlife populations and to continue subsistence uses
16 of those populations. In 2015 the Alaska Board of Game
17 adopted new regulations across the WACH range in
18 response to the population decline. Also in 2015 the
19 Federal Subsistence Board approved a special action
20 request in response to the population decline. And
21 they just very recently, as in this morning, further
22 modified those regulations through WP16-37.

23

24 A public hearing about this special
25 action request was held in Kotzebue on February 23rd.
26 Participants at the public hearing voiced both support
27 for and against this request. This special action
28 request was also presented during the All Council
29 meeting last month, to all of the Councils with
30 customary and traditional use for caribou in Unit 23,
31 including Northwest Arctic, North Slope, Seward
32 Peninsula and Western Interior Councils. The Northwest
33 Arctic and North Slope Councils unanimously supported
34 this request. The Seward Peninsula Council opposed
35 this special action. And the Western Interior Council
36 took no action.

37

38 If this special action request is
39 approved non-Federally-qualified subsistence users
40 could still hunt caribou on State lands. As State
41 lands only comprise about 19 percent of Unit 23,
42 hunts could become congested in these areas. Users
43 would also need to distinguish between State and
44 Federal lands, which could increase law enforcement
45 concerns. Non-Federally-qualified subsistence users
46 may also be displaced onto Federal public lands in
47 adjacent units. All users could also still hunt moose,
48 bear and wolves on Federal public lands, as well as
49 utilize these lands for other non-hunting purposes such
50 as photography and recreational boating. Any aircraft,

1 including private planes and transporters could also
2 still fly over Federal public lands in Unit 23.

3
4 Due to these reasons user conflicts
5 would not be eliminated by approval of this special
6 action.

7
8 Currently it is uncertain whether the
9 WACH population is within the conservative or
10 preservative level of the WACH management table.

11
12 Regardless, closure to non-residents
13 under State regulations is warranted before closure to
14 non-Federally-qualified users.

15
16 Additionally as non-Federally-qualified
17 users account for less than five percent of the harvest
18 on Federal public lands in Unit 23, closure of these
19 lands to this user group would have no meaningful
20 biological effect.

21
22 The new State regulations already
23 reduce the bag limit and season for non-residents as
24 well as the season for residents. Allowing time to
25 gage the ethicacy of these new regulations in
26 conservation of the WACH is warranted before enacting
27 more restrictive regulations.

28
29 In summary, this request does not meet
30 the closure criteria identified in ANILCA, Title VIII.

31
32 The OSM preliminary conclusion is to
33 oppose temporary special action request WSA16-01.

34
35 Thank you, Mr. Chair.

36
37 CHAIRMAN TOWARAK: Thank you. Are
38 there any questions of the Staff.

39
40 (No comments)

41
42 CHAIRMAN TOWARAK: Okay. If not then
43 we will move on to the summary of public comments from
44 the Regional Council Coordinator.

45
46 MR. PELTOLA: Mr. Chair. Gene Peltola,
47 Jr., ARD of OSM.

48
49 As previously mentioned in the analysis
50 there was a public hearing held in Kotzebue on February

1 23rd, 2016, of which some of the comments received were
2 utilized in the preparation of the analysis. In
3 addition, OSM has received some written comments --
4 some written public comments, of which Zach will
5 summarize for us.

6

7 MR. STEVENSON: Thank you, Mr. Chair.
8 Members of the Board. My name is Zach Stevenson. I am
9 with the US Fish and Wildlife Service, Office of
10 Subsistence Management.

11

12 Several letters were received regarding
13 public comments pertaining to Wildlife Special Action
14 16-01, the first which I'll summarize, is from Tim
15 Shirk, President and CEO of Maniilaq Association based
16 in Kotzebue Alaska.

17

18 Mr. Shirk cited the importance of
19 caribou, both as a primary food source and culturally
20 significant resource to residents within the Maniilaq
21 service area of the Northwest Arctic and points out
22 that the recent decline in caribou has put a strain on
23 the food security of households in their region. As
24 well as the importance of caribou to both the physical
25 health and social health of residents in their service
26 area. Given these challenges, Mr. Shirk stresses the
27 importance of supporting Wildlife Special Action 16-01
28 to ensure both the food security and cultural security
29 needs of their people.

30

31 The second written public comment
32 pertaining Wildlife Special Action 16-01 was submitted
33 on behalf of the Native Village of Kotzebue and signed
34 by Nichole Stoups, their Executive Director and Mr.
35 Alex Whiting, Environmental Specialist. Who also point
36 to their support on behalf of their members, in support
37 of Wildlife Special Action 16-01. Also citing the
38 major significance of caribou as a food source to their
39 people, the high cost of living in the Northwest
40 Arctic, and in turn the importance of caribou to
41 helping to support the food security needs of their
42 members. They also cite the decline in the recent
43 caribou herd numbers, specifying that the need to adopt
44 WSA16-01 is an important precautionary measure which
45 would help to ensure the food security needs of their
46 people.

47

48 Lastly a written public comment was
49 received from Mr. Gordon Brower from the North Slope
50 citing the importance of supporting Wildlife Special

1 Action 16-01 emphasizing a declining herd trend with 10
2 years of liberal hunting. Secondly, he pointed to
3 conflicts in the village area of influence. And,
4 thirdly, pointing out that the importance of the herd,
5 particularly to residents in both the North Slope and
6 Northwest Arctic regions as a shared resource, and has
7 also pointed to the depletion of available resources by
8 deflection and competition, deflection of caribou from
9 areas normally found for village and area needs and the
10 village area of influence.

11
12 The last two points which Mr. Brower
13 points out with the emphasis of traditional hunting
14 experience, specifically a lack of management and free
15 for all and to that he points to the need for
16 solutions, while emphasizing the urgency of adopting
17 WSA16-01 in Unit 23.

18
19 Thank you, Mr. Chair.

20
21 CHAIRMAN TOWARAK: Thank you. Are
22 there any questions.

23
24 (No comments)

25
26 CHAIRMAN TOWARAK: If not then we will
27 move on to -- open the floor for any public testimony.
28 We have Lance Kramer.

29
30 MR. KRAMER: Good afternoon. Lance
31 Kramer here from NANA Regional Corporation in Kotzebue.
32 I'm a senior director of lands for NANA. We are in
33 support of 16-01, in particular with the Northwest
34 Arctic Regional Advisory Council in our area for a
35 number of reasons.

36
37 No. 1. To support traditional
38 knowledge. You can see that Maniilaq supports this and
39 the tribes support this as well as the Northwest Arctic
40 Regional Advisory Council. So we are very much for
41 traditional knowledge and if traditional knowledge
42 supports it then we support it as well.

43
44 But, secondly, we support it because
45 the herd right now, there hasn't been a count in the
46 last few years, and we want to make sure that we're
47 precautionary as well. You know, outside hunters take
48 about 600 animals every season and most of those are
49 bulls. And even though 600 may not be a large amount
50 compared to the rest of the region, it still plays an

1 important factor in terms of the bull to cow ratio.
2 Most of those 600 are bulls. And according to Jim
3 Dau's latest studies we're either at 40 to 100 bulls to
4 cows right now or even past it at 39, which is the
5 threshold. And so by opening it, again, to outside
6 hunters we're going to impact that bull to cow ratio
7 even more, which would affect the viability of the
8 herd. And so we don't want to do that. We need to
9 take precautionary measures especially when there's a
10 huge question mark in terms of the bull to cow ratio,
11 and in terms of the population as a whole.

12
13 Secondly [sic] we support it because
14 the State believes we're at about 200,000 right now
15 which is in that preservative management mode. Which
16 would normally limit the non-Federally-qualified users
17 anyway. And so if the State believes that we're in
18 that area of population we're going to believe it as
19 well and I think that the Federal Subsistence Board
20 should back the State's biologist on this matter,
21 Lincoln Perret and other folks, Jim Dau. And so that's
22 Western science that points to this low population
23 count. And so now you're taking in both Western
24 science and traditional knowledge in the matter.

25
26 Thirdly, we, at NANA, we believe that
27 the Federal agencies may not be correct in their
28 assumptions that by doing this, they say it won't
29 decrease user conflict. We believe that it will
30 decrease user conflict. There are a lot of
31 transporters in the Preserves and National Parks and
32 Fish and Wildlife Refuges and so we believe that by
33 closing this we will decrease user conflict. As you
34 know transporters, in order to make money they land in
35 front of herds, they shoot at herds and they cause
36 herds to bounce around them and deflect. And, of
37 course, you've heard studies probably from the National
38 Park Service that sound does have an affect on caribou
39 migration. So although the agencies say that it won't
40 decrease user conflict, we believe that it really will.
41 It'll keep that Preserve nice and quiet and caribou can
42 migrate naturally like they're supposed to. Sure the
43 transporters might be out there after bears and moose
44 but they're not going to be in front of caribou anymore
45 for this one year and it would be really interesting to
46 see, Mr. Chair, how the caribou react to that, allowing
47 natural migration patterns of caribou as they come
48 through their fall migration.

49
50 And another thing is the agencies say

1 that there is no meaningful biological effect. We
2 disagree with that as well. We think that there is a
3 major biological effect. No. 1, again, to that bull to
4 cow ratio; by closing this to non-Federally-qualified
5 users we'll save 600 bull caribou, which are important
6 to that bull to cow ratio which Jim Dau believes is
7 about 39 to 100 right now. And so we do believe it has
8 meaningful biological effect.

9
10 And then also the changing of the
11 migration patterns in the Upper Noatak area. The
12 agencies say that this will congest State lands. That
13 by moving non-Federally-qualified users from Federal to
14 State lands it'll congest it. It may congest it but
15 most -- a lot of transporters use State land currently
16 anyways. And so if they congest it, what -- that
17 congestion is not more important than the health and
18 the population and the viability of the herd.
19 Congestion shouldn't be a factor when we're considering
20 the preservation of a very important food source for
21 the people in the region. Congestion is a small thing.
22 That can be dealt with. But a low population number
23 and a decreasing bull to cow ratio is something to
24 contend with.

25
26 And so, we, at NANA, we support 16-01,
27 and, again, for traditional knowledge, and also for
28 Western science and then also we are in disagreement
29 with the agency's, OSM's reasonings here.

30
31 So that's our testimony, Mr. Chair.
32 Thank you for your time.

33
34 CHAIRMAN TOWARAK: Thank you, Mr.
35 Kramer. Are there any questions from the Board of Mr.
36 Kramer's testimony.

37
38 (No comments)

39
40 CHAIRMAN TOWARAK: Go ahead.

41
42 MR. KRAMER: I would like to add, Mr.
43 Chair. Maniilaq and IRA said that it's important for
44 food security, but we have to remember that caribou is
45 far more important than just food. Food is great, the
46 protein value of caribou is really high. One ptarmigan
47 has the same amount of iron as seven hamburger patties.
48 Now, can you imagine how many hamburger patties in iron
49 a caribou might have. It's a very important
50 nutritionally for the Inupiat people. But that's just

1 food and nutrition. But you have to consider the other
2 aspects of a caribou. You have to consider the
3 educational aspects of preserving the Inupiat way of
4 life and hunting caribou. There's the social aspect of
5 hunting as a people, as a family unit, as communities
6 and the sharing that goes on. The cultural value of
7 the caribou and what it represents to our people and
8 the hides and the bones, even the scapula is used for
9 scaling whitefish and sheefish. The front bones can be
10 broken into arrowheads and spear tips, the hides into
11 mukluks, parkees, things like that.

12

13 There's so much that can be used on a
14 caribou besides just food.

15

16 Also the impact that it has on us as a
17 people, spiritually. It has a spiritual impact on us,
18 we can't forget that.

19

20 Food security is just one piece of the
21 caribou. There are so many other aspects to it.

22

23 And by having a group of outsiders,
24 allowing the non-Federally-qualified users to come up
25 and take 600 bulls, that can have a major affect on the
26 population of the herd. We really believe that it's
27 going to impact all those other areas as well, not just
28 food security.

29

30 And so we want to make sure as Inupiat
31 people that we are doing our job in protecting the herd
32 when we don't know its population and we really hope
33 that the Federal Subsistence Board can back us up and
34 protect the herd as well when the population is in
35 question right now, we don't know the numbers, so we
36 look for your support as well in this matter, for the
37 caribou that we're here for.

38

39 Tagu.

40

41 CHAIRMAN TOWARAK: Thank you, Mr.
42 Kramer. Are there any questions on his testimony.

43

44 (No comments)

45

46 CHAIRMAN TOWARAK: Thank you, Mr.
47 Kramer for your testimony.

48

49 We'll next hear then from Mr.

50 Ashenfelter, Roy Ashenfelter.

1 MR. ASHENFELTER: Good afternoon,
2 Members of the Federal Subsistence Board, Chairman.

3
4 I'm Roy Ashenfelter, I live and work in
5 Nome. I've been Chair of the Advisory Committee, the
6 State Advisory Committee for over 20 years. I sat as
7 Chair and work member for the Western Arctic Caribou
8 Herd for about that length of time.

9
10 So we also within that Western Arctic
11 Caribou Herd came up with the working plan that's
12 somewhat discussed here and the different opportunities
13 based on the volume of caribou as it goes up or down
14 and the different metrics that would help make
15 decisions that would, you know, come before either the
16 Federal Subsistence Board or the Board of Game.

17
18 Having said that I am against the
19 Proposal 16-01. It doesn't provide a conservation yet.
20 It is already open. It doesn't -- if you do that, take
21 away the opportunity from non-Federally-qualified
22 hunters you move them from one area to another. The
23 cost of travel from going from wherever they're going
24 to Kotzebue doesn't change at all, it just moves them
25 from Federal lands or whatever the plan is here to
26 State lands, so that doesn't change.

27
28 The other part of it is hunters from --
29 and I already talked about the cost of travel, it's not
30 a conservation, it's not saving any caribou by any
31 stretch of the imagination; 700 caribou, you know, that
32 doesn't change the migration that much. So there's
33 things here that if you look at the overall process in
34 trying to save caribou, all users should take an equal
35 hit in terms of a plan process. This doesn't -- this
36 doesn't -- this takes away one unit that's very very
37 small in percentage. You know you take a look at our
38 area in Unit 22 where the caribou sit out there in the
39 winter and, you know, we -- the opportunity there, I
40 think, is about 2,000 caribou taken in our region, in
41 Unit 22.

42
43 So anyway those are my comments.
44 Again, I speak out against the proposal, it doesn't
45 really help the process. I think there's a better way
46 so that all users take an equal reduction in
47 opportunity. The volume, according to the matrix, is
48 not at conservation yet, it's still about 250,000
49 somewhere around there, that's a lot of caribou.
50

1 So -- and the other part of it, on
2 migration routes, if you would have thought that when
3 they migrated near Kotzebue because there's several, a
4 couple thousand residents in Kotzebue, and when they
5 migrated by Kotzebue, as the opportunity suggests, that
6 that would change the migration route. It didn't, they
7 just kept going by. So you can work out different
8 things with hunters in our -- in the Western Arctic
9 Caribou Herd membership, it includes everybody. It
10 includes conservationists, it includes transporters, it
11 includes state, it includes Anchorage residents, it
12 includes Fairbanks residents, all user groups are part
13 of the working group so that anyone that has any
14 complaints about what's going on with caribou can -- is
15 there at the table to explain what changes or
16 opportunities that would come about -- for example,
17 when the transporters were pointed out as a problem
18 because they're getting paid as an airplane service to
19 an area, that we added transporters to the group so
20 that they could come there and listen to the concerns
21 by everyone on the Western Arctic Caribou Herd working
22 group.

23
24 So, anyway, those are my comments. I
25 thank you for the opportunity to comment.

26
27 CHAIRMAN TOWARAK: Thank you, Roy.

28
29 Is there any questions from the Board.

30
31 (No comments)

32
33 CHAIRMAN TOWARAK: Thank you for your
34 comments, Mr. Ashenfelter.

35
36 I think that takes care of those that
37 are in attendance at the meeting for any public
38 comments. I'd like to ask if there's anyone on line
39 that would like -- on the phone line that would like to
40 take this opportunity for public testimony.

41
42 (No comments)

43
44 CHAIRMAN TOWARAK: I'm assuming that we
45 do not have anyone on line that would like to testify.

46
47 OPERATOR: The phone lines are open if
48 you would like to comment.

49
50 (No comments)

1 CHAIRMAN TOWARAK: I'm sorry, I didn't
2 understand the comment.

3
4 OPERATOR: I was just informing phone
5 participants their lines are open.

6
7 CHAIRMAN TOWARAK: Okay. That was just
8 the operator, I thought it was someone trying to reach
9 us, but the lines are open. And if there is anyone
10 that is listening who would like to make a public
11 testimony, I know it's a little bit hard making
12 connections with us, but continue trying and we will
13 try to squeeze you in.

14
15 (No comments)

16
17 CHAIRMAN TOWARAK: If there aren't any
18 other public comments, we will move to the Regional
19 Council recommendations.

20
21 Mr. Enoch.

22
23 MR. SHIEDT: Yeah, for this proposal
24 here, we came up with it at our Buckland meeting
25 because we having so much issue, problems, transporters
26 and outfitters, and others that do come to Noatak and
27 Buckland area and Selawik area to impact us that
28 there's so much transporters and outfitters.

29
30 Let's put it this way, one transporter,
31 that is from Miami goes up there and take out people,
32 he had 71 spike camps right in the migration route of
33 the caribou and we getting so much conflict that when
34 they fly and when they shoot at caribou they -- they
35 change the migration and they divert them.

36
37 I'll give you an example, at my camp
38 alone, at Squirrel River, halfway from Kotzebue to
39 Noatak, that when I walk up to the hill I could see
40 three airports that built by transporters, yet, when I
41 go to the Park Service, can you stop them from doing
42 this, because it's your land, they're not supposed to
43 do this, nothing happens for about seven years, they
44 never did stop them, and yet the State Trooper
45 enforcement told me there's six other airports further
46 up where I can't see. When they shoot at the caribou
47 at Aggie and there's a value when they shoot -- me and
48 my wife hear 12 shots after the plane scoop and chasing
49 caribou, we could see them, and they went up the river,
50 and if they go to that instead of go to the Noatak main

1 river when they go up, they go well over 100 miles
2 further up and they end up by Kougarok, we don't have a
3 map, I wish I could show you; that's the problem we are
4 having. And there's so much problem and issue because
5 with the conflict for how many years now, caribou
6 hardly cross at Noatak and the people from Noatak get
7 hardly any caribou, yet, for two years now how many
8 boats, seven last summer and eight the other year, from
9 Noatak go all the way down the river Kotzebue and go
10 harvest just to feed the people at Kiana. And if it's
11 over \$500 a drum at Noatak and they use five drums see
12 how much they spent. That's a lot just to put food on
13 the table.

14

15 That's the problem we are having.

16

17 There's so many transporters and
18 outfitters and others, because I went up the Kelly, and
19 I stop at the Kelly I saw four airplanes and I ask
20 them, where you guys from, all four were from Bettles.
21 And what you doing here, we're fishing but we're here
22 for caribou also. And, yet, many a times, out of our
23 range we will see airplanes scooping caribou seven,
24 eight miles from the river and we're in the river
25 waiting, you could see the caribou coming and, yet,
26 them planes are scooping it and when we tell the Fish
27 and Game nothing happens. We even give them the tail
28 numbers, nothing happen. And, yet, we're having hard
29 time harvesting caribou. And a lot of people, even
30 last summer, to Kivalina we had to send caribou because
31 they didn't get caribou until late. If they keep
32 diverting them, by the time they come they're in rut.
33 The bulls are in rut and we can't harvest them, we
34 won't -- caribou -- what we can't eat, it's not in our
35 nature and, yet, they're saying we Natives harvest a
36 lot of caribou and transporters hunt so many, yet,
37 let's look at it this way, a transporter will go after
38 the antlers and yet he take only choice of the meat. I
39 take the whole caribou, bone and all and I cook it, I
40 make soup, I fry it, and we eat right next -- that's
41 not wasting and the others are wasting a lot of
42 caribou. I've seen it. Where at Aggie, a guy, he was
43 dropped off by transporters, he get a caribou, all he
44 did was get part of the blade and left the rest to rot,
45 I took it and I gave it away.

46

47 But let's put it this way, just in
48 Aggie alone, where I would say I am from we saw seven
49 people in one little section and further up, yet, I
50 counted 14 skins for the four people and the three that

1 was further up I count 11 skins, they're supposed to
2 get four -- one caribou -- just by telling -- just by
3 seeing the skins I know how many they get. That's the
4 kind of conflict we're having and, yet, it's just -- we
5 need to have this proposal passed because there's so
6 much conflict, it cost a lot of money and it's our main
7 diet, yet, my relatives at Noatak, when they never
8 harvest caribou and when they never fill their freezer,
9 yes, they do have food stamps, yet, by the 15th to 17th
10 their food stamp is gone because they got no caribou to
11 supplement them for the rest of the month and they're
12 hungry, they have to go -- that's the thing we're
13 falling with. And it cost a lot of money just to feed
14 the people but, yet, they were there for years and we
15 learned to preserve and we never harvest fawns and
16 stuff like that, it's not -- it's in our culture not to
17 do it yet it's scary where there's about seven
18 transporters operating out of Kotzebue and they're
19 going in and out every day all day long, Ackerman study
20 2010 to '13, says there's over -- well, about close to
21 300 planes just in Noatak River that's seen by people
22 of Noatak yet there is more people than that.

23

24 In Jim Dau's report on the caribou that
25 we have about 210,000 caribou left, yet, the Teshekpuk
26 Herd and the Western Arctic Caribou Herd numbers were
27 put together so we could have a sustainable level to
28 harvest caribou. But if we take the Teshekpuk Herd
29 away, there might be about 50,000 Teshekpuk Herd,
30 total, there's 210, that leaves us with 160,000 caribou
31 for the Western Arctic Caribou Herd and, yet, two weeks
32 ago when they did this on that -- on this one here, Jim
33 Dau and them, right in that yellow and that orange,
34 circled it 50/50 right on that level, and they said at
35 this meeting, when we questioned them, there was about
36 210,000 caribou, that's conservative steps we need to
37 take and we want to do it now because when -- when you
38 think about if we take it now before they decline too
39 much, hopefully, they rebound faster. Because if you
40 keep it up there'll be no sporthunting at all, they'll
41 be anything in the future for a long time to come.
42 Even us Natives will have to take a reduction. We
43 talked about it in Noatak, I'm originally from Noatak,
44 and, yet, they're hurting, they have to take other
45 resources but other resources could only take so much,
46 like caribou.

47

48 But I mean it's scary out there.

49

50 CHAIRMAN TOWARAK: Could I ask you

1 something, and with regard to the Regional Advisory
2 Council recommendation, it sounds like you're
3 counteracting the Staff's recommendation that we --
4 what it says here is that the -- while the Western
5 Arctic Caribou Herd population may have entered into
6 the preservative management table, a level on Table 1,
7 closure to public -- Federal public lands to non-
8 Federally-qualified subsistence users is not warranted
9 at this time and you're opposed to that?

10

11 MR. SHIEDT: Yes, and I'll tell you one
12 thing, the people, they all say we going to push out
13 the problem somewhere else, yet, the Natives that live
14 here in Kotz -- Anchorage, when they go up north to
15 harvest caribou they could hunt in the State land, NANA
16 land, and KIC land. That's the one that -- that --
17 couldn't understand when we make them understand the
18 people that we're complaining in our meetings, when we
19 explain it to them, I didn't hear nothing after that.
20 But we -- we want this -- hopefully this is going to
21 happen, it's only for one year, and I asked at
22 Buckland, if there's an emergency and we see numbers
23 coming back by July, we -- on the emergency order, can
24 we reopen it, they say the process for the Federal is
25 slow it'll take six weeks, yet, if we see that numbers
26 are coming back by July that we decide to lift this
27 proposal and say you could come in, that's six weeks,
28 that's -- they don't hunt until end of August anyhow,
29 for the transporters and outfitters and sporthunters.
30 That will give them a chance and we want to do it now
31 so the transporters, if they make appointments with
32 clients to come in, that's the time to cancel them,
33 they have contact they could call them back, because we
34 want this proposal to work and close just for one year
35 just see what happens. Because we're scared they going
36 to keep reducing and we won't have anything to eat.

37

38 CHAIRMAN TOWARAK: I'd still like to
39 know, your Council took a vote on it and it unanimously
40 passed.....

41

42 MR. SHIEDT: Yes. It unanimously
43 passed.

44

45 CHAIRMAN TOWARAK:to support.....

46

47 MR. SHIEDT: Yes.

48

49 CHAIRMAN TOWARAK:Special Action
50 Request 16-01?

1 MR. SHIEDT: Yes, it passed.

2

3 CHAIRMAN TOWARAK: Could -- could I ask
4 the Staff to explain how the Board could vote against
5 the wishes of the Regional Advisory Council?

6

7 MR. MCKEE: Well, I mean one of the
8 reasons that is stated is for principles of wild --
9 violating principles of wildlife management,
10 conservation of the resource as has been stated already
11 in the Staff analysis. When you're looking at a herd
12 of some 200, 230,000, whatever it is at that point, and
13 the request of this special action is talking about
14 eliminating a group of users that account for less than
15 five or 600 animals, there's -- there's question as to
16 whether -- in my mind, at least, I don't think that
17 getting rid of that five or 600 animals of harvest is
18 going to have any meaningful biological impact in the
19 herd in terms of increasing the numbers of the herd. I
20 just don't -- I don't see how it -- I don't see how
21 that is possible from a biological standpoint.

22

23 So from the biology I just don't think
24 eliminating this -- this small number of users out
25 there harvesting is going to have -- is going to help
26 the herd increase.

27

28 CHAIRMAN TOWARAK: With the concern of
29 not only the local users in Unit 23, and, you know, the
30 State's biologist saying that we're -- it's at a
31 preservation management level, could you suggest any
32 other solution to the problem other -- other than
33 eliminating non-Federal -- non-Federally-qualified
34 subsistence users?

35

36 MR. MCKEE: Well, I mean there's
37 certainly -- there are some administrative actions that
38 could be taken by the applicable land managers to close
39 specific areas. I know that in the analysis, although
40 we didn't mention it specifically at the joint
41 Northwest Arctic/North Slope Council meeting a member
42 from Noatak went into great detail about the effects
43 that concentrated numbers of hunters in and around
44 their area has caused, not only a safety hazard, but
45 also displacing users from their traditional hunting
46 grounds in and around that area. So just as one
47 example, and I'm just using it as an example because it
48 was something that was brought up specifically in the
49 last joint Council meeting, it would be possible for
50 the land manager to close down certain sections like

1 the area that I just mentioned, to help reduce the user
2 conflict as opposed to closing down all of Unit 23.

3

4 That's just one -- one example.

5

6 CHAIRMAN TOWARAK: Go ahead, did you
7 have a comment, Mr. Cribley.

8

9 MR. CRIBLEY: Well, what I'm hearing
10 and just reinforces what I've heard before, is it's not
11 so -- obviously we're having problems with population
12 in the Northwest Arctic Caribou Herd and -- or the
13 Western Arctic Caribou Herd and we're taking actions,
14 you know, in limiting harvest of subsistence users to
15 try to respond to that, but a lot what we're hearing
16 today is not so much numbers of animals harvested as it
17 is just conflicts, user conflicts. And one of the
18 problems that we have right now, and -- and Bureau of
19 Land Management is trying to deal with that, is,
20 essentially unregulated use by guide and outfitters and
21 transporters, from BLM's perspective, in the Squirrel
22 River area, where a lot of these conflicts are being
23 discussed. And we are in -- the Bureau of Land
24 Management has been in the process of trying to write a
25 management plan and make recommendations on limiting
26 that use to try to help better regulate the influence
27 of guide and outfitters and transporters in this
28 region. And I think, really, that's -- that is the
29 tact that we're taking right now to deal with this user
30 conflict. And I mean I -- we're not going to solve it
31 here today but it is -- we're on a track and -- and
32 we'll probably -- we will be issuing draft documents on
33 the management of that area very soon to try to deal
34 with this situation. I mean that's something else
35 that's going on to try to deal with this.

36

37 And also we have been in contact with
38 the Board of Game and their interest in working with us
39 on joint permitting in that -- on BLM and State lands
40 and trying to better manage the use up there as opposed
41 to what's happening right now. And I -- that's one way
42 to deal with this situation from a standpoint of user
43 conflict as opposed to a conservation issue. It's not
44 so much conservation as it is user conflict and just,
45 you know, concentration and unregulated use by
46 different user groups or permit -- or guide and
47 outfitters and transporters in this country -- in this
48 area. So it's another aspect or -- and it's something
49 that we're dealing with or looking at right now to try
50 to help better manage that and resolve some of these

1 issues.

2

3 But it doesn't -- like I say, it's just
4 additional information of what's going on and, really,
5 I -- I guess from my perspective really what the
6 situation is and I understand why this recommendation
7 came down and the frustration we've been hear -- I've
8 been hearing this since I've been in -- in Alaska, for
9 the last five years, and we just have not been
10 effective in following through on it and we're to the
11 point that we can now follow through on that and better
12 regulate it in the future. So that's -- that's one
13 other thing that's going on right now to deal with this
14 situation and maybe we can consider maybe some
15 deferment of taking this drastic of an action to see if
16 that won't work.

17

18 Or the other thing is, is the
19 recommendation by the Northwest RAC adds more emphasis
20 to the Bureau of Land Management for reasons for
21 managing this area and, you know, limiting the amount
22 of use and better managing the use in that area.

23

24 CHAIRMAN TOWARAK: My concern,
25 personally, is that something that Enoch pointed out is
26 that if you took the Teshekpuk numbers out then that
27 would bring the population estimates to about 160,000.

28

29 MR. SHIEDT: Yes.

30

31 CHAIRMAN TOWARAK: And it seems to me
32 that is reaching a level of concern. You know, it's
33 already a local concern but biologically it seems like
34 that would be a concern also.

35

36 You had something to say, Chris.

37

38 MR. MCKEE: I may have been mistaken of
39 what the member from the Northwest Arctic RAC was
40 talking about but the -- and Lisa can correct me
41 because -- if I'm incorrect, but I believe the estimate
42 for the Teshekpuk Herd is currently about 40,000
43 animals, somewhere around there, so we're not include
44 -- when we -- when we make a statement of 200, 230
45 [sic] animals, we're merely talking about the Western
46 Arctic Caribou Herd, not the combined estimate of both
47 the Western Arctic and Teshekpuk but perhaps the -- if
48 I'm -- if I'm not being fully correct on that, perhaps
49 the State can add some information to that as well.

50

1 CHAIRMAN TOWARAK: Go ahead, Enoch and
2 then Mr. Cribley.....

3
4 MR. SHIEDT: Yeah, I'm going to refer
5 back to when Jim Dau testified even at Kotzebue and
6 here that they put the numbers together for the
7 Teshekpuk Herd and the Western Arctic Caribou Herd and
8 to say something about your conservation, they -- the
9 other problem is transporters and outfitters are put
10 right in the path where caribou are migrating and they
11 change the route and we taking the reduction. Look
12 Northwest Alaska, we're not only crashing with caribou,
13 our sheep is no hunt at all because of what happened
14 from outsiders. And the moose is the same thing, it's
15 declining in high numbers. And we don't have much
16 other resources to take if we can't take any caribou.

17
18 They even tell me -- a transporter said
19 he will take people and drop them off right at the
20 mouth of Cutler. If you go by boat, and my boat go
21 about 44 mile -- 44 knots, it'll take me over two days
22 to get there, 12 hours a day, that's how far up they
23 take them and yet they divert them. And not -- not the
24 only one that go there, Noatak people with slower boats
25 take longer to get there and they're there changing the
26 migration route and they change -- keep changing it due
27 to the people that are -- the transporters and
28 outfitters, they change the route, it hurts us. They
29 make a big -- and when we didn't have transporters
30 before we never did have this issue before.

31
32 MR. MCKEE: I think what might be going
33 on here is that the Board of Game combined both herds
34 for reasons of determining amounts necessary for
35 subsistence. It wasn't a combined population estimate.
36 It was just the calculus that they used to come up with
37 that number. But, again, I'm sure the State could
38 provide more detailed more reasoning.

39
40 CHAIRMAN TOWARAK: You have a comment.

41
42 MS. MAAS: Oh, no, I was just going to
43 say the same thing just to clarify that it's not
44 population but harvestable surplus.

45
46 CHAIRMAN TOWARAK: Go ahead, let's hear
47 from the State.

48
49 MR. BUTLER: Thank you, Mr. Chair.
50 Yeah, our understanding is that the -- as OSM is saying

1 the two population estimates are separate so there's
2 between 200 and 230,000 caribou in the Western Arctic
3 Caribou Herd. Our most recent population estimate was
4 230,000. Our modeling estimate is 200,000. So we feel
5 reasonably comfortable that the population size for
6 that herd is between those two values. And the
7 Teshekpuk Caribou Herd was last estimated at 37,000
8 caribou in 2014. So those are separate. We agree that
9 because the herds do intermix that that may introduce
10 some confusion as to how we treat them. They're both
11 subject to harvest in Unit 26. There are overlapping
12 ANS issues associated with the population, people from
13 Barrow, for example, may harvest from both populations.
14 But -- so that may be part of what's influencing the
15 confusion. But we do treat those numbers as separate
16 and that's our understanding of the populations.

17

18 CHAIRMAN TOWARAK: Thank you. Go
19 ahead.

20

21 MR. FROST: I was just going to make a
22 comment that, you know, going back to the question you
23 asked, are there other things that could be done -- you
24 asked Chris the question, and I think that -- you know
25 we just spent all morning putting, you know, knocking
26 some limits down from 10 to five, you know, putting a
27 restriction on cows, the State's done something very
28 similar and we haven't had a chance to sort of see if
29 those things can take effect yet, so it's -- and it
30 seems to me, again, with sort of the -- you know,
31 haven't had a real opportunity to digest this, I went
32 back to my office and was going to read it and of
33 course that was the wrong thing to do because I just
34 got distracted, so -- so it might be prudent to -- like
35 Bud had suggested, maybe, is to, you know, is to table
36 this for right now and maybe let these new management
37 regimes take effect for at least a year to understand
38 the effect of those, you know, and bring this back up,
39 you know, after we have some additional information.

40

41 CHAIRMAN TOWARAK: I attended one of
42 the reindeer -- I mean the caribou meeting in Kotzebue
43 about four years, I think, maybe five years ago and
44 those concerns were then as big and maybe not as big as
45 now but it was a beginning then, five years ago, and
46 for the local people not to see any change in
47 management and the population continuing to drop, on
48 the other hand I've got a letter from the Secretary of
49 the Interior stating that our sole purpose should be to
50 protect subsistence users, and I feel that by not

1 listening to them, by not making any changes that we're
2 not really following our mandate as the Subsistence
3 Board.

4
5 There's other methods available, either
6 through the State or through some other Federal agency
7 to address the conflict, the user conflict portion of
8 it, but if -- if the message that's coming from the
9 Regional Advisory Council is that they're concerned
10 about the population and we're saying -- the Staff is
11 saying that it's not a biological concern, you know,
12 I've got a conflict with that and I'm going to maintain
13 what I've stated publicly before that I will vote the
14 way the Regional Advisory Councils want me to vote, I
15 think that's getting down to the people's level of
16 making the decision.

17
18 So I've got my mind set and I don't
19 know how everybody else is going to vote but I'd like
20 to at least put that on the table, is that, that's the
21 concern I have as a Board member.

22
23 We'll go to the two Chairs, go ahead,
24 Mr. Brower.

25
26 MR. H. BROWER: Thank you. Mr.
27 Chairman. Harry Brower for the record, Regional
28 Advisory Council Chair for the North Slope.

29
30 I wanted to state the action by the
31 North Slope Regional Advisory Council.

32
33 The motion was to support WSA16-01 and
34 passed unanimously, Mr. Chair.

35
36 I had a lengthy testimony earlier on
37 the previous proposal and some of that captures some
38 these discussions as well and some of these
39 compilations in these, I think, need to be better
40 understood by the Board as to how they were derived.

41
42 Mr. Chair. I think that would be
43 something of a learning concept for you all as to how
44 you perceive things and how people present information
45 such as this, it needs to be clearly understood. I
46 mean we raise concerns about why there needs to be a
47 separation from the two herds as to how the State,
48 board of Game, addressed the compilation of those herds
49 and how they should be managed. And it is a concern to
50 our users. And I state that, Mr. Chair, to help some

1 of the point of views that are being given. I don't
2 know if the -- if your Office of Subsistence Management
3 needs to go and do some anthropological work to verify
4 some of these comments.

5
6 You know, these are very serious issues
7 when you have people or children going to school hungry
8 because the resource was not made available to them, it
9 should have sent a message already, people are
10 starving, that's what my other counterpart, Mr. Brower,
11 has said, Gordon Brower, people are starving in our
12 communities.

13
14 You know, I'm not sure what else to add
15 for you to realize as a Board this is a very serious
16 matter.

17
18 Thank you.

19
20 CHAIRMAN TOWARAK: Enoch, did you --
21 yes.

22
23 MR. SHIEDT: I just wanted to add this,
24 it happened last summer, and I thank Kramer for this,
25 he closed a multi-billion dollar operation, Red Dog, a
26 couple days because there was so much noise activity,
27 I'm just using this comparison with an airplane, from
28 the trucks that going back and forth, caribous couldn't
29 cross that road, yet, he put his job on the line, our
30 corporation, he closed the road down and the caribou
31 crossed, and after they crossed, whether there's trucks
32 or there they cross again because the trail was made
33 already. That's what's happening with the planes that
34 are doing the same kind of noise they're doing as the
35 trucks. They start crossing once they cross.

36
37 CHAIRMAN TOWARAK: Thank you. We will
38 -- are there any questions from the Board.

39
40 (No comments)

41
42 CHAIRMAN TOWARAK: We will move on then
43 -- the Tribal, or Alaska Native Corporation comments.

44
45 MR. LIND: Good afternoon, Mr.
46 Chairman. Members of the Board. We did conduct tribal
47 consultation on February 26th, 2016, involved nine of
48 OSM Staff and we did -- tribes that were present during
49 the consultation were from Noorvik, Kobuk, Noatak,
50 Buckland, Kobuk IRA Council, Selawik, Kotzebue and

1 Point Hope.

2

3 Our wildlife biologist with OSM
4 clarified that Federal public lands in Unit 23 included
5 Selawik National Wildlife Refuge, Noatak National
6 Preserve, Kobuk Valley National Park, Gates of the
7 Arctic National Preserve and Bureau of Land Management
8 lands, including areas around Buckland and the Squirrel
9 River.

10

11 Federally-qualified subsistence users
12 for caribou in Unit 23 include residents of Unit 21,
13 23, 26A and most of Unit 24 and portions of 21D.

14

15 We also heard from BLM designee, Mr.
16 Sharp, stated that there could be some confusion
17 amongst hunters that know that lands that they are
18 hunting on -- or actually, to know what lands they are
19 hunting on given the scattered BLM lands.

20

21 Also a question asked by a tribal
22 member, was if the village member who came back could
23 hunt there, wildlife biologist replied that if
24 someone's permanent address is Anchorage or Fairbanks
25 they are non-Federally-qualified subsistence user,
26 however, State and private, corporate lands would be
27 available for Alaska residents to hunt on under State
28 hunting regulations.

29

30 It was brought up that outreach efforts
31 to tribes were discussed about the efficiency, Lind
32 stated OSM Staff strive to reach as many tribes as
33 possible before each consultation. OSM has no control
34 over what happens to the letters or emails once they
35 leave the office. Also OSM is connecting with Refuge
36 Information Technicians out in villages to assist in
37 notices out there.

38

39 There was also some discussion from
40 Kotzebue saying that most of the hunting occurs by boat
41 or fourwheelers. He was concerned that no one was
42 keeping track of persons not from there hunting by
43 boats and outside region -- from the outside region.

44

45 Frank from Noatak was concerned about
46 outside hunters and planes impacting caribou migrations
47 moving them away from traditional hunting grounds.

48

49 Hannah Loon from Selawik stated that
50 not everyone uses GPS to hunt caribou so don't know

1 where boundaries are located. Mentioned also that
2 climate changes are impacting caribou migration
3 patterns. She supports the temporary closure for one
4 year.

5
6 Another question was asked, would
7 sporthunters be able to hunt on corporate lands. Each
8 Corporation has different rules, so a phone call to
9 them would answer those questions.

10
11 Concerns were also raised about
12 enforcement. Questions included who would enforce the
13 special action request. Would people be cited if they
14 were hunting just over the boundary on Federal lands.
15 How would an officer know if someone was a local
16 resident or not. Those kind of questions were asked.

17
18 How to improve the outreach to rural
19 villages was discussed again, and, also using a -- a
20 suggestion using radios, VHS.

21
22 And most of the tribes had general
23 support for 16-01.

24
25 That concludes the summary, Mr. Chair.

26
27 CHAIRMAN TOWARAK: Thank you. Are
28 there any questions of Mr. Lind.

29
30 (No comments)

31
32 CHAIRMAN TOWARAK: Thank you, Mr. Lind.

33
34 I'm going to backtrack one step, I
35 forgot to include the Seward Peninsula Regional
36 Advisory Council's comments. So if you have records of
37 what the Council has said on this issue, let us know.

38
39 Thank you.

40
41 MS. DEATHERAGE: Thank you, Mr. Chair.
42 Members of the Board. This is Karen Deatherage,
43 Council Coordinator speaking on the record for the
44 Seward Peninsula Council.

45
46 The Council took -- deliberated on
47 WSA16-01 at their March 9th meeting. The Council voted
48 to oppose WSA16-01. The justification from the Council
49 included several items.

50

1 The first being that the harvest by
2 non-Federally-qualified users was negligible and,
3 therefore, would not have any impact on the
4 conservation of the herd.

5
6 The second item the Council brought up
7 was that the State had recently changed the non-
8 resident bag limit from five to one animal and they
9 wanted to allow time for that change to evolve.

10
11 The third item was that there were
12 concerns, as been stated before, that a closure on
13 Federal lands would transport these hunters onto State
14 lands and put more pressure on caribou found on State
15 lands, which, again, would not help conservation
16 efforts.

17
18 Thank you, very much, Mr. Chair.

19
20 CHAIRMAN TOWARAK: Thank you. Are
21 there any questions.

22
23 (No comments)

24
25 MR. REAKOFF: Mr. Chairman. This is
26 Jack Reakoff, Western Interior.

27
28 CHAIRMAN TOWARAK: Okay, Mr. Reakoff,
29 you've got the floor.

30
31 MR. REAKOFF: Western Interior Regional
32 Council took up this Special Action Request and voted
33 to defer it back to the region and took no action.

34
35 Thank you, Mr. Chair.

36
37 CHAIRMAN TOWARAK: Thank you, Mr.
38 Reakoff.

39
40 We will continue on then with the
41 Department of Fish and Game.

42
43 MR. BUTLER: Thank you, Mr. Chair. We
44 also oppose the Wildlife Special Action request.
45 Again, we agree with the OSM summary and believe that
46 it's not a biological concern, there's maybe social
47 issues involved with this.

48
49 But at this point we're still above the
50 population objectives. The population is declining but

1 as was mentioned, the non-Federally-qualified harvest
2 is a small percentage of the harvest, it's about five
3 percent. It's not driving the population in terms of
4 its trajectory and status.

5
6 The population is estimated to be
7 between 200 and 230,000. Adult cow mortality is about
8 average, calf recruitment into the population is about
9 average so, again, we do expect it to continue to
10 decline but we haven't attributed the decline to
11 harvest yet. We're trying to reduce State regulations
12 to address potential conservation concerns. We're
13 trying to modify State regulations to get a better
14 handle on harvest so that we can account for what
15 affect it may be having.

16
17 But at this point we really see no
18 biological or conservation reason to eliminate non-
19 Federally-qualified users.

20
21 We've seen bull to cow ratios get lower
22 than the prescribed 40 per 1,000 [sic], that's our
23 objective, it may be at 39 per 1,000 [sic] right now --
24 or 100 cows right now. The average caribou herd in the
25 state is managed for 25 cows -- or bulls per 100 cows,
26 so it's actually the highest bull to cow objective that
27 we have for the state. We've seen caribou bull to cow
28 ratios get much lower than that and it's had no effect
29 on the reproductive attributes of the population. We
30 set bull to cow ratios based on social values, people
31 want to see a certain number of bulls per 100 cows when
32 they're out in the field. So if you see 10 animals,
33 you may want to see four bulls in that group of 10
34 animals. But it's really a social objective, it's not
35 a biological objective that we're managing for.

36
37 So we feel that 39 bulls per cow,
38 certainly given the nature of the survey, which isn't
39 100 percent accurate, if you put a confidence interval
40 around that or the measure of uncertainty around that
41 we may well be above the objective, we may be meeting
42 the objective, 39 bulls per 100 cow is not a trigger
43 for management action. And, again, the level of
44 harvest is not -- by non-Federally-qualified users does
45 not trigger a management action either, in this case.

46
47 We think that if you close these
48 Federal public lands to non-Federally-qualified users
49 you're going to concentrate that effort on State lands,
50 where the majority of local users actually participate

1 in the hunt, which is going to increase the social
2 conflicts they're currently seeing in this area.
3 Particularly on the Noatak River and the Kobuk River,
4 where the majority of locals are currently hunting.
5 And that's going to be problematic. That's going to
6 create additional stress. We can try to address that
7 on the State side, if we have to, but we want you to
8 recognize that closing Federal lands is going to
9 increase social strife and conflict in this area, and
10 it may have a negligible affect on the total harvest
11 that actually occurs. Because our assumption is that
12 transporters will still continue to operate, there'll
13 still be other users that try to access the area, try
14 to harvest caribou from this population, so it'll
15 probably have a negligible effect on total harvest by
16 non-Federally-qualified hunters but it's going to
17 concentrate people and that's going to be problematic.

18

19 Thank you.

20

21 CHAIRMAN TOWARAK: Thank you. Are
22 there any questions of the State.

23

24 Go ahead.

25

26 MS. PENDLETON: So you've decreased
27 hunting on the State lands, the number of animals that
28 can be taken, and when did you do that?

29

30 MR. BUTLER: We're taking action
31 currently through the Board process to try to address
32 those issues. I think it's been mentioned that there
33 have been recent Board actions to try to address bag
34 limits for non-residents and so forth. And I think
35 you'll continue to see those proposals come forward
36 from the State side to try to, again, adjust this.
37 We're trying to come to a better understanding of what
38 harvest is contributing to the population status. We're
39 trying to monitor it better and we expect, you know, if
40 the herd continues on the current course, and, again,
41 we do expect to see decline going forward at the rate
42 it is, which isn't as rapid as it was in the past. I
43 think it was also pointed out that the trajectory of
44 the population has shallowed to some extent so we're
45 not seeing the rate of decline that we had in the past,
46 but as we continue to see that and as we get a better
47 understanding of harvest and its effects, we'll
48 continue to propose changes on the State side to
49 accommodate that and try to make sure that humans are
50 not driving herd status.

1 CHAIRMAN TOWARAK: Go ahead, Mr. Frost.

2

3 MR. FROST: So, Lem, the State's going
4 to do another count this spring/summer sometime.

5

6 MR. BUTLER: Through the Chair, that's
7 correct. We intended to do one in 2015 but were unable
8 to due to conditions, environmental conditions
9 prevented us from doing the count but we'll continue to
10 make our annual effort to enumerate the caribou
11 population and come up with more information as well as
12 doing composition surveys in the fall and continue to
13 collar and monitor survival and other statistics that
14 are important to us as wildlife managers.

15

16 MR. FROST: So once that field work is
17 done, how long does it take you to do the analysis,
18 assuming you get, you know, the conditions are right
19 and you get a good -- you know, you can actually do the
20 counting, how long does it take to get a number out?

21

22 MR. BUTLER: For the Western Arctic
23 Caribou Herd it takes several months. It's a large
24 caribou herd. We do it with a photo census, basically
25 we're taking pictures of groups and it just simply
26 takes man hours to go through all those photographs and
27 try to enumerate the population. We are moving to a
28 Ravane (ph) of trying to estimate the total population
29 size, which uses a combination of radio collars related
30 to groups and it's kind of a statistical process that
31 we're refining, our process, but it still,
32 unfortunately, takes, you know, time to develop the
33 photographs, which are still, you know, in the old form
34 -- we're trying to move to digital technology but
35 currently it takes about a month to get the film
36 processed, returned to the Staff and then it takes
37 several months to go through all the photos, so
38 generally I think about November or December -- we
39 count in July and it takes about until November or
40 December to probably come up with a population
41 estimate.

42

43 CHAIRMAN TOWARAK: Thank you. Any
44 further questions.

45

46 MR. SHIEDT: Yes.

47

48 CHAIRMAN TOWARAK: Enoch, did you have
49 a question.

50

1 MR. SHIEDT: Yeah, you said if,
2 concentration get lower, wait let me get this right.
3 If they take a reduction and they could only hunt in
4 the State land on some places, that would help the
5 enforcement to see what's going on out there in the
6 land and we will know how many caribou is being
7 harvested, because with the Federal land, they don't
8 have -- they have so much to cover that they -- they
9 have -- they can't see it all. Yet, if we reduce just
10 to State lands, they could see a lot more and they
11 could enforce it better and to see what the numbers are
12 out there, and, yet, the way I hear you, you're in
13 favor of the sporthunters and we need to have food on
14 the table and you're covering that -- because we need
15 to survive as Natives, it's our culture. And, yet, you
16 collect a lot of money through licensing and permitting
17 for the caribou and you hardly put any money in there
18 and the reason why I say that, four years I get a grant
19 to help for this aerial photo census, with a grant, to
20 help Jim Dau take these photos, that's why I know a
21 little about it. And they -- under your radio collar
22 for the State of Alaska and the satellite you could
23 guess how many caribou is out there, a rough estimate,
24 Jim Dau said he could figure it out, with what's out
25 there on radio collar and satellite can you tell me how
26 many numbers of caribou is out there for the Western
27 Arctic Caribou, not counting the Teshekpuk Herd.

28
29 MR. BUTLER: Through the Chair. I've
30 been recently attributed to the biggest loss in revenue
31 for the State in terms of management for the Nelchina
32 Herd. We made decisions to consolidate hunting efforts
33 and -- which resulted in a reduction of revenue for the
34 State, so what drives our decisions is not revenue by
35 any means, it's trying to conserve the population. And
36 our goal is to provide long-term stability of harvest
37 for resource users, which includes all the local users
38 and that's our goal. We're not trying to do anything
39 that would be counter-productive. We really are -- our
40 interest is providing subsistence opportunity, that's
41 one of our State mandates, it's in our Constitution,
42 it's in our Legislation, so that's what we're trying to
43 do, and that's where our recommendations come from,
44 it's not in some interest in outside hunters or non-
45 local revenue.

46
47 We do the best job we can to collar,
48 identify caribou associated with herds and attribute
49 numbers to specific populations so that we can evaluate
50 their population, evaluate their status, evaluate the

1 effects of harvest on those populations. And, again,
2 that's -- what we're doing on the State side is
3 introducing proposals to the Board of Game to better
4 evaluate and monitor the harvest so that we can
5 evaluate the effect on the population ultimately.

6
7 Our law enforcement efforts, while they
8 would be concentrated on State lands, I agree with
9 that, which may expedite some of that process,
10 unfortunately our law enforcement efforts don't
11 quantify harvest. They're looking for violations.
12 They're contacting hunters but it's not a direct
13 measure of the number of users or the number of animals
14 that are collected by those users. So we don't get
15 enough information from that process to manage the
16 population.

17
18 And, again, what we think is going to
19 happen is that what you're going to see is not a
20 reduction in harvest, you're going to see an increase
21 in user conflicts, which we feel would be detrimental
22 to the local resource users who are often limited in
23 terms of their access to certain areas. They more
24 typically use boats or ground transportation, whereas
25 the non-local hunters are more commonly using aircraft,
26 flying out, distributing themselves throughout a
27 greater area and accessing the population from -- in a
28 different manner, which, again, typically results in a
29 better quality of hunt for local subsistence resource
30 users as well as the people who are paying money to fly
31 out to other areas.

32
33 So we don't see the advantage or the
34 utility of closing the area to non-local hunters. And
35 to the extent that we give up revenue for the State,
36 we're fine with that. That's, again, not even a
37 consideration for us as to what it might result in.

38
39 CHAIRMAN TOWARAK: Thank you, for the
40 information. But I'd like to keep us moving on -- did
41 you have a comment, go ahead.

42
43 MS. CLARK: I have a question for Lem.
44 I'm looking at the herd management levels in this table
45 and what I heard Enoch say is that in the conversation
46 with Mr. Dau that it fell between conservative and
47 preservative and the 200 to 240 range, that was sort of
48 where the population lands, so given the changes that
49 the Board of Game made this time, if the population was
50 to show a decrease in your next survey, would then the

1 expectation be that the Board would close to non-
2 residents, the Board of Game would close to non-
3 residents?

4

5 MR. BUTLER: Through the Chair. We'll
6 continue to reduce opportunity. Through the State
7 process the Board sets an amount necessary for
8 subsistence, ANS, associated with the population. When
9 the population harvest potential drops below the upper
10 end of that ANS we restrict non-resident opportunity,
11 and we're currently trying to figure out where we are
12 relative to that arena. But that would be the first --
13 one of the first steps that the State would take to
14 reduce harvest opportunity, but we're open to other
15 possibilities. We're currently considering submitting
16 an agenda change request, potentially, for the next
17 Board cycle, which, again, addresses Region 5 to
18 influence seasons and bag limits. And so we're going
19 to continue to evaluate, monitor as we get new
20 information. It hasn't been triggered yet because,
21 again, our last population estimate was 230,000, we're
22 still -- in terms of our harvest we're still above the
23 amount necessary for subsistence as far as the Board of
24 Game is concerned, so it hasn't quite reached that
25 level.

26

27 But those -- but, definitely, yes,
28 those are things that we're going to do.

29

30 And, we're going to continue to work
31 with the Western Arctic Caribou Working Group. We
32 asked them on a regular basis, we give them updates as
33 to where the population status is, we ask them for
34 proposals to the Board of Game to make the adjustments
35 that that group feels necessary, and, again, they have
36 a very large local representation. So we are getting
37 as much information as we can from local communities
38 and we're taking it seriously, the process. We're --
39 our full intention, again, is to conserve this
40 population and provide long-term stable harvest to the
41 extent that we can. Recognizing that populations are
42 influenced by a variety of factors, it's never one
43 factor, it's never just human harvest, it's never just
44 predation, it's never just climate, it's never just,
45 you know, a bad weather event, there's always multiple
46 factors associated with it, and those factors may vary
47 annually. I mean it's not always even the same from
48 year to year for any given population, so we'll
49 continue to respond as best we can to the nature of
50 change that's associated with population management.

1 CHAIRMAN TOWARAK: Any further
2 questions.

3
4 MR. SHIEDT: One last thing.

5
6 CHAIRMAN TOWARAK: Go ahead.

7
8 MR. SHIEDT: The other reason we
9 thought of this, like the sheep, when we tried to tell
10 the State ahead of time on the sheep that they were
11 crashing and they were declining in numbers, because we
12 are the eyes of the north, we see our land, we see our
13 resources, when the sheep was crashing, seven years ago
14 we tried to tell the State that the sheep is going to
15 crash; now we're seeing the same thing on caribou,
16 we're trying to tell the State they're crashing, we
17 need to do something before they crash. That way our
18 resource will rebound a lot faster.

19
20 CHAIRMAN TOWARAK: Thank you for those
21 comments.

22
23 And, here, again, before it gets too
24 late I'd like to -- okay, I'd like to finish this
25 process as we go down the list here.

26
27 We've got the ISC comments.

28
29 MS. HOWARD: Thank you, Mr. Chair. The
30 InterAgency Staff Committee comments on Wildlife
31 Special Action 16-01 are as follows:

32
33 The recommendations of the affected
34 Regional Advisory Councils are not in agreement for
35 Special Action Request WSA16-01. In a joint session
36 during the March 2016 meeting of all the Regional
37 Councils, the Northwest Arctic and the North Slope
38 Councils supported WSA16-01 stating the request is
39 necessary to prevent the population crash of the
40 Western Arctic Caribou Herd and to help local people
41 meet their subsistence needs.

42
43 Both Councils at the joint session
44 noted that villages have been affected by low caribou
45 harvest due to the declining caribou population,
46 aircraft disturbance and conflicts with local users.

47
48 However, the Seward Peninsula Council
49 opposed WSA16-01 due to a lack of conservation concern.
50

1 And, the Western Interior Council took
2 no action deferring to the Unit 23 home Councils.

3
4 So for the ISC, the InterAgency Staff
5 Committee is concerned that there may not be
6 substantial evidence in the record to support a closure
7 to non-Federally-qualified users for the conservation
8 of healthy populations of caribou or to continue
9 subsistence uses of the caribou population.

10
11 However, the ISC also concurs with the
12 Northwest Arctic Regional Advisory Council that
13 obtaining more current data on health and abundance of
14 the caribou population will be critical for the
15 management of this important subsistence species.

16
17 Thank you.

18
19 CHAIRMAN TOWARAK: I'm still confused
20 on how deductions could be made that outside, or non-
21 subsistence users do not affect the biological survival
22 of the caribou herd. And that's basically what you're
23 saying, the same thing that the OSM analysis showed and
24 basically what we're hearing from the Staff is that
25 there's no biological reason for being concerned about
26 the dwindling of the population and there's no
27 biological reason to believe that.

28
29 MS. HOWARD: There was a great deal of
30 discussion within the InterAgency Staff Committee on
31 this very topic.

32
33 And because there are conflicting
34 recommendations from the affected Regional Advisory
35 Council, that weighed a lot on how to best move
36 forward. On one hand we do agree with the OSM
37 conclusion that there may not be enough evidence to
38 constitute a closure to non-Federally-qualified users,
39 but also realize that this is a critical herd and that
40 more information needs to be found.

41
42 So we're kind of -- for this, we're
43 kind of taking the middle ground.

44
45 CHAIRMAN TOWARAK: I don't think it's a
46 middle ground. But I've got my interpretations of what
47 you just said, but it could be said both ways, in
48 support of the special request or in opposition to the
49 special request based on no information.

50

1 MS. HOWARD: So since this Special
2 Action request is being brought forward, this is kind
3 of a different process than what we're used to, and so
4 the ISC did not put forward a recommendation either
5 way, Mr. Chair, we just wanted to comment and point out
6 the things that seemed obvious for the ISC, for each
7 Board member to consider, and so we don't have a
8 recommendation either way.

9
10 CHAIRMAN TOWARAK: Okay, thank you for
11 your information.

12
13 Are there any questions of the ISC.

14
15 (No comments)

16
17 CHAIRMAN TOWARAK: Not hearing any then
18 we'll have the Board discussion with the Council Chairs
19 and the State liaison if there's any more further
20 questions.

21
22 (No comments)

23
24 CHAIRMAN TOWARAK: We're ready then for
25 Item No. 9, the Federal Subsistence Board action.

26
27 MR. CHRISTIANSON: I make a motion that
28 we pass WP06 [sic] and support the Regional Advisory
29 Council as stated. We're here to give deference to the
30 people and the rural Alaskans and my position here is
31 to represent the Regional Advisory Council and their
32 interest, and especially when there's limited
33 information and a fine line, it seems critical we do
34 something, and not nothing. And so I'm with you, Tim,
35 Mr. Chairman, that I think we should listen -- the most
36 important resource is the human resource, that's why
37 they said we're mandated here to give deference to the
38 Regional Advisory Council, especially when there's a
39 fine line we're walking on.

40
41 So I would like to make a motion that
42 we take the temporary special action request WSA16-01
43 recommendation from the Regional Advisory Council.

44
45 MR. C. BROWER: Second.

46
47 CHAIRMAN TOWARAK: You heard the motion
48 and the second. Any further discussion.

49
50 Go ahead.

1 MR. FROST: I would just like to maybe
2 make a comment for the record and because I'm new to
3 this process, I don't know what the next step might be.

4
5 But I would just say that the
6 discussion here has been very interesting but I guess I
7 would -- and I understand the motion, but I think that
8 the notion that nothing has been done is a bit of a
9 misnomer, I think there's been a lot been done. Again,
10 like I said earlier, the State has made restrictions,
11 we spent all morning this morning making restrictions.
12 The State has numbers from a few years ago that show
13 that it's not in the critical area, they've done
14 additional modeling that continues to support that.

15
16 So I don't -- so the fact that nothing
17 has been done, I think, is a bit of a misnomer.

18
19 So I think that in order to -- well --
20 so I don't know how to move forward, I would make maybe
21 a counter motion, and I don't know if that's
22 appropriate or not, but to table this, so that it's not
23 -- so it doesn't go away, but maybe table it and wait
24 until we see the new numbers from the State. And once
25 the new numbers come out then we could resurrect this
26 special action and if we need to take a -- you know, go
27 ahead and move on that then we could in a fairly quick
28 manner.

29
30 But at the levels that we hear now it
31 seems like additional restrictions aren't necessarily
32 prudent right at this moment.

33
34 CHAIRMAN TOWARAK: That is completely
35 contrary to what the Regional Councils are saying
36 though. And I personally am not going to vote against
37 the Regional Council.

38
39 MR. CHRISTIANSON: And I didn't mean to
40 make the assumption that nothing was done.

41
42 I think the point I'm making is, is the
43 Regional Advisory Council is stating unanimously the
44 needs of the people in that region are not being met,
45 period, of what the factors are, whether they're
46 biological, whether they're human, whether they're
47 transporters, whether it's reduction in numbers,
48 something in the region is causing the users in that
49 region not to meet their needs to fill the demands of
50 the family, the people in their communities and they

1 voted unanimously as a group to get this special action
2 passed by this Board.

3
4 Whatever the factors are, the bottom
5 line is, is they are not getting their needs regardless
6 of what the factors are.

7
8 This Board is here it make sure the
9 rural residents of Alaska meet their needs for food,
10 period. Whatever other factors you want to put on the
11 table, we have to digest them, we have to come up with
12 solutions, we have to plan, we have to make
13 adjustments. But the bottom line of this Board and its
14 mandate is to ensure that rural Alaskans eat what they
15 want to eat and maintain a priority on the landscape.

16
17 CHAIRMAN TOWARAK: Further discussion.

18
19 Go ahead.

20
21 MR. LORD: Mr. Chair. As a matter of
22 process, the Board cannot table a special action
23 request. A special action is a short duration action
24 to be taken by the Board, you can't put it off for a
25 year. A regular proposal you could do that, but not a
26 special action.

27
28 CHAIRMAN TOWARAK: Go ahead.

29
30 MS. CLARK: I'm going to -- I intend to
31 oppose and I'd like to provide my justification.

32
33 I agree with the Northwest Arctic
34 Council that obtaining current population data is
35 important, but based on the analysis by OSM and another
36 discussion there does not appear to be substantial
37 evidence that the closure is necessary to conserve
38 healthy population or to continued subsistence uses.

39
40 CHAIRMAN TOWARAK: Mr. Cribley.

41
42 MR. CRIBLEY: Well, I -- there's no
43 question that there is a problem and a conflict in this
44 area and the problem that I'm having right now is that
45 the solution that -- or the solution that's being put
46 on the table I don't think is addressing what that
47 problem is directly. And I think if we follow through
48 with this, it's not going to make -- because of the
49 harvest, the non-subsistence harvest being a small
50 portion of the overall harvest and the fact that there

1 will still be harvesting taking place and competition
2 and conflict occurring because continued hunting on
3 both State and private lands in this area, that we're
4 not going to -- this will make -- I guess my feeling is
5 will not make a significant change or make things
6 better for the subsistence users in this area.

7

8 And I think the problem needs to be
9 dealt with more from a social standpoint, and part of
10 -- as I've said previously, that part of that burden
11 falls upon the Bureau of Land Management to follow
12 through on managing subsistence use on public lands,
13 which is only a piece of that pie. So I don't see that
14 what we're doing here is really going to meet the
15 biological needs or the biological problems that are
16 being identified for this area and, I guess, makes it
17 very difficult for me to support this amend -- or this
18 special action that is in front of us right now.

19

20 I do know that we need to deal with
21 this issue but I don't -- I don't feel that this is the
22 way, the best way to do it, and in some ways it may
23 make the situation -- the social problems worse than
24 what they are right now, because of the conflicts and
25 the perceived conflicts between the different user
26 groups out there and there's a better way to approach
27 this than the approach that we're taking right now.

28

29 CHAIRMAN TOWARAK: Any further
30 comments.

31

32 (No comments)

33

34 CHAIRMAN TOWARAK: I'm going to make
35 one last one regarding my decision to support the
36 motion, is that, the Regional Councils were even
37 willing to go more conservative than what the State has
38 proposed in earlier actions, and that to me shows a
39 reflection of their desire to conserve the resource.
40 And I think that plays a big role in my decision to
41 support 16-01. And if -- I think the pressure should
42 be on the Staff and everyone else to prove that
43 otherwise. With making blanket statements that it's
44 not a biological concern confuses me, espec -- on this
45 issue.

46

47 So I just want that to be on record of
48 why I am supporting the Regional Council's desire to
49 pass 16-01.

50

1 Any further comments.
2
3 (No comments)
4
5 CHAIRMAN TOWARAK: There's a motion on
6 the floor, it's been seconded. Is there a call for the
7 question.
8
9 MR. C. BROWER: Question.
10
11 MS. PENDLETON: Call for the question.
12
13 CHAIRMAN TOWARAK: Question's been
14 called for and since this is a divisive issue I'd like
15 to have a roll call, please.
16
17 MR. PELTOLA: Okay, Mr. Chair.
18
19 Roll call vote.
20
21 Bureau of Land Management.
22
23 MR. CRIBLEY: Opposed.
24
25 MR. PELTOLA: National Park Service.
26
27 MR. FROST: Oppose.
28
29 MR. PELTOLA: US Fish and Wildlife
30 Service.
31
32 MS. CLARK: Opposed.
33
34 MR. PELTOLA: Public member Brower.
35
36 MR. C. BROWER: Yes.
37
38 MR. PELTOLA: Public member
39 Christianson.
40
41 MR. CHRISTIANSON: Yes.
42
43 MR. PELTOLA: Bureau of Indian Affairs.
44
45 MR. LOUDERMILK: Yes.
46
47 MR. PELTOLA: US Forest Service.
48
49 MS. PENDLETON: Yes.
50

1 MR. PELTOLA: Excuse me?

2

3 MS. PENDLETON: Yes.

4

5 MR. PELTOLA: Mr. Chair.

6

7 CHAIRMAN TOWARAK: Yes.

8

9 MR. PELTOLA: Motion passes,

10 five/three.

11

12 CHAIRMAN TOWARAK: Thank you. And I
13 realize that this was a very strong message, I think,
14 that we did today but I also agree with some of the
15 statements that you've made, that we need to monitor
16 and get biological information that will help us make
17 solid rules. I have seen agencies, both from the State
18 and the Federal government, myself included, of relying
19 on biological reasons for making our decisions. And if
20 we are going to make our decisions based on biological
21 reasons, I think we need the information, and I'll
22 challenge the Staff to find that information next time
23 we come up with another issue like this.

24

25 We have been going for quite awhile,
26 when I get back -- it's five after 4:00, at 4:15 I'd
27 like to reconvene, I need to make a decision on how
28 much longer we're going to go and if we're going to
29 defer some of these actions that we need to take until
30 tomorrow -- we're going to need to have someone find --
31 or I had requested an election of a Vice Chair, I'd
32 like to do that before we leave tonight, whether we
33 leave at 5:00 o'clock or whether we leave at 9:00
34 o'clock, just depending on whether or not we're going
35 to have to meet tomorrow.

36

37 So let's take a 10 minute break and
38 then come back and discuss our next line of work.

39

40 (Off record)

41

42 (On record)

43

44 CHAIRMAN TOWARAK: I'd like to
45 reconvene the meeting.

46

47 (Pause)

48

49 CHAIRMAN TOWARAK: Go ahead, Gene.

50

1 MR. PELTOLA: Mr. Chair. If I may, in
2 regard to the WSA16-01 we just passed, when it came to
3 Regional Advisory Council comments, I'd just like to
4 clarify for the record that there were two in support,
5 one in opposition and one that deferred to the home
6 region.

7
8 CHAIRMAN TOWARAK: Okay. That doesn't
9 change the vote though.

10
11 We will proceed then with WP16-10a,
12 revise the customary and traditional use determination,
13 and these are all the Southcentral region's proposals
14 that we're going to go through. They go through 16-20
15 -- so there's six of them. The first one, we'll ask
16 the Staff to give your analysis.

17
18 MS. INGLES: Good afternoon, Mr. Chair
19 and Board members. My name is Palma Ingles, I work for
20 the Office of Subsistence Management, and this is Milo
21 Burcham. I'm covering 10a, WP16-10a, and Milo will be
22 covering WP16-10b.

23
24 Proposal WP16-10a was submitted by Andy
25 McLaughlin of Chenega Bay and it requests that rural
26 residents of Unit 6D be included in the customary and
27 traditional use determination for moose in Unit 6D.

28
29 Residents of Chenega Bay and Tatitlek
30 have historically harvested moose in areas such as the
31 Kings Bay drainage area in Unit 7, or in the Copper
32 River Delta near Cordova, and in the Low River drainage
33 outside of Federal public lands in Unit 6D. A positive
34 customary and traditional use determination for moose
35 in Unit 6D and an established Federal open season would
36 allow rural residents of 6D to harvest moose when the
37 population increases.

38
39 In 2014 the Board adopted Proposal
40 WP14-10 establishing a customary and traditional use
41 determination for moose in the Kings Bay drainage
42 portion of Unit 7 for the residents of Chenega Bay and
43 Tatitlek recognizing their traditional use of moose in
44 this area. The Board adopted Proposal WP14-11
45 establishing a limited moose hunt of one bull per
46 community for Chenega Bay and Tatitlek every four
47 years.

48
49 Moose were introduced into the Copper
50 River Delta and the numbers of moose documented in Unit

1 6D has been relatively low over the years, however, the
2 customary and traditional uses of moose by residents of
3 Chenega Bay and Tatitlek have already been recognized
4 by the Board and also through ethnographic accounts,
5 although, most of these were harvested outside of Unit
6 6D.

7
8 Although the moose population in this
9 area is low now, if the Board were to adopt this
10 proposal, residents of Unit 6D would have a customary
11 and traditional use determination already in place in
12 the event that the moose population increases to allow
13 for a Federal hunt. If adopted, this proposal will
14 have no effect on the moose population because,
15 although, it will recognize customary and traditional
16 use for the communities in this area, in Unit 6D, there
17 would be no Federal hunt for moose in Unit 6D under the
18 current regulations.

19
20 So the OSM conclusion was to support
21 Proposal WP16-10a. And the justification for that is
22 if the Board is to adopt this proposal, residents of
23 Unit 6D would be included in a positive customary and
24 traditional use determination for moose in Unit 6D and
25 would have the opportunity to harvest moose if the unit
26 -- in the unit if the open season is established in the
27 future.

28
29 Thank you, Mr. Chair.

30
31 CHAIRMAN TOWARAK: Thank you. Are
32 there any questions of the Staff.

33
34 (No comments)

35
36 CHAIRMAN TOWARAK: Thank you. We will
37 go to the summary of public comments from the Regional
38 Council Coordinator.

39
40 MR. MIKE: Thank you, Mr. Chair.
41 Donald Mike, Council Coordinator.

42
43 There are no written public comments on
44 this proposal.

45
46 Thank you.

47
48 CHAIRMAN TOWARAK: Thank you. The
49 floor is open then for public testimony. Is there
50 anyone.

1 (No comments)
2
3 CHAIRMAN TOWARAK: Is there anyone on
4 line that would like to make any public comments on
5 WP16-10a.
6
7 OPERATOR: I have no participants.
8
9 CHAIRMAN TOWARAK: Thank you. We'll go
10 to the Regional Council recommendation.
11
12 MR. ENCELEWSKI: Through the Chair.
13 Greg Encelewski, Southcentral Regional Chair.
14
15 We supported this proposal, 16-10a.
16 The Council heard the testimony and historically moose
17 have been there and we had good debate on it and we had
18 the proponent and past history on it and so we
19 supported it unanimously.
20
21 CHAIRMAN TOWARAK: Thank you. Are
22 there any questions of the Chair.
23
24 (No comments)
25
26 CHAIRMAN TOWARAK: Not hearing any then
27 we will go to the Tribal, or Alaska Native Corporation
28 comments.
29
30 Mr. Lind.
31
32 MR. LIND: Mr. Chair. Board members.
33 Orville Lind. There are no comments.
34
35 CHAIRMAN TOWARAK: I'm sorry, I didn't
36 have my -- the Department of Fish and Game.
37
38 MR. BUTLER: Thank you, Mr. Chair.
39 We're actually opposed to this proposal.
40
41 There isn't an established moose
42 population in the area. Moose may periodically wander
43 into the location but, again, they don't reside there.
44 And it's my understanding that the only place where
45 moose do more frequently occur is State land where we
46 do have a limited opportunity, but the Federal land in
47 6D does not have that same -- similar situation. I was
48 informed that there was a survey that was attempted to
49 be done that included the Federal lands and no moose
50 were observed in the area so opening a hunt in an area

1 that a moose population hasn't been established is
2 probably not in the best interest of trying to see any
3 change in that in the future. It would purely be
4 opportunistic, I guess, if it were offered, but it
5 would be contrary to try to expand subsistence
6 opportunity.

7

8 CHAIRMAN TOWARAK: Thank you. Are
9 there any questions of the State.

10

11 (No comments)

12

13 CHAIRMAN TOWARAK: Thank you. We will
14 then move on to the InterAgency Staff Committee
15 comments.

16

17 MS. HOWARD: Thank you, Mr. Chair. In
18 addition to the standard comments from the InterAgency
19 Staff Committee, the committee noted that while Unit 6D
20 contains a significant amount of Federal public lands
21 around Prince William Sound, none currently support a
22 resident moose population nor provide significant moose
23 habitat. However, an estimated 99 percent of the
24 reported moose harvested in Unit 6D are known to have
25 been taken on State managed lands along the Richardson
26 Highway and the far eastern end of Hinchinbrook Island.
27 Residents of Unit 6D have a demonstrated history of
28 using the moose.

29

30 And that concludes the comments from
31 the ISC on this proposal.

32

33 Thank you.

34

35 CHAIRMAN TOWARAK: Thank you. Are
36 there any questions.

37

38 (No comments)

39

40 CHAIRMAN TOWARAK: If not then we'll
41 move to Board discussion with the Council Chairs and
42 the State liaison.

43

44 (No comments)

45

46 CHAIRMAN TOWARAK: If there aren't any
47 then we're down to the Federal Subsistence Board
48 action. The floor is open for action.

49

50 MS. PENDLETON: I would be prepared to

1 make a motion to adopt Proposal WP16-10a, that requests
2 that rural residents of Unit 6D be included in the
3 customary and traditional use determination for moose
4 in Unit 6D.

5
6 This proposal is shown on Page 486, 485
7 of the Board book and following a second I'll provide
8 my rationale for why I support the proposal.

9
10 MR. LOUDERMILK: Second.

11
12 CHAIRMAN TOWARAK: It was seconded by
13 the BIA.

14
15 Go ahead.

16
17 MS. PENDLETON: My rationale for
18 supporting the proposal is the following:

19
20 The proposal is consistent with the
21 recommendations of the Southcentral Subsistence
22 Regional Advisory Council. And whether or not a
23 community receives a customary and traditional use
24 determination is only contingent on fulfilling a past
25 history of harvest in that area. It is not contingent
26 on whether or not there are enough of the resources for
27 Federally-qualified subsistence users to harvest a
28 resource currently or what the affects on the resources
29 are.

30
31 Residents of Unit 6D have shown a
32 history of traditional use of moose harvested in Unit
33 6D. If the Board were to adopt this proposal,
34 residents of Unit 6D would be given a positive C&T use
35 determination for moose in Unit 6D and would have the
36 opportunity to harvest moose in the unit if an open
37 season is established in the future.

38
39 I found that these were compelling
40 reasons to support Proposal WP16-10a.

41
42 Thank you.

43
44 CHAIRMAN TOWARAK: Thank you. Any
45 further discussion.

46
47 Go ahead.

48
49 MR. LORD: Just one point, Mr. Chair,
50 that I don't think was raised here. Currently there is

1 no C&T determination, which means that if there is ever
2 a harvestable surplus of moose in 6D it would be open
3 to all rural residents. So all we're doing is
4 narrowing down the pool in the event that should ever
5 happen.

6

7 CHAIRMAN TOWARAK: Go ahead, Sue.

8

9 MS. ENTSMINGER: I thought no Federal
10 subsistence priority means there is no priority, not
11 that it's all rural residents.

12

13 MR. LORD: It means the Board has never
14 acted on making a C&T one way or the other, and in that
15 situation all rural residents are eligible.

16

17 CHAIRMAN TOWARAK: Did you have a
18 comment, Jennifer.

19

20 MS. HARDIN: For the record my name is
21 Jennifer Hardin. I'm the Anthropology Division Chief
22 for the Office of Subsistence Management. My
23 understanding is that this customary and traditional
24 use determination was adopted from the State in 1992
25 and it came over to the Program as no Federal
26 subsistence priority.

27

28 CHAIRMAN TOWARAK: I assume that the
29 difference between you two will be worked out if it
30 creates a situation that we -- if it would change our
31 vote please let us know.

32

33 Any further discussions.

34

35 (No comments)

36

37 CHAIRMAN TOWARAK: The floor is open
38 for the call of the question.

39

40 MR. CHRISTIANSON: Question.

41

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

44

45 IN UNISON: Aye.

46

47 CHAIRMAN TOWARAK: Any opposed, say
48 nay.

49

50 (No opposing votes)

1 CHAIRMAN TOWARAK: Motion passes
2 unanimously.

3
4 We will move on then to 16-10b.

5
6 MR. BURCHAM: Hello. My name's Milo
7 Burcham from the Chugach National Forest. I'm here to
8 represent Proposal WP16-10b, that requests that a
9 September 1st to December 31st season be established in
10 Unit 6D for the harvest of one bull moose, and that
11 this will only be considered if the Board adopts 16-
12 10a, which it just did, and that brings us to this
13 point.

14
15 The proponent states that rural
16 residents have traditionally harvested moose in the
17 winter and early spring months. Residents of Chenega
18 Bay and Tatitlek have historically harvested moose in
19 areas such as Kings Bay drainage area in Unit 7, which
20 is adjacent to this unit, or on the Copper River Delta
21 near Cordova and in the Low River drainage outside of
22 Federal public lands near Valdez.

23
24 While moose populations in Prince
25 William Sound are limited by available habitat, a
26 positive C&T use determination for moose in Unit 6D and
27 an established Federal open season would allow rural
28 residents in 6D to harvest moose when the population
29 increases.

30
31 The Alaska Department of Fish and Game
32 has managed a hunt for any bull moose in Unit 6D with
33 season dates running from September 1st through
34 September 30th for over 20 years. Both Alaska
35 residents and non-residents are eligible and there is
36 no Federal hunt for moose or customary C&T for moose in
37 Unit 6D until just now.

38
39 The moose population in most of Unit 6
40 were originally relocated from other areas of Alaska in
41 the 1940s and '50s. When they were released on the
42 Copper River Delta in Unit 6C and expanded mostly
43 eastward in subsequent years. The only moose endemic
44 to Unit 6D are a small population in the Low River
45 drainage near Valdez numbering about 40 animals
46 occurring on non-Federal lands. No formal moose
47 surveys have been conducted in Unit 6D, which
48 encompasses Prince William Sound. Most of Unit 6D
49 consists of habitat largely unsuitable for moose with
50 deep fjords and mountainous shorelines. The vegetation

1 is mostly forested with muskeg meadows and few areas of
2 extensive willow brows, snow depths can be extreme,
3 especially in the western and northern portions of
4 Prince William Sound. The moose population segment
5 that regularly provides some harvest opportunity in
6 Unit 6D, under the State season, occurs within the Low
7 River drainage at the north end of Unit 6D near Valdez.
8 The Low River area likely receives moose from adjacent
9 Unit 13 to the north and because of severe winters and
10 often extreme snow depths supports only a small number
11 of moose.

12

13 Near Cordova, to the east of Unit 6D,
14 in Unit 6C, a thriving moose population occurs that
15 originated from released orphan moose calves in the
16 '40s and '50s. This population is currently at an all
17 time high and is likely the source of the occasional
18 reports of moose on the far eastern tip of Hinchinbrook
19 Island in Unit 6D.

20

21 The Kings Bay portion of Unit 7, which
22 is adjacent to this unit to the west has a small moose
23 population -- has had a small moose population for many
24 years. Some moose from the Kings Bay population have
25 undoubtedly strayed into Unit 6D. Narrow riparian
26 areas along the Kings and Nellywan Rivers result in
27 little moose habitat in the Kings Bay area and moose
28 surveys conducted in this area have resulted in a
29 declining -- have resulted in declining counts from 20
30 to five moose between 1997 and 2006. And the Forest
31 Service contracted Fish and Game to conduct a survey in
32 this area in 2014 and during that survey no moose or
33 moose sign was observed.

34

35 The harvest history. An average of 2.5
36 moose per year are taken in Unit 6D -- have been taken
37 in Unit 6D since 1983. Of the 81 moose reported
38 harvested in 6D during this period, and that's from
39 over 30 years, 90 percent were taken in the Low River
40 drainage near Valdez, where there's no Federal public
41 lands. Approximately 10 percent have come from that
42 very eastern tip of Hinchinbrook Island near Cordova.
43 And the majority of these coming from non-Federal lands
44 on the eastern end of Hinchinbrook Island. No harvest
45 has been reported from that western portion of Unit 6D
46 near Kings Bay.

47

48 The effects of the proposal. If this
49 proposal is adopted it would establish a moose season
50 in 6D from September 1st to December 31st with a

1 harvest limit of one bull moose. There is little moose
2 habitat in 6D and no viable moose populations. The
3 portion of Unit 6D, which is adjacent to Kings Bay area
4 of Unit 7, the closest area within Unit 6D to where the
5 proponent lives that might support a moose population,
6 the most recent survey of this area revealed no moose
7 or moose sign in this area in 2014, likewise the
8 population has been -- likewise the population in that
9 -- from that area that had been counted in that area
10 prior to 2014 had been deemed too small to support any
11 harvest and as a result harvest has been closed both in
12 State and Federal regulations. The extension of the
13 moose season in Unit 6D could lead to harvest of moose
14 adjacent to the Kings Bay portion of Unit 7, which
15 would inhibit growth of this population. The Low River
16 drainage near Valdez does not support -- or does
17 support a small moose population that averages 2.5
18 moose per year. Lengthening the Federal season in Unit
19 6D would add little opportunity for rural residents as
20 Valdez is a non-rural community and little Federal land
21 exists in the Low River drainage. Likewise, some moos
22 dispersed from Unit 6C into the portion -- into the
23 eastern portions of Unit 6, most of the harvest that
24 has come from this portion of 6D has been on non-
25 Federal land as well.

26

27 And the OSM preliminary conclusion was
28 to oppose this proposal. And the justification was
29 this proposal to establish a Federal open season for
30 the harvest of one bull moose in Unit 6D would add
31 little opportunity for rural residents of Unit 6D to
32 harvest moose as there was no viable moose populations
33 in the unit. Liberalizing harvest opportunity for
34 moose adjacent to the Kings Bay portion of Unit 7 could
35 set back recovery efforts for that area and a few other
36 opportunities exist to harvest moose in Unit 6D
37 especially on Federal lands.

38

39 This concludes my presentation.

40

41 CHAIRMAN TOWARAK: Thank you. Are
42 there any questions.

43

44 (No comments)

45

46 CHAIRMAN TOWARAK: Not hearing any then
47 we will move on to the Tribal, or Alaska Native
48 Corporation comments.

49

50 MR. LIND: Mr. Chair. Orville Lind,

1 Native Liaison. There are no comments.

2

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

5

6 MR. BUTLER: Mr. Chair. I may have
7 made a mistake between A and B, but we're opposed to
8 proposal WP16-10 for the reasons previously stated.

9

10 CHAIRMAN TOWARAK: Thank you. I'm
11 sorry I skipped a -- I didn't realize I did but I
12 didn't do the summary of public comments from the
13 Regional Council Coordinator.

14

15 MR. MIKE: Mr. Chair, thank you. There
16 are no written public comments on this proposal.

17

18 Thank you.

19

20 CHAIRMAN TOWARAK: Thank you. I'd also
21 like to open the floor up to any public testimony.

22

23 (No comments)

24

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

27

28 OPERATOR: I have no participants.

29

30 CHAIRMAN TOWARAK: Thank you. And the
31 Regional Council recommendation.

32

33 MR. ENCELEWSKI: Through the Chair, Mr.
34 Towarak.

35

36 Our Southcentral Regional Advisory
37 Council, we supported this. The Council heard
38 testimony from the proponent and historically moose
39 have been harvested in 6D and the moose harvest
40 occurred in the lower elevations of that unit, maybe in
41 the transit moose. Currently State hunting regulations
42 allow for a general hunt.

43

44 I just want to read one comment here.
45 It was basically, our previous Chairman, Mr. Lohse, was
46 -- we debated this a little bit and he said, I wasn't
47 going to support this proposal but I'm going to say
48 that as Chair and after thinking about it, I'm going to
49 have to support it, this proposal, because it's what --
50 this hunt always was about. It was never a resident

1 moose, it was migrating through and going back in and
2 out and not going to support the population. Whether
3 you take a bull or don't take a bull, you're not going
4 to grow the population in Kings Bay because there's
5 insufficient habitat there to have a population of any
6 size.

7
8 And that's basically what the Fish and
9 Game said.

10
11 So anyway, we looked at it as an
12 opportunity for the subsistence user and if the moose
13 comes in there they could have one, that was our
14 conclusion.

15
16 Thank you.

17
18 CHAIRMAN TOWARAK: Are there any
19 questions of the Chair.

20
21 (No comments)

22
23 CHAIRMAN TOWARAK: Thank you. The
24 Tribal, or Alaska Native Corporation comments.

25
26 Mr. Lind.

27
28 MR. LIND: Mr. Chairman. There were
29 none.

30
31 CHAIRMAN TOWARAK: Thank you. The
32 Alaska Department of Fish and Game.

33
34 MR. BUTLER: Thank you, Mr. Chair. As
35 previously stated we are opposed to the proposal.

36
37 CHAIRMAN TOWARAK: Thank you. And the
38 ISC Chair.

39
40 MS. HOWARD: Thank you, Mr. Chair. The
41 standard ISC comments apply to this proposal.

42
43 CHAIRMAN TOWARAK: Thank you. The
44 floor is open for Board discussion on this proposal,
45 from the Council -- through the Council Chairs or State
46 Liaison.

47
48 (No comments)

49
50 CHAIRMAN TOWARAK: If not, then the

1 floor is open for Board action on this proposal, WP16-
2 10b.

3

4 MS. PENDLETON: Mr. Chair. I move to
5 adopt Proposal WP16-10b that requests that a September
6 1 to December 31 season be established in Unit 6D for
7 the harvest of one bull moose and following a second
8 I'll provide a rationale why I plan to vote against my
9 motion.

10

11 MS. CLARK: Second.

12

13 CHAIRMAN TOWARAK: There's a motion and
14 a second on the floor.

15

16 Discussion.

17

18 MS. PENDLETON: So the rationale is
19 this proposal to establish a Federal open season for
20 the harvest of one bull moose in Unit 6D would add
21 little opportunity of rural residents of Unit 6D to
22 harvest moose are there are no viable moose populations
23 at this time in the unit.

24

25 Furthermore, there's limited suitable
26 moose habitat in the unit and the moose harvest that
27 has occurred within Unit 6D under State regulations has
28 taken place on non-Federal lands as was noted near
29 Valdez and on the eastern tip of Hinchinbrook Island.

30

31 I do believe there is a conservation
32 concern for moose in the Kings Bay portion of Unit 7,
33 which is immediately adjacent to Unit 6D.

34

35 The most recent moose survey flown in
36 the Kings Bay portion of Unit 7 did not find any moose
37 or moose sign. These Federal lands currently do not
38 have a Federal open season.

39

40 Furthermore, opposing the proposal
41 would be consistent with past Board actions regarding
42 the conservation of moose in the Kings Bay portion of
43 Unit 7. Liberalizing harvest opportunity for moose in
44 Unit 6D immediately adjacent to the Kings Bay portion
45 of Unit 7 could prolong recovery of that population.

46

47 Currently all Alaska residents may
48 harvest any bull moose in Unit 6D from September 1
49 through September 30th under State hunting regulations.

50

1 And I found that these were compelling
2 reasons to oppose Proposal WP16-10b.

3
4 Thank you.

5
6 CHAIRMAN TOWARAK: Thank you. Any
7 questions.

8
9 (No comments)

10
11 CHAIRMAN TOWARAK: Just, if I could ask
12 Mr. Encelewski, do you have any comments with regard to
13 the rationale.

14
15 MR. ENCELEWSKI: Yeah, I think the
16 comment or the rationale was like I mentioned what
17 Ralph -- when we debated this, we realize that there's
18 a shortage of moose there or if there is moose, but we
19 err on the favor of the subsistence hunter and they
20 have C&T and if that opportunity came, one bull moose,
21 we thought it was an opportunity for subsistence and we
22 didn't see it as a grave problem.

23
24 So that was our comment and that was
25 our debate and that's our rationale.

26
27 Thank you.

28
29 CHAIRMAN TOWARAK: Any further
30 questions.

31
32 (No comments)

33
34 CHAIRMAN TOWARAK: Floor is open for
35 calling the question.

36
37 MR. C. BROWER: Question.

38
39 CHAIRMAN TOWARAK: Question's been
40 called for. Is there a need for a vote by -- we'll
41 take a poll vote.

42
43 MR. COGSWELL: Okay. We'll do a roll
44 call vote.

45
46 CHAIRMAN TOWARAK: I'm sorry, I called
47 it a -- I'm getting tired, roll call vote.

48
49 MR. COGSWELL: BLM.

50

1 MR. CRIBLEY: No.
2
3 MR. COGSWELL: National Park Service.
4
5 MR. FROST: Oppose.
6
7 MR. COGSWELL: Fish and Wildlife
8 Service.
9
10 MS. CLARK: Oppose.
11
12 MR. COGSWELL: Forest Service.
13
14 MS. PENDLETON: Oppose.
15
16 MR. COGSWELL: BIA.
17
18 MR. LOUDERMILK: Yes.
19
20 MR. COGSWELL: Public member
21 Christianson.
22
23 MR. CHRISTIANSON: Support.
24
25 MR. COGSWELL: Public member Brower.
26
27 MR. C. BROWER: Yes.
28
29 MR. COGSWELL: Chairman Towarak.
30
31 CHAIRMAN TOWARAK: I vote yes.
32
33 MR. COGSWELL: It's a tie vote,
34 four/four, so motion fails.
35
36 Thank you.
37
38 CHAIRMAN TOWARAK: I've got a question
39 here. It's obvious that we're not going to be able to
40 complete everything tonight. And as I said earlier, I
41 am not going to be here tomorrow morning and in order
42 to get the rest of the meeting completed we need to
43 appoint someone to take care of -- to conduct the
44 meeting tomorrow.
45
46 Depending on your choice, the first
47 decision we need to make is how late do you want to go
48 tonight.
49
50 And, number 2, in my survey of Board

1 members, most people thought that I could use the -- I
2 have the ability of appointing a replacement for me to
3 just fill in for tomorrow on a temporary basis. Is
4 there any objection to that.

5

6 (No objections)

7

8 CHAIRMAN TOWARAK: If that's the case
9 then what I'd like to do is appoint our senior Board
10 member.

11

12 (Laughter)

13

14 CHAIRMAN TOWARAK: And for the record,
15 I didn't say a thing.

16

17 (Laughter)

18

19 CHAIRMAN TOWARAK: So that's taken care
20 of, you'll be chairing the meetings when I'm not here.
21 I think we should probably go through a formal process
22 of deciding whether or not we want a full-time Vice
23 Chair. We've been able to go without one all these
24 years but in case there's a valid reason for the Chair
25 not to be there, it would be nice to have a Vice Chair
26 available to fill in. So it's something to think
27 about, we don't need to do it today. We could do it
28 sometime in the future. Maybe we could have the Staff
29 take a look at that and give us some direction on how
30 we should do that process.

31

32 So the next question is, how late do
33 you want to go tonight.

34

35 I think if we -- let's see, we've got
36 three more for Southcentral, four more -- do you want
37 to just go through the Southcentral proposals and call
38 it a day.

39

40 (Board nods affirmatively)

41

42 CHAIRMAN TOWARAK: Then the rest of the
43 meeting would be finishing the rest of the proposals
44 and I don't think there's that many, tomorrow. There's
45 also, I think, three or four other individual reports
46 that need to be heard and I think that would take care
47 of the bulk of the meeting tomorrow so I would assume
48 that you'd be able to adjourn by noon tomorrow if
49 things went well.

50

1 (Laughter)

2

3 CHAIRMAN TOWARAK: And I'm not going to
4 be here to make sure of that.

5

6 (Laughter)

7

8 CHAIRMAN TOWARAK: So if there's no
9 objections we will go through these next four proposals
10 for the Southcentral and then adjourn for the day.

11

12 The next proposal is 16-11, establish a
13 buck only season. The Staff, thank you.

14

15 MR. EVANS: Thank you, Mr. Chairman.
16 Members of the Board. My name's Tom Evans. And I am a
17 wildlife biologist with OSM and represent the -- I'm
18 the biologist for the Southcentral Council.

19

20 Proposal WP16-11, which can be found on
21 Page 502 of your book, was submitted by Andy McLaughlin
22 of Chenega Bay, and it requests a buck only season be
23 established in Unit 6D with a season from January 1st
24 to January 31st and a harvest limit of one buck.

25

26 The proponent requested this additional
27 hunt because many subsistence hunters have not been
28 able to harvest enough deer to feed families during
29 mild winters, which decreases the hunter success rate.

30

31 The Sitka black-tail deer population
32 was introduced in Prince William Sound in 1916 to 1923.
33 The deer are at the extreme northern limit of the
34 range. The deer population in this area are limited
35 primarily by snow depth and duration. Deep snow
36 concentrates deer along beaches where they're
37 vulnerable to hunters but during mild winters the deer
38 remain at higher elevations and are more dispersed and
39 less accessible to hunters.

40

41 The State population objective of 24 to
42 28,000 deer with an annual harvest of 2,200 to 3,000
43 deer. Currently there is no way to estimate deer
44 abundance so deer pellet surveys are used as a relative
45 index of deer index. The mean deer pellet density per
46 group declined to 0.58 in 2013 following a severe
47 winter and has increased slightly to 0.78 in 2014 but
48 it's still low.

49

50 There are two methods of harvest

1 monitoring that have been used to estimate deer harvest
2 in this area. Prior to 2011 harvest surveys were used
3 and starting in 2011 harvest tickets were used to
4 estimate the deer harvest. The mean by local residents
5 from 2006 to 2013 was 639 deer. The mean by non-local
6 residents during the same time period was 810. And the
7 mean time by non-residents was 55.

8
9 During the high harvest year -- there
10 was high harvest during the high snow year, 2011, 2012
11 at that time 1,207 deer were taken by local residents
12 and 1,486 were taken by non-local residents. Since
13 then the deer population has been increasing slowly.
14 Even though the deer population has increased somewhat,
15 the harvest in 2012 and 2013 and 2013/14 regulatory
16 years is still 30 to 45 percent below the average
17 between 2006 and 2013. The majority of the harvest
18 occurs in October, November and December.

19
20 The buck season would provide more
21 opportunity for Federally-qualified users. The
22 population in Unit 6 is low and it has not reached full
23 recovery or State management objectives. The potential
24 increase of does during January season -- there is a
25 potential increase of the take of does during the
26 January season as many of the bucks have lost their
27 antlers by then and the additional harvest and
28 potential take of does may slow the recovery of the
29 deer population.

30
31 OSM's conclusion for this proposal is
32 to oppose Proposal WP16-11.

33
34 That concludes my presentation.

35
36 CHAIRMAN TOWARAK: Thank you. Are
37 there any questions of the Staff.

38
39 (No comments)

40
41 CHAIRMAN TOWARAK: If not then we'll go
42 to summary of public comments from the Regional Council
43 Coordinator.

44
45 MR. MIKE: Thank you, Mr. Chair. There
46 are no written public comments on this proposal.

47
48 CHAIRMAN TOWARAK: Thank you. We'll
49 open the floor for any public testimony.

50

1 (No comments)
2
3 CHAIRMAN TOWARAK: We don't have any
4 cards up here for anyone locally.
5
6 Is there anyone on line that would like
7 to testify.
8
9 OPERATOR: I have no participants.
10
11 CHAIRMAN TOWARAK: Thank you. And
12 we'll go then to the Regional Council Chair
13 recommendations.
14
15 MR. ENCELEWSKI: Yeah, Mr. Chair, our
16 Regional -- Southcentral Regional Advisory Council
17 recommended to support this and it was unanimous.
18
19 They did have one caveat, that you
20 could only -- unused harvest tickets -- harvest ticket
21 may be used during January 1 to January 31 buck season.
22 And if you want more info I could give it to you, but
23 we supported it.
24
25 CHAIRMAN TOWARAK: Any questions of the
26 Chair.
27
28 MR. CHRISTIANSON: Through the Chair.
29 Just to get clarification, they would still be within
30 the four deer limit, just using an unused ticket or it
31 would be a fifth deer?
32
33 MR. EVANS: I could answer that. So
34 Proposal 16-12 deals with an increase of the limit from
35 four to five, we'll get to that one next, but currently
36 without the acceptance of that proposal, it would be
37 four. Yes, the answer is yes, currently. But if WP16-
38 12 passes, then the limit would be raised to five.
39
40 MR. CHRISTIANSON: It would five or
41 would it be six with this additional buck?
42
43 MR. EVANS: Five.
44
45 MR. CHRISTIANSON: Five total.
46
47 CHAIRMAN TOWARAK: Any further
48 questions.
49
50 (No comments)

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

3
4 MR. LIND: Mr. Chairman. There were no
5 Tribal or Corporate comments.

6
7 CHAIRMAN TOWARAK: Thank you. The
8 Department of Fish and Game comments.

9
10 MR. BUTLER: Thank you, Mr. Chair.
11 We're opposed to this proposal.

12
13 As was noted there was a substantial
14 mortality that occurred during the winter 2011/12 and
15 the population has not recovered from that so we don't
16 feel that liberalizing the season or bag limit is
17 warranted at this time.

18
19 CHAIRMAN TOWARAK: Thank you. Any
20 questions.

21
22 (No comments)

23
24 CHAIRMAN TOWARAK: If not, then the ISC
25 comments.

26
27 MS. HOWARD: Thank you, Mr. Chair.

28
29 In addition to the standard ISC
30 comments, the InterAgency Staff Committee noted the
31 Southcentral Regional Advisory Council's recommendation
32 on WP16-11 addressed potential conservation concerns
33 with this deer subsistence hunt by restricting harvest
34 to bucks only and maintaining the current five deer
35 harvest limit for Federally-qualified subsistence
36 users.

37
38 Limiting the proposed January seasons
39 to bucks only is problematic since most bucks have lost
40 their antlers by mid-January and antlers remaining on
41 deer in January are easily shed during handling or
42 transport. Trying to determine sex of deer without
43 antlers is difficult and can lead to misidentification,
44 increased harvest of does and enforcement issues.

45
46 Hunters currently have a five month
47 season and harvest of either sex is allowed from
48 October through December.

49
50 Additionally, while deer have excellent

1 winter conditions, since the severe winter of
2 2011/2012, deer surveys indicate that the population is
3 still recovering.

4
5 That concludes the ISC comments on this
6 proposal.

7
8 CHAIRMAN TOWARAK: Thank you. Are
9 there any questions of ISC.

10
11 (No comments)

12
13 CHAIRMAN TOWARAK: Not hearing any then
14 we will go on to opening the floor for general
15 discussion with the Council Chairs and State Liaison on
16 the proposal. Any further comments.

17
18 Go ahead.

19
20 MR. BANGS: For the record I'm Mike
21 Bangs from the Southeast Council. And we've dealt with
22 deer population crashes due to poor winters and had the
23 populations rebound very quickly. But the thing that
24 I'd like to point out is that there is in-season
25 management authority to -- if there's does being taken
26 in January they have the authority to shut it down.
27 And if the population is suffering from a severe
28 winter, they can shut it down. So I just thought I'd
29 point that out, it's worked well for us.

30
31 CHAIRMAN TOWARAK: Thank you. Any
32 other comments.

33
34 (No comments)

35
36 CHAIRMAN TOWARAK: Not hearing any then
37 the floor is open for Board action.

38
39 MS. PENDLETON: Mr. Chair. I'm
40 prepared to make a motion.

41
42 CHAIRMAN TOWARAK: Go ahead.

43
44 MS. PENDLETON: I move to adopt
45 Proposal WP16-11 as written. Following a second I'll
46 provide rationale why I support the proposal.

47
48 MR. CHRISTIANSON: Second.

49
50 CHAIRMAN TOWARAK: You heard the motion

1 and the second. Further discussion.

2

3 MS. PENDLETON: So my rationale is this
4 action is consistent with the Council's recommendation
5 to provide an option for a hunter to take one buck in
6 Unit 6D during January if the hunter's harvest limit
7 was not reached earlier in the season.

8

9 So after reviewing the Council meeting
10 transcripts it became clear to me that the intention of
11 the Council is not to allow the harvest of deer in
12 excess of normal harvest limit but to allow the
13 opportunity to take one buck in January if the hunter's
14 annual harvest limit has not been previously taken.

15

16 The portion of the Council's
17 recommendation that specifies only unused harvest
18 tickets may be used, I felt was really unnecessary
19 because harvest tickets are generally required -- are
20 required for this hunt, and they must be used in order.
21 They cannot be used more than once and are valid for
22 the regulatory year, July 1 through June 30th.

23

24 Proposal WP16-12, which we haven't
25 taken up yet, which increases the Unit 6 Federal
26 harvest limit for deer is on the consensus agenda, so
27 we won't be taking it up, and I understand that
28 approval of this proposal is in anticipation of
29 increasing the overall Unit 6 Federal deer harvest
30 limit from four to five deer.

31

32 And, finally, because this proposal
33 only targets buck deer and does not increase the total
34 season harvest limit it is conservative and does not
35 affect non-subsistence users.

36

37 I felt that these were compelling
38 reasons to support this proposal.

39

40 CHAIRMAN TOWARAK: Any further
41 discussion.

42

43 (No comments)

44

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

47

48 MS. CLARK: Question.

49

50 CHAIRMAN TOWARAK: Question's been

1 called for. All those -- do you want to -- here I go
2 again.....

3

4 MR. COGSWELL: Roll call.

5

6 CHAIRMAN TOWARAK:roll call vote
7 or would you -- okay, I see some head's shaking so --
8 all those in favor of the motion say aye.

9

10 IN UNISON: Aye.

11

12 CHAIRMAN TOWARAK: Any opposed, say
13 nay.

14

15 (No opposing votes)

16

17 CHAIRMAN TOWARAK: Motion passes
18 unanimously.

19

20 Now, would it be possible for us to act
21 on the following, the next -- or the related proposal,
22 is that 14.

23

24 MR. EVANS: Mr. Chair.

25

26 CHAIRMAN TOWARAK: Yes.

27

28 MR. EVANS: So Proposal 16-12 is on the
29 consensus agenda so we won't really adopt the consensus
30 agenda until after we finish all the non-consensus
31 proposals.

32

33 CHAIRMAN TOWARAK: Okay.

34

35 MR. EVANS: But assuming that it goes
36 that way then the limit would be increased to five.

37

38 CHAIRMAN TOWARAK: Okay. So that
39 brings us to 16-13, revise the season and permit
40 requirements, from the Staff please.

41

42 MR. BURCHAM: Once, again, Milo
43 Burcham, biologist for the Chugach National Forest.
44 I'll just add for the record that that increase in the
45 Federal bag limit for deer from four to five brings it
46 into alignment with the State harvest limit for deer
47 that's existed for quite some time in Unit 6.

48

49 I submitted that proposal. And I
50 consider it more administrative than anything else, I

1 won't go into the details. But, anyway, it will just
2 bring it into alignment with the State season or
3 harvest limit.

4
5 The proposal I'm here to talk about now
6 is WP16-13 submitted by Andy McLaughlin of Chenega Bay,
7 requests that Federally-qualified rural residents be
8 required to obtain a Federal registration permit to
9 harvest black bears in Unit 6D from September 10th
10 through June 30th.

11
12 The proponent believes that rural
13 residents should not have to utilize State harvest
14 tickets, registration permits to harvest a quota of 20
15 black bears allowed for harvest by qualified rural
16 residents between September 10th and June 10th and
17 would prefer to utilize the Federal registration permit
18 for most of the Federal subsistence season for black
19 bear in Unit 6D.

20
21 So in 2014 the Board adopted Proposal
22 WP14-09 with modification to require the use of a
23 Federal subsistence registration permit for hunting
24 black bears in Unit 6D from June 11th to June 30th and
25 setting a quota of 20 black bears to be taken over bait
26 during this extended Federal baiting season.

27
28 Currently the State season in Unit 6 is
29 September 10th to June 10th, and the Federal season is
30 September 1st to June 30th.

31
32 Requiring the use of a Federal
33 registration permit was seen as a way to track harvest
34 of black bears at a time when there was a growing
35 conservation concern for the species.

36
37 In February 2015 the Board of Game
38 adopted Proposal 210 to change the black bear hunt in
39 Unit 6D to a registration hunt. The Board of Game
40 concluded that bears in the area were being
41 overharvested and that better management -- that a
42 better management tool was needed to assess and control
43 harvest. This new regulation became effective this
44 past July 1st. In May 2015, a Special Action Request,
45 WSA15-09 submitted by Alaska Department of Fish and
46 Game requested that the Federal Subsistence black bear
47 season close on May 27th, the same effective date as an
48 emergency order issued by the State. They also
49 requested that a Federal regis -- that the Federal Unit
50 6D black bear permit required from June 11th to June

1 30th be extended to begin on May 27th so that the
2 Federal subsistence users are in compliance with both
3 State and Federal permit requirements. This special
4 action request was unanimously approved by the Board,
5 with modification, temporarily extending the dates of
6 the Unit 6D Federal subsistence black bear permit from
7 May 27th, 2015 through the end of the season on June
8 30th.

9
10 Harvest monitoring and assessment has
11 been the primary method used to assess the status of
12 the black bear population in Unit 6. From 2005 to 2010
13 the hunting pressure and take of black bears in Unit 6
14 was greatest in Unit 6D, Prince William Sound, which
15 coincides with the greatest densities of black bears
16 and ease of the access by Anchorage hunters and other
17 hunters from outside of Prince William Sound through
18 the Whittier Tunnel. An average of 427 black bears
19 were taken per regulatory year between 2014 and 2013
20 [sic] and you can refer to Table 1, which far exceeds
21 the recently stated management goal to average 200
22 bears over a 300 [sic] year period. And I'll just call
23 your attention to that Table 1. You can see that from
24 2004 through 2011, or '12, the harvest of black bears
25 from Unit 6D was very high, averaging over 400 bears
26 like I just stated. But you'll note that in 2012 --
27 well, in 2013 it dropped to 185 and then not on this
28 table, more recent information that I have received
29 from the local Fish and Game management biologist, was
30 just 90 bears, so that just points to the conservation
31 concern going on in Prince William Sound with black
32 bears right now.

33
34 However, without accurate population
35 estimates it's difficult to determine if current
36 harvest levels are sustainable. Although it's
37 difficult to determine if the status of black bear
38 populations using harvest data, the decrease in age of
39 harvested bears during the high harvest from 2005 to
40 2009 suggests that the harvest may be having a
41 population level effect. More compelling is the sharp
42 drop in total Unit 6D harvest during the 2012 and '13
43 and I just mentioned, '14, the most recent regulatory
44 years, for which data is available.

45
46 If adopted, the proposal would require
47 Federally-qualified subsistence users to obtain a
48 Federal subsistence registration permit to hunt black
49 bear in Unit 6D between September 10th and June 30th.
50 Currently the Federal permit is required only from June

1 11th to June 30th. With conservation concerns for the
2 black bear population in Unit 6D, changes in State
3 hunting season dates are likely in coming years, as is
4 happened with the emergency order of the black bear
5 season in 2015. This regulation change would not only
6 change the Federal subsistence -- this regulation
7 change would not only change the Federal subsistence
8 hunting season or harvest limit for black bear in Unit
9 6D, and would not have any negative effect on the black
10 bear population in Unit 6D.

11
12 Qualified rural residents would be
13 required to obtain a Federal registration permit to
14 harvest black bear under Federal regulations. This
15 proposal would simplify reporting requirements for the
16 Federal users.

17
18 And the OSM preliminary conclusion was
19 to support WP16-13 with modification. And that
20 modification was to kind of correct an oversight by the
21 proponent. He asked to require the registration permit
22 from September 10th through the end of the season,
23 whereas the Federal season starts September 1st. So
24 the modification was to have the registration permit
25 begin September 1st.

26
27 The justification is requiring a
28 Federal registration permit for the entire Federal
29 season would simplify and consolidate reporting
30 requirements for Federally-qualified subsistence us --
31 rural residents, so that they would not have to report
32 hunting effort or harvest to different management
33 agencies for different portions of the season.

34
35 And that concludes my presentation.

36
37 CHAIRMAN TOWARAK: Thank you. Are
38 there any questions of the Staff.

39
40 (No comments)

41
42 CHAIRMAN TOWARAK: Thank you. Summary
43 of public comments from the Regional Council
44 Coordinator.

45
46 MR. MIKE: Thank you, Mr. Chair. There
47 are no written public comments on this proposal.

48
49 CHAIRMAN TOWARAK: Thank you. The
50 floor is open then for public testimony.

1 (No comments)
2
3 CHAIRMAN TOWARAK: We don't have any
4 requests from the -- from the room. Is there anyone on
5 line that would like to testify.
6
7 OPERATOR: We have no participants
8 cued.
9
10 CHAIRMAN TOWARAK: Thank you. We will
11 then move to the Regional Advisory Council
12 recommendations. Mr. Encelewski.
13
14 MR. ENCELEWSKI: Through the Chair.
15
16 The Southcentral Regional Advisory
17 Council, we supported this, as modified by the OSM and
18 that was unanimous support.
19
20 Thank you.
21
22 CHAIRMAN TOWARAK: Thank you. The
23 Tribal, or Alaska Native Corporation comments.
24
25 MR. LIND: Mr. Chair. There are no
26 Tribal or Corporate comments.
27
28 CHAIRMAN TOWARAK: Thank you. The
29 Department of Fish and Game comments.
30
31 MR. BUTLER: Thank you, Mr. Chair. We
32 support the use of a registration permit to monitor
33 bear hunting activities and harvest, however, we
34 recommend that the Board move towards a single
35 permit, use of a State permit, similar to what you did
36 in Unit 9C recently, where we can add the Federal
37 season dates to our permits. It'll simplify permit
38 requirements for subsistence resource users and improve
39 our ability to monitor the harvest.
40
41 CHAIRMAN TOWARAK: Thank you. Any
42 questions for the State.
43
44 (No comments)
45
46 CHAIRMAN TOWARAK: Thank you. Then we
47 will move to the InterAgency Staff Committee comments.
48
49 MS. HOWARD: Thank you, Mr. Chair. The
50 InterAgency Staff Committee comments are the standard

1 comments for this proposal.

2

3 Thank you.

4

5 CHAIRMAN TOWARAK: Thank you. The
6 floor is open for any further discussion or final
7 discussion with the Council Chairs and State Liaison.

8

9 MS. PENDLETON: Through the Chair.

10

11 CHAIRMAN TOWARAK: Go ahead.

12

13 MS. PENDLETON: I'd like to ask Mr.
14 Encelewski, given that the State could provide, you
15 know, an opportunity for a single permit and update
16 that, where is -- do you have anything else to offer
17 with regard to where the RAC stands?

18

19 MR. ENCELEWSKI: You know I can't speak
20 on behalf of the RAC, and, quite honestly when I get
21 with the State I get nervous.....

22

23 (Laughter)

24

25 MR. ENCELEWSKI:but anyway, very
26 nervous to be truthful.....

27

28 (Laughter)

29

30 MR. ENCELEWSKI:but I think it's
31 a good thing. It makes common sense to me, it really
32 does. So I think we could support that. You know,
33 that seems very beneficial so that's my comment.

34

35 Thank you.

36

37 CHAIRMAN TOWARAK: Go ahead.

38

39 MS. CLARK: I have a question for the
40 State. Given that the seasons are different lengths,
41 if the State season was closed by emergency order,
42 would the Federal permit, or Federal still be valid?

43

44 MR. BUTLER: Through the Chair. Yes,
45 it would. The permit would still be valid under the
46 Federal conditions, we'd simply close the State season
47 so it would only apply to our portion of that.

48

49 MS. CLARK: Thank you.

50

1 MR. BURCHAM: And I would just like to
2 add that the analysis that I read was what existed, you
3 know, before the State's offer to use this permit was
4 available, so when the RAC made its decision in the
5 fall, that wasn't a possibility, in fact, just the
6 opposite was thought at the time, that it wasn't
7 available for use. So anyway some things have changed
8 since the RAC made its decision and since I did my
9 analysis.

10
11 CHAIRMAN TOWARAK: Thank you. Any
12 further discussion.

13
14 (No comments)

15
16 CHAIRMAN TOWARAK: The floor is open
17 then for Board action.

18
19 MS. PENDLETON: Mr. Chair. I'm
20 prepared to make a motion.

21
22 CHAIRMAN TOWARAK: Go ahead.

23
24 MS. PENDLETON: I move to adopt
25 Proposal WP16-13, which requests that Federally-
26 qualified rural residents be required to obtain a
27 Federal registration permit to harvest black bears in
28 Unit 6D from September 10 through June 30th.

29
30 Following a second, I'll provide a
31 rationale why I plan to vote against my motion.

32
33 MR. C. BROWER: Second.

34
35 CHAIRMAN TOWARAK: You heard the motion
36 and it was seconded by Mr. Brower.

37
38 Go ahead.

39
40 MS. PENDLETON: So I plan to vote
41 against this because as we've heard, the Alaska Board
42 of Game recently established a Unit 6D black bear
43 registration permit that could be used by Federal
44 subsistence users. The current Unit 6D black bear
45 registration permit for the 2015/2016 regulatory
46 specifies the State hunt dates September 10th to June
47 10th, however, if the Federal Subsistence Board
48 supports WP16-13 as modified by Alaska Department of
49 Fish and Game, the online version will be modified for
50 the 2016/17 regulatory year to accommodate the Federal

1 hunt dates, September 1 to June 30th, as we've heard.
2 ADF&G also will accommodate Federally-qualified Unit 6D
3 bear hunters that plan to hunt between June 11th
4 through 30th, 2016 with their RL065 permit if they
5 contact area Staff, and we've been provided that
6 contact information, and let them know their intent to
7 hunt. And, finally, use of the State registration
8 permit will reduce regulatory complexity and will make
9 use of the State permit system for collecting hunt
10 reports that are used to manage black bear populations.

11
12 Furthermore, we've proposed that press
13 releases from both the Federal Subsistence Board and
14 ADF&G will be used to advertise this change.

15
16 So I felt that these were compelling
17 reasons to oppose WP16-13.

18
19 Thank you.

20
21 CHAIRMAN TOWARAK: Any further
22 discussion.

23
24 Go ahead.

25
26 MS. CLARK: Yeah. So when I review the
27 regulations it says -- the current regulations require
28 a Federal registration permit, so if we vote to oppose
29 it then -- I just want to make sure I understand, then
30 there's still a Federal registration permit required in
31 the regs; is that right?

32
33 MS. PENDLETON: That's my understanding
34 but with the opposition to this though there would be
35 one permit, the ADF&G permit is my understanding, that
36 would be reflective of the dates for the Federal
37 subsistence hunt.

38
39 MS. CLARK: So I think Chris.....

40
41 MR. MCKEE: I'm loathe to try to guide
42 the Board in how they do business, but I think that we
43 could -- and if I'm -- I'm -- please correct me if I'm
44 mistaken, but I believe you're saying that you support
45 the use of a single permit with the Federal dates on
46 the State permit.

47
48 MS. PENDLETON: That's correct.

49
50 MR. MCKEE: So I think it would be

1 cleaner to just move -- put a motion forward to adopt
2 with modification to put the Federal season dates on
3 the State registration permit. It seems cleaner
4 procedurally to me, but if somebody else has a better
5 idea, feel free to chime in.

6

7 CHAIRMAN TOWARAK: Sue, did you have a
8 comment.

9

10 MS. ENTSMINGER: Yeah. I just wanted
11 to tell the Board, in Unit 12, along the Nabesna Road,
12 you did a joint State/Federal permit and there's
13 several of them. I think we have one in the Fortymile
14 too, and I guess you're getting into semantics but I
15 would just clear it up, it's a joint State/Federal
16 permit.

17

18 MS. PENDLETON: So through the Chair, I
19 believe that I am supporting. The motion would be to
20 support with modification so that there is one permit,
21 it would be the State permit, that would be updated to
22 reflect the dates for the Federal hunt. That seems
23 clean and less confusing to the user, even though this
24 is a bit confusing here.

25

26 (Laughter)

27

28 MS. PENDLETON: But that would be, I
29 believe, the cleanest approach and clearest approach.

30

31 CHAIRMAN TOWARAK: Okay. Correct me if
32 I'm wrong but I don't think there was a second to your
33 first motion so I think you still have the
34 opportunity.....

35

36 MR. C. BROWER: I seconded it.

37

38 CHAIRMAN TOWARAK: Oh, you seconded it,
39 okay. So based on that I think that we need to pass a
40 motion that modifies your original motion.

41

42 MS. PENDLETON: So let me start again.
43 So I move to adopt WP-11 as written, and then following
44 a second, provide the rationale for why I support a
45 modification to WP16-11.

46

47 MS. CLARK: I think you said 11, WP16-
48 -- this is 13, to further confuse it.

49

50 (Laughter)

1 CHAIRMAN TOWARAK: Are we talking
2 procedure here. I think, procedurally, my
3 understanding is we need to pass a motion that modifies
4 your original motion. So just a motion to modify your
5 original motion would put that in line then. We'll
6 vote on the amendment and then vote on your final -- go
7 ahead.

8
9 MR. MCKEE: Just one more thing and I
10 really was hoping not to muddle anything anymore. But
11 if you support with modifi -- if you support as written
12 with modification for those dates, as written, it asks
13 for a season date of September 10 to June 30th, whereas
14 our modification is asking for the season dates to be
15 the entire Federal season. So I think what you would
16 need is a modification to re -- to -- I'm not exactly
17 sure how to word it, but you would want to retain OSM's
18 modification to have the permit requirements for the
19 entire September 1 to June 30th season, but use a
20 single permit.

21
22 I really wish I had said that the last
23 time.

24
25 CHAIRMAN TOWARAK: My understanding
26 also, Roberts Rules of Order is if the maker of the
27 original motion wishes to withdraw the first motion and
28 with the consensus of the second we could drop
29 your first motion and you could restate the second
30 motion as a new motion.

31
32 MR. C. BROWER: Concur.

33
34 CHAIRMAN TOWARAK: You concur?

35
36 MS. PENDLETON: (Nods affirmatively)

37
38 CHAIRMAN TOWARAK: So you have the
39 freedom of -- or making the proposal that you would
40 want -- the motion that you want.

41
42 MS. PENDLETON: Okay, thank you, Mr.
43 Chair.

44
45 I propose that we support a joint
46 permit with the seasons specified September 1st through
47 June 30th, so this would be one permit for
48 Federally-qualified users and non-Federally-qualified
49 users. The use -- and following a second I'll present
50 my rationale.

1 MR. C. BROWER: Second.
2
3 CHAIRMAN TOWARAK: The motion was moved
4 and seconded.
5
6 Further discussion.
7
8 MS. PENDLETON: So my rationale, some
9 of which was previously stated, the use of a single
10 joint permit will reduce regulatory complexity and will
11 make use of the State permit system for collecting hunt
12 reports that are used to manage black bear populations.
13 We have means to notify, through the Federal
14 Subsistence Board, and the Alaska Department of Fish
15 and Game to advertise and make clear to all users this
16 change.
17
18 And I'll stop there.
19
20 CHAIRMAN TOWARAK: We need a second for
21 that motion to be on the floor.
22
23 MR. C. BROWER: I already seconded it.
24
25 CHAIRMAN TOWARAK: You seconded, okay.
26 You heard the motion and the second -- or this was
27 additional discussion -- no, I'm really tired, but are
28 there any other discussions.
29
30 (No comments)
31
32 CHAIRMAN TOWARAK: All those in favor
33 of the motion, say, aye.
34
35 IN UNISON: Aye.
36
37 CHAIRMAN TOWARAK: Any opposed same --
38 say nay.
39
40 (No opposing votes)
41
42 CHAIRMAN TOWARAK: Motion passes
43 unanimously.
44
45 (Pause)
46
47 CHAIRMAN TOWARAK: We've come to the
48 conclusion that we feel that we've had a long day and
49 what we're going to do is maybe postpone -- or recess
50 the meeting until tomorrow morning.

1 Beth Pendleton has been appointed to
2 act as the Chair in the morning since I won't be here
3 and the last two proposals, along with some reports
4 will be taken care of by tomorrow.

5
6 So we will recess until 8:30 in the
7 morning tomorrow.

8
9 Thank you very much for your patience.

10
11 (Off record)

12
13 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, 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 87 through 243 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD MEETING, VOLUME II taken electronically by our firm on the 13th 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