

BRISTOL BAY FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING

PUBLIC MEETING

VOLUME I

Dillingham High School Gym
Dillingham, Alaska
November 1, 2017
9:00 a.m.

COUNCIL MEMBERS PRESENT:

Molly Chythlook, Chair
Dennis Andrew
Dan Dunaway
Lary Hill
Billy Maines
Nanci Morris Lyon
Victor Seybert
Richard Wilson

Regional Council Coordinator, Donald Mike

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P R O C E E D I N G S

(Dillingham, Alaska - 11/01/2017)

(On record)

MADAME CHAIR CHYTHLOOK: Okay. I guess we're set to go now so I'm going to call the meeting to order and it's about 9:00 o'clock. I think before we get started we'll -- or before I do the -- our -- review our agenda, let's all stand and have our invocation first.

Richard will have our invocation.

(Invocation)

MADAME CHAIR CHYTHLOOK: Okay. Thank you, Richard. Okay. I'll -- what I'm going to do is I guess do the -- do the roll call first thing to establish a quorum.

MR. MIKE: Thank you, Madame Chair. Donald Mike, Council coordinator. Roll call of the Bristol Bay Regional Advisory Council.

Mr. Pete Abraham.

(No response)

MR. MIKE: Madame Chair, Mr. Abraham is in Togiak and he wasn't feeling well so he'll be excused.

Mr. Dennis Andrew.

(No response)

MR. MIKE: Ms. Nanci Morris Lyon.

MS. MORRIS LYON: Here.

MR. MIKE: Ms. Molly Chythlook.

MADAME CHAIR CHYTHLOOK: Here.

MR. MIKE: Mr. Senafont Shugak, Jr.,
Pedro Bay.

1 Madame Chair, Mr. Shugak stated he
2 couldn't make it, he's out hunting I guess. So and
3 this will be Mr. Shugak's last meeting as a public
4 member for this Council.

5
6 MR. MIKE: Mr. Billy Maines.

7
8 MR. MAINES: Here.

9
10 MR. MIKE: Mr. Dan Dunaway.

11
12 MR. DUNAWAY: Here.

13
14 MR. MIKE: Mr. Lary Hill.

15
16 MR. HILL: Here.

17
18 MR. MIKE: Mr. Victor Seybert.

19
20 MR. SEYBERT: Here.

21
22 MR. MIKE: Mr. Seybert is participating
23 via teleconference.

24
25 Mr. Richard Wilson.

26
27 MR. WILSON: Here.

28
29 MR. MIKE: Madame Chair, you have eight
30 members present, you have a quorum.

31
32 Thank you.

33
34 MADAME CHAIR CHYTHLOOK: Okay. With a
35 quorum we're set to go. I -- here we are again in
36 Dillingham and welcome everybody that's come to this
37 meeting. And I'm a little bit encouraged to see that
38 we have some public besides our agencies.

39
40 So welcome public people.

41
42 We'll go through the introduction.
43 We'll start from my left, have our Board introduce
44 themselves and then we'll have our public, our people
45 that are sitting out in front of us, have their
46 introduction. I guess we could start from our recorder
47 here and then on down.

48
49 So, Lary, we'll start from -- with you.

1 MR. HILL: Lary Hill, Iliamna. Good to
2 me here.

3
4 MR. MAINES: Good morning. Bill
5 Maines, Curyung Tribal Council, Dillingham.

6
7 MR. WILSON: Rich Wilson out of Naknek.
8 Morning.

9
10 MADAME CHAIR CHYTHLOOK: Molly
11 Chythlook here in -- from Dillingham.

12
13 MS. MORRIS LYON: Yeah, good morning.
14 Nanci Morris Lyon from over in King Salmon. And I
15 appreciate all of you showing up as well.

16
17 Thank you.

18
19 MR. ANDERSON: Dennis Andrew, Sr., from
20 Village of New Stuyahok on Nushagak River.

21
22 Good to see you guys, thank you.

23
24 MR. DUNAWAY: Dan Dunaway, Dillingham.

25
26 MR. MIKE: Donald Mike, OSM.

27
28 REPORTER: Lynn, Computer Matrix.

29
30 MADAME CHAIR CHYTHLOOK: And we have
31 what's his name online.

32
33 MR. WILSON: Victor.

34
35 MADAME CHAIR CHYTHLOOK: Victor.

36
37 MR. SEYBERT: Yeah, Victor Seybert.
38 I'm present by teleconference.

39
40 MADAME CHAIR CHYTHLOOK: Okay, Victor.
41 Thanks for participating.

42
43 And then we'll go on down through the
44 table there.

45
46 MR. MCKEE: Morning. Chris McKee,
47 Wildlife Division chief at the Office of Subsistence
48 Management in Anchorage.

49
50

1 MS. WORKER: Good morning, everyone,
2 I'm Suzanne Worker, I'm a wildlife biologist with the
3 Office of Subsistence Management and you'll be hearing
4 a lot from me today.

5
6 MS. LaVINE: Robbin LaVine,
7 anthropologist with the Office of Subsistence
8 Management.

9
10 MS. BRUMMER: Christine Brummer,
11 Pathways anthropologist with the Office of Subsistence
12 Management.

13
14 MADAME CHAIR CHYTHLOOK: Okay. Thank
15 you. Start from the back.

16
17 MS. HALAS: Gabriela Halas, Division of
18 Subsistence, Fish and Game, Anchorage office.

19
20 MS. JONES. Good morning. My name's
21 Bronwyn Jones, I'm with the Division of Subsistence in
22 Anchorage as well.

23
24 MR. KRIEG: Ted Krieg, Dillingham
25 resident.

26
27 FATHER MICHAEL: I'm Father Michael,
28 Dillingham resident.

29
30 MR. SUTAMOLIA: Chris Sutamolia,
31 Dillingham resident.

32
33 MR. WALSH: Pat Walsh, Togiak Refuge.

34
35 MR. ADERMAN: Andy Aderman, Togiak
36 Refuge.

37
38 MS. RUPP: Liza Rupp, Lake Clark
39 National Park and Preserve.

40
41 MS. ALEXANDER: Good morning. Susan
42 Alexander, Alaska Peninsula and Becharof National
43 Wildlife Refuge.

44
45 MS. HOSETH: Good morning. Gayla
46 Hoseth, BBNA.

47
48 MR. LARSON: Good morning. This is
49 Cody Larson with BBNA.

50

1 MR. WOODS: Frank Woods, Dillingham.

2

3 MR. SANDS: Good morning. Tim Sands,
4 Alaska Department of Fish and Game, Commercial
5 Fisheries.

6

7 MR. CHYTHLOOK: Joe Chythlook,
8 Dillingham.

9

10 MS. PETRIVELLI: Pat Petrivelli, BIA,
11 Anchorage.

12

13 MADAME CHAIR CHYTHLOOK: Okay. Thank
14 you. Moving along. And welcome again everybody.

15

16 We're to number 5, review and adopt
17 agenda. Let me quickly go through the agenda and then
18 if there's any changes to the agenda we can do that.

19

20 So number 5 would be review and adopt
21 agenda.

22

23 Number 6, review and approve previous
24 meeting minutes.

25

26 And then number 7 would be reports.

27

28 Number 8 is service awards.

29

30 Number 9, public and tribal comment on
31 non-agenda items.

32

33 Number 10, old business.

34

35 Number 11, new business. And then
36 under new business we have all those proposals that I'm
37 not going to read out.

38

39 And then number 12 is agency reports.
40 And we have different people here that will be
41 reporting to us from the agencies.

42

43 Number 13 is future meeting dates.

44

45 Number 14 is closing comments.

46

47 Number 15 is adjourn.

48

49 So do we have any changes, additions to

50

1 our agenda?
2

3 MS. MORRIS LYON: Do we want to let
4 them put it on the table first and then we can.....
5

6 MADAME CHAIR CHYTHLOOK: Okay. Yes.
7

8 MS. MORRIS LYON: Madame Chair, I'd
9 move to approve the agenda.
10

11 MR. MAINES: I'll second.
12

13 MR. ANDREW: Call for question.
14

15 MR. MIKE: Excuse me, Madame Chair.
16 Just following Robert's Rules of Order, I think the
17 Council needs to make a motion to adopt the agenda and
18 go from there.
19

20 MADAME CHAIR CHYTHLOOK: Yeah, I did.
21

22 MR. MIKE: Oh, you did. Okay. Thank
23 you.
24

25 MADAME CHAIR CHYTHLOOK: Nanci made a
26 motion, seconded by Billy. Okay. I guess we're ready
27 to -- are we going to -- ready to vote?
28

29 MS. MORRIS LYON: Yeah, let's move.
30

31 MADAME CHAIR CHYTHLOOK: Vote to
32 approve the agenda. All in favor say aye.
33

34 IN UNISON:
35

36 MADAME CHAIR CHYTHLOOK: Any
37 opposition.
38

39 (No opposing votes)
40

41 MADAME CHAIR CHYTHLOOK: Hearing none,
42 thanks. So I guess we would -- is this the time to see
43 if there's any changes or have we -- is.....
44

45 MS. MORRIS LYON: We're past that.
46

47 MADAME CHAIR CHYTHLOOK: We're past
48 that. Okay.
49
50

1 Review and approve previous meeting
2 minutes.

3
4 MR. MAINES: Madame Chair, I'd like to
5 move to approve the meeting minutes of February 28th
6 through March 1st.

7
8 MADAME CHAIR CHYTHLOOK: Okay. There's
9 been a motion by Billy to approve the meeting minutes.

10
11 MR. WILSON: Second, Madame Chair.

12
13 MADAME CHAIR CHYTHLOOK: Seconded by
14 Richard. All in favor. Oh, is there any -- okay. Any
15 discussion on the minutes.

16
17 (No comments)

18
19 MADAME CHAIR CHYTHLOOK: Hearing none,
20 we can vote on. All in favor of approving the meeting
21 minutes say aye.

22
23 IN UNISON: Aye.

24
25 MADAME CHAIR CHYTHLOOK: Any
26 opposition.

27
28 (No opposing votes)

29
30 MADAME CHAIR CHYTHLOOK: Okay. Thank
31 you. Okay. Reports.

32
33 Council member reports.

34
35 Dan, did you have anything.

36
37 MR. DUNAWAY: Yeah, thank you, Madame
38 Chair. I just was going to mention that I sit as the
39 Secretary for the Nushagak Advisory Committee and I did
40 bring them minutes for our recent meeting and we did
41 take some actions on the Federal proposals. And when
42 the time comes I'd be happy to speak to what the
43 Nushagak Advisory Committee said about our Federal
44 proposals if that's at all helpful.

45
46 Thank you.

47
48 MADAME CHAIR CHYTHLOOK: Okay.

49
50

1 Dennis.

2

3 MR. ANDREW: Thank you, Madame Chair.
4 I just want to thank the Board that last year on
5 February 28 to March 1st I was in Anchorage attending
6 our health board meeting. So I missed last year's
7 meeting and it's my first one to sit on this Board and
8 I'm new at it.

9

10 So I'm glad to be here.

11

12 Thank you, Madame Chair.

13

14 MADAME CHAIR CHYTHLOOK: Thank you,
15 Dennis. Dennis Andrew is our new Board member, he's
16 from New Stuyahok. So he's a -- he'll be a good
17 addition to our membership here.

18

19 Nanci.

20

21 MS. MORRIS LYON: Yeah, thank you,
22 Madame Chair. And I -- welcome, Dennis, we're really
23 glad to have you and we're glad to have representation
24 from that area of our region.

25

26 Yeah, I just would like to report that
27 we seem to have had a fairly successful hunting season
28 on our end, I know of several moose that have come in.
29 And we had good berries this year, everybody seemed to
30 have a good summer with their fish so I don't think
31 there'll be too many empty freezers come the middle of
32 winter.

33

34 Thank you, Madame Chair.

35

36 MADAME CHAIR CHYTHLOOK: Okay.

37

38 Richard.

39

40 MR. WILSON: Madame Chair. I'm very
41 pleased, I saw my first four ptarmigan in almost an
42 entire season since last winter, just two days ago.
43 They were standing out like a sore thumb on that brown
44 tundra.

45

46 I'm happy.

47

48 MADAME CHAIR CHYTHLOOK: Okay. Billy.

49

50

1 MR. MAINES: Thank you, Madame Chair.
2 Nothing to report at this time, just looking forward to
3 discussion on some of the proposals that are before us.

4
5 Thank you.

6
7 MADAME CHAIR CHYTHLOOK: Okay. Lary.

8
9 MR. HILL: Madame Chair. You know,
10 Lake Iliamna area, the whole drainage there probably 10
11 moose, but nothing close to Iliamna itself. More
12 traveling way up into the areas, lakes and rivers
13 rather than close. Like last year they were
14 practically falling in our laps at Iliamna. This year
15 we had to travel a long ways. And about 10 caribou,
16 you know, combined in the whole lake area I think.
17 Just -- excuse me, 10 moose. Kokhanok, I don't anybody
18 got any. Peter Bay, maybe one and the rest were
19 Nondalton and Iliamna.

20
21 Caribou are -- I don't want to make
22 this public I guess, but I need to, that were moving
23 into the area, back into the area, Iliamna Lake area.
24 And some of the locals are harvesting, but they've got
25 to travel about 50 miles to get them, you know, down
26 the -- because of conditions.

27
28 Ptarmigan are very few areas where you
29 find them I guess.

30
31 So other than that, that's about it.

32
33 MADAME CHAIR CHYTHLOOK: Okay. And
34 then, Victor, you have any report or something that you
35 want to share.

36
37 MR. SEYBERT: Well, actually just a few
38 caribou were caught this fall during the season and
39 we're waiting to harvest some more at the next cycle.

40
41 Thank you.

42
43 MADAME CHAIR CHYTHLOOK: Dan, do you
44 have a question.

45
46 MR. DUNAWAY: I wanted to add a couple
47 things if I may, if everybody else is done. We had a
48 slightly above average moose season in the area from
49 what the biologists tell us. And the Nushagak

50

1 Peninsula caribou hunt happened this winter with enough
2 snow, most of it after our last RAC meeting. But I
3 think they were -- a lot of people were pretty
4 successful, I think it was a huge help to a lot of
5 people.

6
7 And a couple other things. I want to
8 thank Mr. Shugak for his service on this Board. I was
9 -- really appreciated getting to know him. I'm almost
10 sorry to see him not continue. And also I've worked
11 with Dennis on the Nushagak Advisory Committee and he's
12 -- he was excellent on there so I'm really glad to see
13 him here.

14
15 And welcome, Dennis.

16
17 Thank you, Madame Chair.

18
19 MADAME CHAIR CHYTHLOOK: Okay. For me
20 I guess here in Dillingham area I was just comparing
21 notes with Nanci, King Salmon area, on our berries and
22 whatnot. Overall with my observation the people got
23 what they needed. With our wet season I think the
24 berries like our softer berries just went, ripened fast
25 and were gone.

26
27 But then with our moose seasons my
28 observations from our lake system, I'm not sure about
29 Nushagak, we got our moose the very morning that the
30 moose season opened. But the other folks that were
31 hunting in the area had a harder time I think
32 harvesting.

33
34 So overall I think as usual we are
35 satisfied with our seasons including commercial. So
36 we're -- we'll be anxious to get some reports from our
37 agency people on our other resources.

38
39 So thank you and then I'm just going to
40 go right into my Chair's report. I attended the
41 January 10 to 12 Federal Subsistence Board sessions in
42 Anchorage. And I reported on a couple of items. One
43 that I expound on was our attempt to involve public
44 within -- you know, when we have our meetings. I told
45 them that we made an effort to get on the -- our
46 regional corporation's agenda to hopefully notify our
47 Bristol Bay folks about our RAC system and program.
48 And I think by exposing ourselves as often as we can
49 and I'm thankful that I think Dan and is it Dennis

50

1 that's on Nushagak Advisory. Through that system too I
2 think we can educate our public people.

3
4 And when I reported on our effort
5 regarding possibly getting our public engaged our RAC
6 members from our region, from different regions, also
7 had the same I guess concern that there's just been too
8 many meeting times when just the agency and the Board
9 are present. And so we had a discussion about how we
10 can expose our -- I guess our RAC program to people.
11 Because it is important to have people get engaged on
12 the regulations. That's their -- you know, once the
13 regulations are put in place they would have to live
14 with that.

15
16 The other area that I touched on was
17 predator control. And that's also an issue for all our
18 regional RACs. And the response was that it's
19 something that I guess the agencies have time of trying
20 to I guess relate to -- I don't know how to expose
21 this, but it seems like this predator control
22 management and program is -- has been -- it is starting
23 to get concerning. And I hope that it -- you know, we
24 can get that worked out some -- you know, sometime.

25
26 I guess -- let's see. Since I've
27 retired from my other jobs that -- the other two jobs
28 that I've had I've gotten connections with -- still
29 have with the other communities. So just this fall I
30 assisted Fish and Game Subsistence Division in
31 Anchorage to get surveyors for migratory birds from
32 different communities. And that must be going --
33 happening now because I saw that they -- that the
34 surveyors that they put together have already had their
35 first training session. So I'm hoping that somebody
36 out there will have some more information regarding
37 this and report to us.

38
39 Other than that I guess we can go right
40 into the coordinator's report.

41
42 Donald.

43
44 MR. MIKE: Thank you, Madame Chair. I
45 just want to remind all the participants in this
46 meeting we have a sign in table for those that wish to
47 sign in and make it known that you attended this
48 meeting. Also we have blue cards for those wishing to
49 testify on the proposal or wishing to testify on non-
50

1 agenda items. So if you have cards you want to testify
2 you can hand them to me and I'll let the Chair know
3 that you wish to testify.

4
5 And later on the agenda we have agency
6 reports and we'll get an update on the SRC initiative
7 for Lake Clark National Park and I think Katmai and
8 those will be coming up on -- later on on the agenda.

9
10 And for, you know, future meeting dates
11 I'd like to bring up, you know, discussing -- a short
12 discussion on hub communities rather than, you know, we
13 can open up hub communities for -- currently we have
14 Dillingham and King Salmon/Naknek as the primary hub
15 communities. So we can bring further discussion with
16 this Council if you want to identify other hub
17 communities within the Bristol Bay region. So that
18 will be under future meeting dates, we can bring that
19 up for discussion.

20
21 And for those that are going to --
22 providing a presentation in Power Point we have a
23 projector so if you wish to do a Power Point
24 presentation we have a projector, just have you laptop
25 available for -- to project the information you wish to
26 show to the Regional Advisory Council.

27
28 And, Madame, Chair, thank you.

29
30 That's all I have.

31
32 I'd like to acknowledge the Dillingham
33 school kids that come and observe this public process.

34
35 Madame Chair.

36
37 MADAME CHAIR CHYTHLOOK: Okay. Thank
38 you, Donald. On our agenda I neglected to notice this,
39 but under the public and tribal comment on non-agenda
40 items it says available mornings. But I would like to
41 have it available mornings and then also hopefully
42 first thing right after lunch. I want to get our
43 public people involved as much as possible so if the
44 Board doesn't mind I would like to have the non-agenda
45 items be available for the public in the mornings,
46 first thing in the morning, and then also first thing
47 after lunch. So I think that would probably give our
48 public attendance time to, you know, talk to us.

49
50

1 I think I'd like to before we get into
2 our service awards have our students introduce
3 themselves. Maybe the teacher could, you know, tell us
4 a little bit about that, the kids, and then they could,
5 you know, introduce themselves.

6
7 Could we have you come to the mic.

8
9 MS. POPEK: Hi, I'm Ms. Popek, I'm a
10 sixth grade science teacher here at Dillingham Middle
11 High School. And this is my sixth -- half of the sixth
12 graders. So I have half of the sixth graders first
13 hour and you will -- we're about to end class and then
14 you will have a chance to meet the other half of the
15 sixth graders next period, we will come down and
16 listen.

17
18 We've been talking a lot about
19 subsistence issues, food webs, lifecycles. What else
20 have we been talking about.

21
22 Can if have one student come up and
23 volunteer to tell you guys a little bit what we've been
24 learning.

25
26 MS. DELCHANNON: Hi, my name is Kristen
27 Delchannon. I'm in sixth grade. We've been talking
28 about salmon anatomies, internal anatomies and external
29 anatomies. And we've been talking about different
30 types of parts of the community like what we do and
31 stuff. And the subsistence and -- that's it.

32
33 MADAME CHAIR CHYTHLOOK: Yeah, thank
34 you.

35
36 (Applause)

37
38 MADAME CHAIR CHYTHLOOK: Okay. And
39 then I'd like to let the kids know that -- and the
40 teachers, teacher also, that you're welcome to come and
41 talk to us anytime you feel like it. Just request to
42 be here. And then, you know, starting from the back
43 just holler out your name and introduce yourself. Just
44 tell us what your name is.

45
46 (Inaudible - away from microphone).....

47
48 (Applause)

1 MADAME CHAIR CHYTHLOOK: Okay. Thank
2 you. Thank you for being here and observing. Because
3 one day this is where I want you kids to be sitting, at
4 this RAC board here to discuss subsistence issues just
5 like we will be doing today.

6
7 Thank you so much for coming.

8
9 MR. ANDREW: Madame Chair.

10
11 MADAME CHAIR CHYTHLOOK: Dennis.

12
13 MR. ANDREW: Yeah. Thank you, Madame
14 Chair. Last year when I was at the board training in
15 Anchorage there and stuff -- after I got back I brought
16 the stuff back to our high school at the village there
17 and to the kids there, for some program, did a report
18 on that.

19
20 So I thought I'd let you know.

21
22 Thank you.

23
24 MADAME CHAIR CHYTHLOOK: Yeah, that's
25 the kind of items that needs to happen, get our local
26 students involved and notified.

27
28 But just moving on on our agenda, we've
29 got the service awards.

30
31 MR. MIKE: Thank you, Madame Chair.
32 Chris McKee, our chief of Wildlife biologist will
33 present the service wards. And the Office of
34 Subsistence Management will recognize those serving on
35 regional advisory councils for the amount of time they
36 served.

37
38 So Mr. Chris McKee will present it.

39
40 Thank you, Madame Chair.

41
42 MR. McKEE: Thanks, Donald. Madame
43 Chair, before I present I just want to say that, you
44 know, the Federal subsistence program is -- we also say
45 it's a bottom up program, it's run by the people who
46 use the resources. The regional advisory councils are
47 the most important part of the entire Federal
48 Subsistence Management Program and that we at OSM want
49 to acknowledge the amount of time and effort that it

50

1 requires to be a member of this Council and that it can
2 sometimes be a hardship because I know a lot of you
3 want to be out hunting sometimes when you're at
4 meetings, taking care of important issues. So we
5 really appreciate all the time and effort that you --
6 that all of you put into this program because without
7 you it -- the program simply wouldn't work.

8
9 So the first award I'd like to present
10 is to Member Lary Hill. And I'll just read this out
11 really quickly. The placque say in recognition of his
12 years of service to the Federal Subsistence Management
13 Program as a member of the Bristol Bay Subsistence
14 Regional Advisory Council for the years 2012 to 2017.

15
16 (Applause)

17
18 MR. McKEE: Okay. And last, but
19 certainly not least, I want to present a service award
20 to you, Madame Chair, for your 10 years of service on
21 the Bristol Bay Regional Advisory Council. So thank
22 you very much, very appreciated.

23
24 (Applause)

25
26 MADAME CHAIR CHYTHLOOK: Yeah, time
27 goes -- time flies when you're having fun.

28
29 Thank you.

30
31 Okay. This is the time for our public
32 comments on non-agenda items. I saw Frank waving a
33 blue card.

34
35 So, Frank, welcome.

36
37 MR. WOODS: Yeah, thanks, Madame Chair.
38 Frank Woods from Dillingham. I'm not going to give a
39 history lesson on the Alaska Lands Claim Settlement
40 Act, but section 17 kind of guaranteed that the Native
41 population, the indigenous people of Alaska, can
42 subsist off the resource and the lands that we share.
43 ANILCA was formed under Title VIII which gave a rural
44 preference subsistence priority we're sitting in now.
45 The map behind you I'm referring to and I will refer
46 to, is all the Federal designated lands under the --
47 not only statehood, but the agreements were made under
48 ANILCA to manage those properties.

1 In the last year I've -- I've been in
2 forestry for three years now and last year I went to a
3 training in Albuquerque, New Mexico and that the
4 village corporation lands, they have a reserve treaty
5 rights designation. I'd like to propose to the RAC,
6 OSM and the Federal Subsistence Board that we help the
7 Native corporations for profit under the Alaska Lands
8 Claim Settlement Act kind of utilize that reserve
9 treaty rights. It's called a reserve treaty rights
10 lands designation under the Federal system which will
11 give each village a voice. The lands that were chosen
12 for those corporations under ANCSA were chosen for
13 prime subsistence use. And the reason I bring this up
14 is right now we have a -- and it will only get worse as
15 Alaska grows in population and as Alaska competes
16 against resources knowledge from inside its walls, but
17 also from outside.

18
19 So under the RTL designation under not
20 only the Federal system, but since lands are chartered
21 through the State. You know, I'll take this charge as
22 a -- just as a research paper or something that can be
23 because I think everybody could benefit from
24 cooperative agreements or cooperative management or
25 some sort of a -- say this Board and the State Board
26 come up with a common use practice for those lands that
27 help feed the shareholders.

28
29 Not only that, but also manage them
30 lands. Those are huge tracts of land, like 44 million
31 acres in the State of Alaska, that aren't really
32 utilized. If you look around Dillingham just like the
33 Village of Dillingham itself, the Village of -- it's
34 Curyung, Limited not Curyung Tribal, they have like a
35 140,000 acres and the majority of it isn't being
36 managed, let alone set up land use plans, let alone set
37 up management plans or being part of the process. I
38 don't see any of those corporations participating in
39 any of the arenas that need to be addressed. And I
40 think we're all too busy, that we have a different
41 charge, but as a member of the public and a member of
42 the region I think that we all could use -- say Naknek
43 Village, they have a huge tract of land behind the
44 village. It would be beneficial to come up with a land
45 use plan and land management plan and incorporating
46 feeding its shareholders.

47
48 And participating in different arenas
49 from limited outside use to -- and the common sense is
50

1 -- what I'd like to see is a stewardship plan that
2 incorporates Native corporations and incorporates
3 village corporations, regional corporations, the
4 Federal system and the State government. That we all
5 come to the table in agreement, not disagreement, that
6 we quit -- we don't have to fight over resource, we
7 come to the table saying land protection, subsistence
8 first. And whatever else we come up. So that -- I
9 guess that would be just a -- something we could look
10 into in the future. That under this designations I
11 think it opens the door for a whole different level of
12 participation. Because as -- the last 10 years it's
13 been hard to get the public involved. And not only
14 been that, but the young people sitting here, I'm glad
15 we're having it here, but if we incorporate private
16 lands, corporation lands, State and Federal
17 governments, I think we incorporate everybody.

18
19 Thank you, Madame Chair.

20
21 MADAME CHAIR CHYTHLOOK: Okay. Any
22 questions for Frank.

23
24 MR. ANDREW: Madame Chair.

25
26 MADAME CHAIR CHYTHLOOK: Dennis.

27
28 MR. ANDREW: Thank you, Madame Chair.
29 Hey, Frank, you know, there's a BBNC big get together
30 and there's also a BBNA that holds -- hosts all the 32
31 villages together in this town here. I mean, the stuff
32 you just mentioned to me, the Board itself, I think we
33 have -- get those people -- get those people together
34 at the same time or maybe to sit down together and
35 start working on it, you know, if they're apart and
36 stuff just they ain't going to move. But we need to
37 sit down, I mean, yeah, I like the idea, but we got to
38 bounce our heads amongst, I mean, the mayors, tribal
39 presidents, the corporation presidents, I mean, the
40 leaders and then tackle this issue, see how we could
41 work together on it real good.

42
43 Thank you, Madame Chair.

44
45 MADAME CHAIR CHYTHLOOK: Nanci.

46
47 MS. MORRIS LYON: Thank you, Madame
48 Chair. Yeah, Frank, I think that that is also an
49 excellent idea. And I think the only way that it will

50

1 happen is for somebody to carry the torch. And the
2 torch almost has to be carried by a semi-private
3 organization which would be a Native corporation or
4 somebody like that to invite everybody to come to that
5 table. But I would certainly, you know, be on the
6 bandwagon and encourage anybody I knew or any entities
7 I knew to participate because I totally agree with what
8 you and Dennis have both said and think it would be
9 extremely beneficial.

10

11 Thank you, Madame Chair.

12

13 MADAME CHAIR CHYTHLOOK: Billy.

14

15 MR. MAINES: Thanks. Curyung, Limited
16 at one time or another did have management guidelines
17 and plans and it was through their emphasis (in Native)
18 was established which is Caretakers of the Land. And
19 that was for all the village corporations along the
20 Nushagak area. And that was the purpose of that was to
21 come together and develop land management plans and
22 guidelines and the river patrol and all that other good
23 stuff. It's just that other things seem to have pushed
24 that off to the side and there's other battles going
25 on. But I have all the confidence that they're going
26 to get back to their core mission and that's develop
27 those land management plans.

28

29 I'm glad you brought up that reserve
30 treaty right issue. It's something that none of us in
31 the State of Alaska really looked into and I don't
32 think there's that many folks that realize that. And
33 it was the same thing with water rights for (in
34 Native). We were looking at protecting what we have,
35 but as far as Federal government goes that (in Native)
36 have that indian country status so they're able to go
37 after their Federal water rights. This is another
38 thing that somebody in this State if it's not Curyung
39 Tribal or the village corporation or BBNC looking at
40 the possibility of delving further into that and maybe
41 pushing the (indiscernible) and just seeing how much we
42 can actually use it.

43

44 So thanks for bringing that up.

45

46 MADAME CHAIR CHYTHLOOK: Lary.

47

48 MR. HILL: Mr. Woods, thank you for
49 that. I think with our corporations with have some

50

1 beginnings of a land use plan which is the land use
2 permits which the people can apply to use particular
3 lands. One of the problems that I see, it's my
4 personal opinion, is that, yes, we can do land use
5 planning, but we still have to adhere to the State and
6 Federal licensing and use of our, you know, fish and
7 game. So and that until we resolve that it's going to
8 be harder to actually do a total management.

9

10 Thank you.

11

12 MADAME CHAIR CHYTHLOOK: Donald.

13

14 MR. MIKE: Thank you, Madame Chair. I
15 was wondering if we could take a few minutes break and
16 get this beep beep resolved.

17

18 Thank you, Madame Chair.

19

20 MADAME CHAIR CHYTHLOOK: So take a five
21 minute break. Okay.

22

23 This is a good time to take a break.

24

25 (Off record)

26

27 (On record)

28

29 MS. DAMBERG: This is Carol Damberg,
30 I'm with the U.S. Fish and Wildlife Service in
31 Anchorage, Alaska. I'm the regional subsistence
32 coordinator.

33

34 MR. MIKE: Thank you, Carol. Carol
35 Damberg from the U.S. Fish and Wildlife Service.

36

37 MR. BURCH: Mark Burch from the
38 Department of Fish and Game.

39

40 MR. MIKE: Mark Burch. Is there
41 anybody else online that haven't identified themselves?

42

43 (No comments)

44

45 MR. MIKE: Okay. Thank you. For those
46 folks online I just want to remind you if you're going
47 to go away from your phone for a few seconds mute it,
48 please do not put it on hold, otherwise it'll have a
49 beeping sound which will disrupt the deliberation of

50

1 this Council. So I just want to remind those folks
2 online, please do not place your phone on hold.

3

4

Thank you.

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MADAME CHAIR CHYTHLOOK: Are we back to
order? Okay.

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10

I guess before we move on, Frank or
Dan.

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MR. DUNAWAY: Thank you, Madame Chair,
if I could speak to Frank's proposal there. It sounds
very interesting and I know I'm not nearly enough
educated on what this all means. It sounds important
to me, yeah, coordinating and all. And I would
encourage it to move forward. I think public education
of this would be really important because when I read
about subsistence issues in like the Anchorage paper,
the evil, nasty comments that a lot of the uninformed
public offer just is appalling. And I don't think it
should be that way. So, yes, public education to
understand how this works would be really healthy.
And, yeah, we need -- these little fragmented and stuff
I think sounds like the State of Alaska's moving
forward to make some of this more possible.

27

28

So thanks for bringing it up, Frank.

29

30

31

Thank you.

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MADAME CHAIR CHYTHLOOK: Any other
comments.

34

35

(No comments)

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MADAME CHAIR CHYTHLOOK: If not, Frank,
that's -- you know, that -- your area I guess of
training that you went to sounds like something that
needs to get revived again. I know dealing with the
corporations matching plans for the corporation lands
is important, but like Bill said it's just been kind of
put aside. I think to remind us again and possibly
revive it again. It might be good for you to get on an
agenda for the leadership forum that's coming up at
BBNC. I think that's another avenue that you could,
you know, give that information out.

48

49

So thank you for sharing that

50

1 information.

2

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4

It's important and it needs to be
revived again and used.

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6

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Thank you.

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MR. WOODS: Thanks, Madame Chair. That
was just a long term goal, it's nothing that needs to
be immediately addressed, but I think as we work
together in cooperation I think it's the best possible
way.

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Thank you.

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MADAME CHAIR CHYTHLOOK: Yeah, and we
miss you, Frank with the -- all the subsistence
information and support that you have given us in the
past. So keep coming even though you're in forestry
now.

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Thank you.

Moving on to old business.

Donald.

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But Crystal Leonetti, she's the person
in charge of this draft Alaska Native Relations Policy,
I talked with her and she said that the draft policy
hasn't been approved yet. And I want to quote from
Crystal Leonetti, she's the Native liaison for the U.S.
Fish and Wildlife Service. The Alaska Native Relations

1 Policy is still in draft form. The writing team is
2 considering options to move forward with the policy
3 given the slow nature of publishing in the Federal
4 Register. One option being considered is making the
5 draft policy a regional director's order. This will
6 allow the policy to be implemented in Alaska much
7 sooner while the final version of the draft works its
8 way towards becoming part of the national U.S.Fish and
9 Wildlife policy.

10
11 So it still hasn't been published in
12 the Federal Register so I think Crystal Leonetti will
13 present -- I think in the future will continue
14 presenting this policy for the Councils to consider.

15
16 Thank you, Madame Chair.

17
18 That's the update on Native American
19 Policy.

20
21 MADAME CHAIR CHYTHLOOK: Okay. Thank
22 you, Donald. I think at our last meeting in Naknek
23 that Alaska Native Relations Policy we formed a working
24 group and the working group consisted of Billy Maines,
25 Lary Hill and Dan Dunaway. I guess that group hasn't
26 been able to meet.

27
28 Did you bring a copy of that policy?

29
30 MR. MIKE: Yes, I.....

31
32 MADAME CHAIR CHYTHLOOK: I know I have
33 it from when we looked at it at our last meeting, but I
34 think if you have a copy it might be good for all of us
35 to look at. And are you still going to be able to work
36 with this working group?

37
38 MR. MIKE: Madame Chair, my
39 recommendation is, you know, according to Crystal
40 Leonetti's statements I -- my recommendation to this
41 Council is to wait until we hear from Crystal Leonetti
42 to move forward, but if you wish to maintain the work
43 group to address this in the future once we hear from
44 Crystal, we can reconvene that working group.

45
46 Thank you, Madame Chair.

47
48 MADAME CHAIR CHYTHLOOK: Okay. Any
49 other comments.

50

1 MR. DUNAWAY: Sounds like a good plan.

2

3 MADAME CHAIR CHYTHLOOK: Okay. Any
4 other old business.

5

6 (No comments)

7

8 MADAME CHAIR CHYTHLOOK: I don't know
9 if National Park Service is going to update us on the
10 council or that -- I guess the last time we met that
11 the National Park Service was going to get ahold of the
12 tribes that had this mitigation plan regarding that
13 road.

14

15 Donald.

16

17 MR. MIKE: Madame Chair, thank you.
18 That's under agency reports so it'll come up during the
19 agency reports. So if the Park Service has any
20 specific answer they can do it right now, but it's
21 under agency reports.

22

23 Thank you, Madame Chair.

24

25 MADAME CHAIR CHYTHLOOK: Yeah, I saw
26 that agenda item and looked through the material and I
27 didn't see -- I didn't see that topic.

28

29 So I guess sounds like it's going to be
30 included.

31

32 Okay. Anything else.

33

34 MR. HILL: Madame Chair.

35

36 MADAME CHAIR CHYTHLOOK: Lary.

37

38 MR. HILL: This work group with this --
39 that draft policy we're talking about, is there -- I
40 was wondering if there was a time, Donald, that we
41 could get our work group together while we're all here.
42 I don't know when this whole business we're doing now
43 is concluded if we're all waiting on airplanes for, you
44 know, two or three days maybe we could kind of get
45 together as a working and specifically for this draft
46 policy.

47

48 Thank you, Madame Chair.

49

50

1 MADAME CHAIR CHYTHLOOK: Donald.
2
3 MR. MIKE: Thank you, Madame Chair.
4 Thank you for that question, Mr. Hill. But due to the
5 new administration all Federal Register or most of the
6 Federal Register were on hold for publication. So like
7 I said earlier or stated earlier my recommendation is
8 we can wait until we hear from Crystal Leonetti, she's
9 taking the lead on this policy. Once we hear from Ms.
10 Leonetti we can reconvene this work group or bring it
11 up again near the winter meeting and get a status
12 update on that. But for now it's premature to get this
13 work group going without the publication of the policy
14 in the Federal Register.
15
16 Thank you.
17
18 MR. HILL: Okay. Thank you.
19
20 MADAME CHAIR CHYTHLOOK: Okay. Are we
21 good on this?
22
23 (No comments)
24
25 MADAME CHAIR CHYTHLOOK: Moving on to
26 new business. But before we move on I'd like to have
27 the students again -- looks like she brought in another
28 new group so could you come to the mic and introduce
29 your group.
30
31 MS. POPEK: Good morning. This is Ms.
32 Popek's second hour sixth grade science class. And I
33 have a student that will introduce our class and tell
34 you a little bit about what we're doing this year.
35
36 MS. CALVERT: Well, everybody in my
37 class -- oh, I'm Faye Calvert and everybody in my class
38 is TJ, Kenton, Tyler, Mickey, Shawntae, Kaylona, Emma,
39 Andrew, Benjamin, Jeffrey, Jonas, Evan and Liam.
40
41 We've been learning a lot about salmon
42 this year. Oh, and we just learned about food webs and
43 some subsistence stuff.
44
45 (Applause)
46
47 MADAME CHAIR CHYTHLOOK: Okay. Thanks
48 again and welcome for coming to observe. And again I
49 want to let you know that one day I want you folks to
50

1 be sitting here as board members to work on subsistence
2 regulations for Federal subsistence. So thanks for
3 coming and we'll try to make our program interesting.
4 And thanks for dealing with salmon. Get yourself all
5 educated on our food resources.

6

7

Thank you.

8

9

MR. MIKE: Madame Chair.

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MADAME CHAIR CHYTHLOOK: Donald.

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MR. MIKE: Thank you, Madame Chair.

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Just for the school teacher's benefit, we have Council
material and meeting books on the table. And we have a
brochure about Office of Subsistence Management and the
Federal Subsistence Program. So if you can share that
with the students, you know, educate them further. So
in the meeting materials we have -- it's half a dozen
or so wildlife proposals and I think it will be
interesting for the students to browse through it.

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Thank you, Madame Chair.

MADAME CHAIR CHYTHLOOK: Okay. I guess
for housekeeping seem like last year or when we met
here last we had to be out of the room for a certain
time for lunch. Do you have any specifics on the
schedules?

MR. MIKE: Madame Chair, I can get that
information for you. So.....

Thank you, Madame Chair.

MADAME CHAIR CHYTHLOOK: Okay. We're
now down to new business. Wildlife proposals. And you
can find the proposals starting on page 15 in your
book. I'm sorry, not 15.....

MS. MORRIS LYON: Fourteen.

MADAME CHAIR CHYTHLOOK:14. So
we're starting off with -- we're starting off with
wildlife proposal 18-21.

MS. WORKER: Thank you, Madame Chair.
My name is Suzanne Worker and I'm a wildlife biologist
with OSM. And I'll be reviewing the wildlife proposals

1 with you all today and trying to answer your questions.
2 The first one up is WP 18-21 and like you said that
3 starts on page 14 of your books.
4

5 This proposal was submitted by this
6 Council and so there are basically two parts to this
7 request. The first part is the request that the
8 harvest restrictions for caribou be eliminated in units
9 9A, B and C, 17A, B and C and 19A and B. So this would
10 result in a simple harvest limit of two caribou rather
11 than the current limit of two caribou with the
12 restriction that no more than one caribou may be a bull
13 and no more than one may be taken between August 1st
14 and January 31st. So this would result in consistent
15 harvest limits throughout the range of the herd and it
16 would also result in consistent harvest limits in State
17 and Federal regulation. The Board of Game made these
18 changes in the State regulation in 2016.
19

20 So the second part of the request is
21 that within the portion of unit 9C that drains into the
22 Naknek River from the north, so this is the central
23 portion of unit 9C which is currently part of unit 9C
24 remainder. The request is that the regulations be
25 changed from a may be announced season with a harvest
26 limit of one bull to an August 1st to March 15th season
27 with a harvest limit of two caribou consistent with the
28 proposed changes in the rest of the Mulchatna caribou
29 herd range.
30

31 So this area is right at the margin of
32 the Mulchatna caribou herd range and the Northern
33 Alaska Peninsula caribou herd range. And so this
34 change would essentially shift the regulatory emphasis
35 from the Northern Alaska Peninsula herd to the
36 Mulchatna herd.
37

38 A proposal identical to this second
39 request was submitted to the Board of Game for
40 consideration at their February, 2018 meeting. And it
41 doesn't happen very often, but the Board of Game and
42 the Federal Subsistence Board will actually be making
43 recommendations on this region at the same time. So
44 that's convenient.
45

46 So just a little biology. The
47 Mulchatna herd historically has ranged from around
48 20,000 animals to around 200,000. And in recent years
49 it's fluctuated between like 26,000 and 31,000. The
50

1 most current population estimate which was in 2016 was
2 around 27,000 caribou so that's on the low end of the
3 historical population size. And it's also just below
4 the population objective which is between 30,000 and
5 80,000 animals. In 2016 there were 39 bulls to 100
6 cows so that's the highest bull/cow ratio that's been
7 observed since 2000 so there's a little bit of good
8 news there.

9

10 As far as the Northern Alaska Peninsula
11 herd goes this is a small population, it was about
12 3,000 animals in 2015 and that's well below the
13 population objective of 12,000 to 15,000 animals. But
14 the northern portion of the range which is the part
15 that's in question for this proposal, has become a lot
16 less important with the caribou rarely crossing the
17 Naknek River to the north.

18

19 Reported harvest from the Mulchatna
20 herd by Federally-qualified users has averaged fewer
21 than 500 caribou annually since 2000 and in recent
22 years it's been even lower than that although
23 underreporting is probably contributing to that, those
24 low numbers.

25

26 So if this proposal is adopted there
27 would be no affect on the Mulchatna caribou herd or on
28 subsistence users who hunt the Mulchatna caribou herd.
29 And this is because the proposed changes have already
30 been made in State regulation and all users are
31 currently required to obtain a State registration
32 permit to hunt from the Mulchatna herd.

33

34 As I mentioned the requested unit 9C
35 will shift the regulatory emphasis from the Northern
36 Alaska Peninsula herd to the Mulchatna herd. And
37 biologically this isn't expected to be a problem just
38 given the current movement and distribution patterns of
39 those two herds. However the request would consolidate
40 the area that drains into the Naknek from the north
41 with the hunt area in the Alagnak drainage just the way
42 the proposal was written. And this will result in some
43 regulatory inconsistencies within a single hunt area.
44 And so there's a Federal lands closure in the Naknek
45 drainage and so that's something that will have to be
46 resolved.

47

48 So the OSM preliminary conclusion is to
49 support 18-21 with modification. First to create a new

50

1 hunt area in the portion in unit 9C that drains into
2 the Naknek River from the north. So that's simply to
3 accommodate that lands closure. And if you want me to
4 get into the weeds on that I can. To change the may be
5 announced season in this hunt area to an August 1st to
6 March 15th season with a harvest limit of two caribou
7 contingent upon the Board of Game making the same
8 change in their February, 2018 meeting.
9

10 So this contingency is just based on my
11 understanding that the intent of the Council was to
12 make parallel changes in State and Federal regulation.
13 But it would be useful for the Council to get their
14 thoughts on the record about how they would like the
15 Federal Subsistence Board to act if the Board of Game
16 does make the changes and perhaps if the Board of Game
17 does not make those changes. So help the Federal
18 Subsistence Board understand how important it is to you
19 that Federal and State regulations make -- like remain
20 aligned relative to this change happening in February
21 regulation.
22

23 The last two modifications delegate
24 authority to the BLM Anchorage Field Office manager to
25 open and close the season, set the harvest limits
26 including sex restrictions if the new hunt area is
27 designated and finally to retain language in the unit
28 19A and B regulation specifying that residents of Lime
29 Village are authorized to hunt under the existing
30 community hunt.
31

32 And so again our conclusion is to
33 support WP 18-21 with modification.
34

35 So I'm happy to take questions from the
36 Council.
37

38 Thank you.
39

40 MADAME CHAIR CHYTHLOOK: Richard.
41

42 MR. WILSON: Madame Chair, thank you.
43 Yeah, we -- being from the Naknek drainage area we're
44 familiar with what, you know, we brought before the
45 Council here last year to get this into written form
46 and appreciate all the work that's been -- you know,
47 brought it up to this point here.
48

49 One of the main reasons why this was --
50

1 these proposals are brought up is that there's a
2 section of the Naknek, you got the North Peninsula
3 herd, the caribou, and recently they've -- you know,
4 the population has been just enough for some harvest
5 and a limited amount of harvest over there in the North
6 Peninsula herd, but there's a limited. And the -- so
7 they've opened that season and it's tier two and they
8 held this section, the north portion of the Naknek from
9 the Alagnak down to the Naknek River, that portion has
10 always been closed and opened under the tier two
11 program.

12
13 Where now that the caribou is being
14 sought after on the north side -- I mean, the south
15 side of the Naknek River we thought it appropriate
16 that, you know, maybe we'd get away from the tier two
17 stuff because the north side of the river's always been
18 Mulchatna herd just like you had announced here. And
19 it's -- so being under -- being off of the tier two
20 program and onto the State on this would simply things
21 on that side of it because there was -- the only reason
22 why they closed it was they were afraid that, you know,
23 both herds were going to -- you know, the North
24 Peninsula herd and the Mulchatna was going to mingle
25 right there and it might hurt the resource on the North
26 Peninsula.

27
28 So I think we're over that and I think
29 it's written up pretty good and I'm in support of what
30 the intent there is.

31
32 Thank you, Madame Chair.

33
34 MADAME CHAIR CHYTHLOOK: Okay. Dan.

35
36 MR. DUNAWAY: Thank you, Madame Chair.
37 One of the things that's real strong interest to me in
38 serving on this Board is to keep regulations as closely
39 aligned as possible wherever possible to minimize
40 confusion to the hunting public. And in that regard I
41 think this helps a lot and personally I'm supportive of
42 it.

43
44 Also as Secretary of the Nushagak
45 Advisory Committee I'd like to inform the Board that we
46 didn't have all of this analysis or time to go through
47 it at the Nushagak Advisory Committee meeting October
48 24, but we did vote to support the proposal.

49
50

1 Thank you.

2

3 MADAME CHAIR CHYTHLOOK: Okay. Any
4 other comments.

5

6 Dan, you want to turn off your.....

7

8 Dennis.

9

10 MR. ANDREW: Thank you, Madame Chair.
11 Just -- I guess just to comment on the openers on unit
12 17 and on down, when during the closure on caribou
13 stuff sometime they show up in our areas and stuff and
14 it's closed. And you've got -- like for instance last
15 year we got pretty good snow conditions to go out
16 there. We should put a wording in there or a
17 sweetheart clause in there if those caribou show up
18 after the closure a 10 to 15 day additional opening. I
19 think that would help out the community and the
20 villages.

21

22 Thank you, Madame Chair.

23

24 MADAME CHAIR CHYTHLOOK: Okay. Thank
25 you, Dennis. I'm really already starting to appreciate
26 Dennis' information because for sometime we haven't --
27 we hadn't really gotten information from Nushagak area.
28 So thank you, Dennis.

29

30 Any other comments= from the Board.

31

32 (No comments)

33

34 MADAME CHAIR CHYTHLOOK: If not, we
35 move down to the tribes. Is that how that works?

36

37 MR. MIKE: Yeah, thank you, Madame
38 Chair. We have a cheat sheet for all the Council
39 members on the yellow sheet. So the next item for
40 action -- Council action is to report on Board
41 consultation. That includes tribes and ANCSA
42 corporations.

43

44 Mr. Orville Lind's the Native liaison
45 at -- is in the lead of providing tribal consultation.
46 There's a tribal consultation which occurred on
47 September 14th for the Southcentral, Southeast and
48 Bristol Bay regions. And that tribal consultation was
49 available for folks on September 14th and notices were

50

1 sent out to the tribes and ANCSA corporations by Mr.
2 Orville Lind. And we had no participants for -- on
3 September 14th from the Bristol Bay region.

4

5 Thank you, Madame Chair.

6

7 MADAME CHAIR CHYTHLOOK: Okay. Then
8 moving down to agency, ADF&G.

9

10 MS. PETERSON: Madame Chair, this is
11 Chris Peterson. I am the assistant area biologist in
12 unit 17. And I -- we are very glad to be able to offer
13 our comments and hope that you realize these are
14 preliminary. But at this time we are supportive of
15 this proposal. We have collars on Northern Peninsula
16 caribou so that we can monitor where they go, where
17 they travel in the winter. And if they were to travel
18 across the Naknek River into this area of this proposal
19 then we would be able to monitor that and if it became
20 necessary for some -- perhaps the herd had declined
21 again, then we would still be able to close this hunt
22 if needed through an EO, emergency order.

23

24 So at this time the Northern Peninsula
25 herd is as was just stated, we do have a hunt open
26 there. It is doing better. The Mulchatna herd is
27 obviously doing well and we have no problems with this
28 proposal.

29

30 So we do support it.

31

32 Thank you, Madame Chair.

33

34 MADAME CHAIR CHYTHLOOK: Okay. Any
35 response.

36

37 (No comments)

38

39 MADAME CHAIR CHYTHLOOK: Seeing none,
40 Federal. Any comments from Federal agencies regarding
41 this proposal.

42

43 (No comments)

44

45 MADAME CHAIR CHYTHLOOK: Seeing none,
46 how about the tribal.

47

48 (No comments)

49

50

1 MADAME CHAIR CHYTHLOOK: Okay. We're
2 down to advisory group comments. Do we have any other
3 regional councils.

4
5 Dan Dunaway.

6
7 MR. DUNAWAY: Yeah, seeing our Nushagak
8 Advisory Committee President or Chair and Vice Chair in
9 the audience, I hope I didn't speak out of turn to say
10 that. I don't know if in the future they want to take
11 this and in the future if it's up to me I'll do it in
12 the right order. But, thank you. Again the Nushagak
13 Advisory Committee did vote eight to zero to support
14 this.

15
16 Thank you.

17
18 MADAME CHAIR CHYTHLOOK: Donald, did
19 you have a comment?

20
21 MR. MIKE: Yeah, there's no other
22 regional councils that took this proposal.

23
24 Thank you.

25
26 MADAME CHAIR CHYTHLOOK: Fish and Game
27 advisory committees.

28
29 (No comments)

30
31 MADAME CHAIR CHYTHLOOK: None. I guess
32 Dan Dunaway covered that for us.

33
34 How about subsistence resource
35 commission.

36
37 MS. RUPP: This is Liza Rupp of Lake
38 Clark National Park and Preserve. And I'm reporting on
39 behalf of the Lake Clark National Park SRC. And so at
40 our meeting on October 4th the SRC did discuss this
41 proposal and they support WP 18-21 as written.

42
43 Thank you.

44
45 MADAME CHAIR CHYTHLOOK: Okay. Thank
46 you.

47
48 Nanci.

49
50

1 MS. MORRIS LYON: Thank you, Madame
2 Chair. Richard, did you guys at your recent AC meeting
3 take this one up or I'm -- I was just an audience
4 member so I don't recall for sure.

5
6 MR. WILSON: Madame Chair. I don't
7 believe so. I think we -- I think we -- this is one of
8 them that we had missed. And I could be corrected, but
9 I don't think anything in our recent notes indicated
10 that we had chatted about this and it -- somehow it got
11 away from us even though it was our proposal. So I
12 think we were just assuming that it was ours and it was
13 good to go.

14
15 Thank you.

16
17 MADAME CHAIR CHYTHLOOK: Donald.

18
19 MR. MIKE: Thank you, Madame Chair. I
20 shared this information with the Alaska Department of
21 Fish and Game, what do you call it, the person that's
22 in charge of the ACs. I shared this information with
23 them and asked them if they'd be addressing it at their
24 AC meeting.

25
26 So they're kept informed.

27
28 Thank you, Madame Chair.

29
30 MADAME CHAIR CHYTHLOOK: Okay.

31
32 MR. MIKE: Madame Chair.

33
34 MADAME CHAIR CHYTHLOOK: Donald.

35
36 MR. MIKE: I spoke too soon. I think
37 Western Interior and YK Councils took action on this
38 and we have a summary from Ms. Worker.

39
40 Thank you, Madame Chair.

41
42 MS. WORKER: Thank you, Madame Chair.
43 The Western Interior Regional Advisory Council voted to
44 support this proposal as modified by OSM. They
45 supported it for the reasons stated in the analysis.
46 And the YK Delta Advisory Council supported the
47 proposal as well.

48
49 Thank you.

50

1 MADAME CHAIR CHYTHLOOK: Okay. Summary
2 of written public comments.
3
4 Donald.
5
6 MR. MIKE: Madame Chair, I did not
7 receive any written public comments.
8
9 Thank you, Madame Chair. The only
10 comments we received were from the SRC.
11
12 Thanks.
13
14 MADAME CHAIR CHYTHLOOK: Okay. Public
15 testimony. Anybody from the public.
16
17 (No comments)
18
19 MADAME CHAIR CHYTHLOOK: Okay. Seeing
20 none, Regional Council recommendations.
21
22 Nanci.
23
24 MS. MORRIS LYON: Yeah, thank you,
25 Madame Chair. I would make a motion to support this
26 proposal, WP 18-21 as modified. And I guess I'll wait
27 for a second and then I'll speak to it.
28
29 MR. DUNAWAY: Second.
30
31 MADAME CHAIR CHYTHLOOK: There's been a
32 motion by Nanci to support WP 18-21. Second by -- as
33 modified. Second by Dan Dunaway. Any -- Donald, did
34 you or I guess we're under discussion.
35
36 Richard.
37
38 MR. WILSON: Madame Chair, just a final
39 comment. You know, it is very important for this
40 portion of the proposal to go through because that
41 section of the Naknek there's a -- you know, the
42 residents there, you have a small caribou population
43 that comes in fairly early and in the past you haven't
44 been able to hunt on them. You know, this would -- you
45 know, and time's always of the essence in the -- you
46 know, in the winter months trying to get caribou on the
47 north side of the river. And a lot of times you're
48 sitting there looking at them and you can't do anything
49 about it, yet just across the river is open and just
50

1 north of the Alagnak is open. So there's really no
2 sense in having that closed. So I just wanted to make
3 sure that you understand that this section here was --
4 is important to the residents of Naknek that it be
5 opened like the Mulchatna system.

6
7 Thank you.

8
9 MADAME CHAIR CHYTHLOOK: Okay.

10
11 Nanci.

12
13 MS. MORRIS LYON: Yes, thank you,
14 Madame Chair. I -- yeah, that was exactly what I was
15 going to state as justification for my support of this
16 proposal. And also that aligning it with the State
17 regs is going to make it a lot safer for hunters out
18 there to not be fined or found in consequence because
19 of their actions.

20
21 So I support it for that as well.

22
23 Thank you.

24
25 MADAME CHAIR CHYTHLOOK: Dennis.

26
27 MR. ANDREW: Yeah, thank you, Madame
28 Chair. Just a comment again on the two side like he
29 mentioned. Just on the other side of the river and
30 this side's open and stuff, okay, what happens then if
31 a fellow get a caribou right in the middle of the
32 river, is he fined or not?

33
34 Thank you, Madame Chair.

35
36 MADAME CHAIR CHYTHLOOK: Okay. Okay.

37 Are we -- Dan.

38
39 MR. DUNAWAY: A faint attempt to answer
40 Dennis' question. It'll probably be somewhat to the
41 discretion of the enforcement person. And I'm trying
42 to remember, I think in some cases there's rules
43 against shooting animals in the river. But, yeah,
44 there's always those things.

45
46 I -- to go on a little further from my
47 own perspective. I'm thrilled that some of these herds
48 seem to be coming back a little bit and that some
49 hunting opportunity's available now.

50

1 And keeping it as simple as possible is
2 always good so I'll be voting in support of this.

3
4 Thank you.

5
6 MADAME CHAIR CHYTHLOOK: Lary.

7
8 MR. HILL: With respect to the middle
9 of the river, I would -- I don't know who the
10 enforcement person would be, they -- but probably would
11 be looking where you came from, what direction you came
12 from.

13
14 Thank you, Madame Chair.

15
16 MADAME CHAIR CHYTHLOOK: Okay.

17
18 Nanci.

19
20 MS. MORRIS LYON: One more thing,
21 Madame Chair, too. I would like to say that I do like
22 -- just having Dan's comments reminded me of this, but
23 just having come off of many, many years of struggle
24 with that Northern Peninsula herd, it is so refreshing
25 to see it back. And I like the fact that this will be
26 in regulatory hands of -- who did we put it in, Fish
27 and Wildlife Service, to slow things down or speed
28 things up as necessary. And I like -- I like being
29 able to have some instant access to that ability in
30 order for protection of the herd or increase in harvest
31 if that's called for.

32
33 So that's another reason I liked it.

34
35 Thank you.

36
37 MADAME CHAIR CHYTHLOOK: Okay. And
38 thanks, Dennis, for that life -- real life comment.

39
40 I don't hunt, but I'm from a hunting
41 family so I was about ready to answer it, but thanks,
42 Dan, for attempting.

43
44 Okay. Are we ready to.....

45
46 MR. WILSON: Question.

47
48 MADAME CHAIR CHYTHLOOK: Question's
49 been called. All in favor say aye.

50

1 IN UNISON: Aye.

2

3 MADAME CHAIR CHYTHLOOK: Any
4 opposition.

5

6 (No opposing votes)

7

8 MADAME CHAIR CHYTHLOOK: Donald.

9

10 MR. MIKE: Madame Chair, when you take
11 action make sure before you go further for those that
12 support the motion is to request that Mr. Seybert
13 identify his vote on record.

14

15 Thank you.

16

17 MADAME CHAIR CHYTHLOOK: Yeah, I was
18 just going to ask to see if he concurred.

19

20 Victor.

21

22 MR. SEYBERT: Yes, I concur. I vote
23 yes.

24

25 MADAME CHAIR CHYTHLOOK: Okay. Thank
26 you. Moving on. WP 18-22.

27

28 MS. WORKER: Thank you, Madame Chair.
29 This is Suzanne Worker again. And WP 18-22 begins on
30 page 38 of your meeting materials.
31 This proposal was also submitted by this Council. And
32 the request is that the Federal public lands closure
33 for caribou on the Nushagak Peninsula be rescinded.
34 Currently the harvest of the Nushagak Peninsula caribou
35 herd is limited to residents of Togiak, Twin Hills,
36 Manokotak, Aleknagik, Dillingham, Clark's Point and
37 Ekwok. So this closure does exclude some Federally-
38 qualified users.

39

40 This population was the subject of
41 several action requests in 2015 and 2016, all of which
42 were aimed at increasing harvest. Those actions
43 resulted in temporary liberalization of harvest
44 regulations including lifting the Federal public lands
45 closure in 2015 and 2016. There were no special
46 actions for 2017 so Federal public lands are currently
47 closed.

48

49 The current population estimate of the

50

1 Nushagak Peninsula caribou herd is 968 caribou. That's
2 a minimum count of 786 caribou. So that's above the
3 population objection of 400 to 900 animals and it's
4 above the optimum population size of 750 caribou. This
5 population has been above the upper limit of the
6 population objective since 2012 resulting in concern
7 about the long term viability of the population.

8
9 Poor travel conditions resulted in
10 lower than expected harvest during the population's
11 peak, but in the 2016, 2017 regulatory year conditions
12 were good and harvest was high at 371 caribou. So the
13 population decline that we saw between 2016 and 2017
14 was largely due to harvest.

15
16 Despite opening a State season for the
17 2016/2017 regulatory year nearly all reported harvest
18 was attributable to residents of the seven communities
19 that have always been eligible to hunt this herd. So
20 23 caribou were harvested under State regulation and 22
21 of those were taken by residents of those seven
22 communities that have never been excluded from hunting
23 on Federal lands as long as there was a hunt open.

24
25 If this proposal is adopted Federal
26 public lands in the Nushagak Peninsula will be open to
27 all users which may help reduce the population to more
28 appropriate levels and is not expected to negatively
29 affect subsistence users' ability to harvest caribou at
30 this point.

31
32 I want to mention a couple of
33 alternatives that were considered in the analysis. The
34 first is that the most recent special action which was
35 WSA 16-02 that lifted the closure included a threshold
36 of 900 animals. And so the idea was that if the
37 population fell below that threshold then the Federal
38 lands closure would be reinstated. This alternative
39 was considered in this analysis and some kind of
40 regulatory structure like that might be a way to move
41 forward if not now in the future. But when we took
42 public comments and tribal comments on the special
43 action there was some reluctance to proceed with that
44 alternative. And so it's not part of the OSM
45 preliminary conclusion, but it is mentioned in the
46 analysis. So I just wanted to bring that to your
47 attention.

48
49 A final alternative that was considered
50

1 was to open Federal public lands to all Federally-
2 qualified users rather than to all users. So this
3 would include residents of 9B, unit 17 and the
4 communities of Lime Village and Stony River. However
5 participation by Federally-qualified subsistence users
6 who are not already eligible to harvest caribou is
7 expected to be low. And so this alternative isn't
8 preferred when it comes to reducing population size.
9

10 So OSM preliminary conclusion is to
11 support WP 18-22 as it's written.
12

13 And I can take questions from the
14 Council if there are any.
15

16 Thank you, Madame Chair.
17

18 MADAME CHAIR CHYTHLOOK: Okay. Dan.
19

20 MR. DUNAWAY: Thank you, Madame Chair.
21 Susan, could you go over that first alternative again
22 that you considered.
23

24 Thank you.
25

26 MS. WORKER: Yeah. Thanks, Mr.
27 Dunaway. Through the Chair. So the first alternative
28 is the -- it would basically be similar to the closure
29 that was -- that existed for the 2016 regulatory year.
30 So as long as the population remained above 900 caribou
31 which is the upper bound of the population objective,
32 Federal public lands would be open. And if it fell
33 below that threshold then Federal public lands would be
34 closed again. And so that's a -- you know, a pretty
35 conservative -- using that upper population bound is a
36 pretty conservative way to ensure that subsistence
37 users continue to have access if the population begins
38 to decline.
39

40 But like I said there was some
41 reluctance on that alternative, maybe not in concept,
42 but at least I think concern about lack of involvement
43 in sort of development of a regulatory structure like
44 that.
45

46 MADAME CHAIR CHYTHLOOK: Nanci.
47

48 MS. MORRIS LYON: Thank you, Madame
49 Chair. Who was the reluctance coming from. I -- in my
50

1 thought process I like the concept of being able to
2 place that in there as protection for local residents
3 to ensure in the future when the herd does go down in
4 numbers which inevitably it is going to do, then it's
5 already in place rather than have this Council have to
6 reestablish it once again.

7

8

So where did that reluctance come from?

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And so there was some discussion about whether or not the management plan is the appropriate place for sort of like a tiered, you know, harvest structure to be laid out.

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MADAME CHAIR CHYTHLOOK: Dan.

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MR. DUNAWAY: Thank you, Madame Chair and thank you, Susan. Seems to me that would be the place to put a -- that kind of an action would be in the management plan. It would spell it right out, kind of a recipe of what happens when. And that's -- I've been deeply involved with salmon management plans that do exactly that so it's right up there for the public to understand what happens for all the different user groups. And I'm kind of looking back at some of the Togiak Refuge staff too for a little -- I think some of

1 this effort to adjust the hunt system on the Nushagak
2 Peninsula was an effort to have more local -- to have a
3 lot of local input in a real carefully planned system
4 for allowing wider user of the herd when it's -- when
5 there's a lot of animals and a restricted and strictly
6 subsistence base use when the herd can only support
7 that use level.

8
9 And a lot of my support for like this
10 particular proposal's contingent on having these other
11 triggers if you will, other action points as part of
12 the package. Because this is somewhat -- there's not a
13 wide range comfort with this proposal if it just throws
14 the doors open. So I'm inclined to want to see a
15 threshold level where there's wide use which would be
16 appropriate for wider use -- you know, more user
17 groups, but it was a -- subsistence was the intent of
18 the whole transplanting of this herd. And that's --
19 folks that are close to it strongly feel that it should
20 continue in that manner when there's say a moderate or
21 low level hood.

22
23 Thank you.

24
25 MADAME CHAIR CHYTHLOOK: Lary and then
26 Bill.

27
28 MR. HILL: Madame Chair, Susan, thank
29 you. With respect to the opening and anytime there's a
30 new area available for harvest and new animals for
31 harvest there will be abusers who will take advantage
32 on this situation. So I think it is -- it's important
33 to have some kind of a check in place so while we are
34 naturally conservative and try to stick within the --
35 what we're allowed there's accidental, you know,
36 harvest. But the abusers will take advantage of it and
37 ruin it for the rest of the group. So regardless of
38 who does it when it falls below that threshold as
39 biologically recommended to -- for the herd to
40 increase, I think we do need to have something in place
41 that you can enact and it needs to be written, not just
42 something that's understood.

43
44 Thank you.

45
46 MR. MAINES: Madame Chair.

47
48 MADAME CHAIR CHYTHLOOK: Billy.

49
50

1 MR. MAINES: Thank you, Madame Chair.
2 I remember we talked about this last winter, I was
3 definitely vocal against opening up statewide because
4 to me this herd was meant for specific use by specific
5 people within that area. And now you're asking to
6 rescind the closure of it altogether when I was totally
7 against opening it up statewide. I was more interested
8 in trying to keep the resource to local use and
9 inviting our friends in and around our area to come and
10 partake.

11
12 We had a good winter. It was good
13 enough to travel. Over 400 caribou were taken. I know
14 my son went down, he got five and two of the five had
15 calves in them. So I know that herd is growing and
16 will continue to grow.

17
18 Looking at the numbers that you have,
19 it's below 900 right now. On the charts that I have in
20 my booklet here it says 786 from the last survey. I'm
21 sure it may go above that if it's not hunted this year,
22 but I have a real strong feeling that we're going to
23 have another good year of snow and more traveling and
24 if we keep it at five, you know, who knows, that 786
25 will be down to 300 if we keep it at the level that
26 it's at right now. Because I know that the folks that
27 love caribou like myself and others in this room will
28 be down there and we'll get our bag of five. And if we
29 need to help elders out we'll get their five too. I
30 don't see the reason why we have to take away the
31 closure and take away the intent of what this herd was
32 meant to be.

33
34 Thank you.

35
36 MADAME CHAIR CHYTHLOOK: Okay. Any
37 other comments.

38
39 (No comments)

40
41 MADAME CHAIR CHYTHLOOK: Okay. Seeing
42 none, tribes, boards on board consultation.

43
44 MR. MIKE: Madame Chair, there's no
45 comments on board consultations from this -- Bristol
46 Bay region.

47
48 Thank you.

49
50

1 MADAME CHAIR CHYTHLOOK: Okay. Agency
2 comments, ADF&G.

3
4 MS. PETERSON: Good morning, Madame
5 Chair. This is Chris Peterson from Alaska Fish and
6 Game. Alaska Fish and Game supports this proposal with
7 modification that it include a population threshold of
8 900 caribou estimated on the Nushagak Peninsula. If it
9 exceeds this calculation then the State of Alaska could
10 provide an opportunity for other users. This would
11 enable management to have another tool on its belt so
12 to speak so that they could prevent hopefully the
13 population from exceeding what that area can support.
14 And then as soon as the population was estimated to be
15 below 900 then that particular opening would be closed.

16
17
18 So Alaska Fish and Game supports this
19 proposal with that modification that it include a
20 population threshold of 900 estimated. And if it did
21 exceed that then the State of Alaska could open up some
22 opportunity for other people.

23
24 Thank you.

25
26 MADAME CHAIR CHYTHLOOK: Okay.
27 Federal.

28
29 MR. WALSH: Madame Chairman, I'm Pat
30 Walsh from Togiak Refuge. We support this proposal.
31 What -- the way we look at this is this provides a
32 subsistence priority to the local subsistence users
33 during times when that's appropriate. And it opens it
34 up only to other people only in times where the
35 population is very high. And people should not expect
36 that to be the case most of the time. Most of the time
37 this population is going to be below 900 caribou so it
38 would not be open to anybody but the local subsistence
39 users, but only in times of overpopulation would it be
40 open more widely.

41
42 Thank you.

43
44 MADAME CHAIR CHYTHLOOK: Okay. Any
45 comments, questions.

46
47 (No comments)

48
49 MADAME CHAIR CHYTHLOOK: Okay. Thank

50

1 you.

2

3

MR. ANDREW: Madame Chair.

4

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MADAME CHAIR CHYTHLOOK: Oh, Dennis.

6

7

MR. ANDREW: Thank you, Madame Chair.

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Thank you.

MS. WORKER: Thank you, Mr. Andrew.

Through the Chair. So there are separate provisions that allow Federally-qualified subsistence users to harvest moose and I think caribou as well for funeral purposes or potlatch purposes. So that's a separate set of rules and that is allowed.

MADAME CHAIR CHYTHLOOK: Okay. Billy.

MR. MAINES: Again thank you, Madame Chair. I just wanted to reiterate again that the proposal that we're looking at says request that the Federal public lands closure for caribou on the Nushagak Peninsula be rescinded. So basically we're saying that all the Federal lands down there that our caribou migrate on you can go down there at anytime and get your caribou, doesn't matter when, why of whatever because there's no limit in the description as how many is a sustainable herd. Now if there was something in there saying if it goes above a certain number of caribou well, maybe I would reconsider my objection to it altogether. But it doesn't say that, it just says rescind public land closure for the caribou on the Nushagak Peninsula.

There's no number in there.

Thank you.

MADAME CHAIR CHYTHLOOK: Nanci.

MS. MORRIS LYON: Thank you, Madame

1 Chair. Yeah, Billy, like you I think I'm going to feel
2 a lot more comfortable and of course when we make our
3 motion we can make it any way we like, but I'm going to
4 feel a lot more comfortable if there's a number in
5 there that's going to allow us to have control of
6 closing it down as well again.

7

8

Thank you, Madame Chair.

9

10 MADAME CHAIR CHYTHLOOK: Lary, did you
11 have a comment.

12

13 MR. HILL: Madame Chair. Suzanne, with
14 respect to the chart on page 44 on table one we've got
15 some population figures for 2017. What's the margin of
16 error there and -- with respect to that number, 776 for
17 2017.

18

19 MS. WORKER: Thanks, Mr. Hill, that's a
20 good question. So the way that I configured that
21 table, that's the minimum count. So that's caribou
22 that were actually observed and counted. Now there is
23 a population estimate that's larger than that, it's 968
24 animals I think and there is a margin of error
25 associated with that and it looks like Andy could
26 probably tell you what that is.

27

28

MR. ADERMAN: Andy Aderman.

29

30

MADAME CHAIR CHYTHLOOK: Donald.

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Thank you.

Again folks online, please mute your
phone, we can hear background noise.

MR. ABRAHAM: Yeah, Pete Abraham,
Togiak. I'll be calling you guys after lunch on the
teleconference.

1 MS. MORRIS LYON: Hey, Pete. Hi, it's
2 Nanci.

3
4 MR. ABRAHAM: Hi, Nanci. Hey, I feel
5 a little better today. Yeah, I'll be calling you guys
6 after lunch, okay.

7
8 MS. MORRIS LYON: That's great.

9
10 MADAME CHAIR CHYTHLOOK: Thank you.

11
12 MR. ABRAHAM: All right. Have a nice
13 morning.

14
15 MADAME CHAIR CHYTHLOOK: Back to Andy.

16
17 MR. ADERMAN: Yeah, thank you, Madame
18 Chair. Andy Aderman, Togiak Refuge. The -- again the
19 estimate was 968 plus or minus I believe it was 217.
20 So the lower end of that range would be 751, the upper
21 end of the range would be 1,185. That's a fairly wide
22 confidence interval for this herd or this type of
23 survey.

24
25 MR. HILL: Madame Chair, one more
26 question.

27
28 MADAME CHAIR CHYTHLOOK: Lary.

29
30 MR. HILL: How is this monitored, is
31 this through -- from harvest reports or surveys, you
32 know, through the air -- over -- with aircraft or how
33 is this monitored?

34
35 MR. ADERMAN: Yes, Mr. Hill. This
36 number comes from what we call a post calving photo
37 census. So this -- these are generally done in late
38 June, early July. And what happens with most caribou
39 herds at that time is they group up, sometimes in the
40 case of the Nushagak Peninsula herd most of the animals
41 are in one group or maybe two or three groups in close
42 relationship. For this -- the most recent count we had
43 20 radio collared animals, 16 of those were in one big
44 group. We had four of them that were anywhere from
45 three and a half miles to 20 plus miles away from that
46 group. And those other four collars were separate.
47 Because of that it assumes that there's other non-
48 collared animals that are not part of that big group.
49 And, you know, had we done it maybe a week later, maybe
50

1 a few of those -- some of those four animals may have
2 joined up with that big herd and it would have reduced
3 that interval, but it would have probably increased the
4 overall number estimated. So just for instance last
5 year we had 20 radios, 19 were in the big -- in one big
6 group and one was off by itself and the interval was
7 about 63 or 64, either side of the estimate.

8

9

MR. HILL: Okay. Thank you.

10

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MADAME CHAIR CHYTHLOOK: Nanci.

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MR. ADERMAN: I didn't -- we didn't see
any other non-collared caribou. We weren't searching
for them, but, I mean, we are searching as we're radio
tracking and finding, trying to find those collars. I
know I was down there in mid July on a different
mission and there was groups of bulls, anywhere from
five to 15, standing in some of the shallow lakes down
there that probably weren't part of that big group. So
it's just -- I'm certain there were other uncollared
animals including cows that were out there. Just how
many, you know, it's hard to say.

MADAME CHAIR CHYTHLOOK: Is there
anymore comments or.....

Billy.

MR. MAINES: Andy, you and I we've
talked about this herd quite a bit probably more than
you really wanted to talk about it. Only for the fact
that I'm really concerned because it was on the way of
going bye-bye. And because of the poor weather
conditions and the lack of travel it's been real
healthy for the animal, but real tough for the hunter
to get down there. And last year we had enough snow.
And looking at the numbers, you know, to me was over
400 that were taken. And for me to vote on rescinding
the closure of this area means that I can go down there
and get another 400 which will then put the population
down probably at the lower level of management

1 guidelines, if not maybe below it. And I don't want to
2 see that happen, you know. My gut's telling me we're
3 going to have a good year to go out and play, but at
4 the same time while I'm out there playing, I'm hunting,
5 I'm looking, and I definitely want to go down and get
6 some more caribou, it was great to have it when I had
7 it last year.

8
9 So I'm really concerned about that.
10 And if there's a number somewhere instead of just
11 closing it flat out and not worrying about it then
12 maybe it would be a little easier to swallow.

13
14 And I -- one of the reasons why I
15 agreed with the proposal last year was that there was a
16 number in there. And it's in the documentation, but
17 it's not really part of the motion that's before us
18 right now.

19
20 MR. ADERMAN: Just a comment to Billy.
21 Yeah, so if -- whatever you do on this proposal, if you
22 pass it as is or modify it or amend it, it wouldn't
23 take affect until the next regulatory year. So right
24 now the Federal public lands will remain closed to
25 other users.

26
27 I should speak a little bit to we had a
28 meeting of the planning committee in late July and the
29 harvest objective for this year is 300. And that's a
30 little bit higher than I think it should be. But along
31 with that the harvest limit is set at three per hunter.
32 The regulation says up to five can be considered for,
33 you know, set -- you know, last year we went five, this
34 year we went with three at least temporarily. If we
35 have a bad winter that can be increased up to five.

36
37 We haven't had much harvest this fall
38 reported. I know of 11, seven on the Federal hunt and
39 then there's a State hunt not where the Federal hunt
40 is, but just north of that and four have been taken.

41
42 MADAME CHAIR CHYTHLOOK: Lary.

43
44 MR. HILL: Madame Chair, Andy. Yeah, I
45 -- having it open for up to five and maybe instead of
46 five go for three in the actual motion. I don't hunt
47 the area, but it seems like that would maybe help to
48 curb some of the overharvest that you won't get a
49 handle on until after the season's over. And should it

50

1 come necessary you can add more to it. But I don't
2 know, otherwise I don't hunt in the area, but so I --
3 it would be whatever the -- this Council recommends.

4

5 MADAME CHAIR CHYTHLOOK: Richard.

6

7 MR. WILSON: Madame Chair, thank you.
8 Thank you, Andy. Is there a tool in there where you'll
9 be quick enough to the draw like, you know, you get a
10 lot of activity, all of a sudden you're going hey,
11 whoa, whoa, let's hand on here a minute, let's shorten
12 up the bag limit or shorten up, you know, okay, is that
13 tool available yet.

14

15 MR. ADERMAN: There is a tool, it's not
16 a perfect tool, but it's a requirement to report a
17 successful hunt within five days of taking an animal.
18 There's improvement that could be achieved with that.
19 I've had -- I don't have, you know, accurate numbers,
20 but I'm guessing a quarter or 25 percent of the people
21 do not report on time. And some is -- you know, it's
22 late as -- it's several months. So that's one of the
23 things, you know, we're -- we have to keep in mind when
24 we issue -- you know, try to determine how many permits
25 to make available and along with, you know, setting a
26 harvest limit. And that harvest limit is there to
27 allow that flexibility where, you know, if the herd
28 declines in the future maybe it goes down to two. Some
29 years it's been just one, but there's always been an
30 opportunity there. And when -- if it does get high or
31 you have really poor access then you can -- we can
32 increase it, you know, from three up to four or
33 possible up to five.

34

35 MR. WILSON: So there is sort of a
36 tool, I mean, that's reporting, on the reporting side,
37 but still you have in season -- I'm just trying to
38 help, you know, with Billy's skepticism here on this
39 proposal, you know, is there -- do you feel like, you
40 know, if the population was -- can you like mid season
41 see the numbers coming in and say okay, we better slow
42 this down. Is that -- that tool is available to you?

43

44 MR. ADERMAN: We certainly can look at
45 that. But what my experience is with this herd is if
46 you have good conditions most people still wait until
47 March. And most people will wait until the last week
48 or two of March, the last part of the season. So
49 you'll get -- you know, if we just look back at last

50

1 year, I think I've got a break out on the monthly
2 harvest. You probably don't have this in your.....

3

4 MS. WORKER: Yeah, it's in there.

5

6 MR. ADERMAN: Oh, okay. So we're
7 probably close to 200 by the end of February. And
8 that's counting for August, August through February, we
9 were up to about 200 and then we killed nearly 200
10 there in March. So and you can look at the past years
11 and see that not much happens in December, January or
12 February. It's up for last year, I mean, 111 was
13 exceptional.

14

15 MR. DUNAWAY: Madame Chair.

16

17 MADAME CHAIR CHYTHLOOK: Dan.

18

19 MR. DUNAWAY: Yeah, thank you. Maybe
20 for clarification a little bit here on -- you know,
21 Lary brought up some things. And I think this --
22 typically we kind of split some of these proposals and
23 this one's strictly about who gets to hunt there, it's
24 not about season dates, it's not about bag limits. I
25 think those things are done in separate proposals and I
26 believe and I'm looking to the Fish and Wildlife here,
27 I believe there's this -- how many harvest limit per
28 person or per permit is flexible already and that's how
29 you got three. I say in on that meeting that Mandy
30 spoke of where we debated what the harvest -- total
31 harvest we wanted to see and how many we -- permits
32 would be issued per person. So a lot of that
33 flexibility is there, this is just about if you have a
34 big herd who gets to go hunt them. And I do agree with
35 everybody that we absolutely should have a threshold,
36 very clearly spelled out. But as far as the season
37 dates or bag limits or even the total harvest quota if
38 you want to say.

39

40 And, Andy, I'm -- I struggle a little
41 bit. We have or you have the authority to like last
42 year we had what special actions to open and increase
43 the bag limit, that same authority allows you to close
44 it, does it not, in the State terminology it's an
45 emergency order. Field action I like better because
46 it's not necessarily always an emergency. But I'm a
47 little mystified why the Fish and Wildlife Service is
48 so hesitant to say, yes, we can close it if we need to
49 which the way I understand it is absolutely, you can do

50

1 that. And so let's speak up, let's not hesitate to say
2 that. We try to set it up so you don't have to which
3 is much better.

4
5 I also want to emphasize that at least
6 I did in that meeting even though I really don't have
7 official standing there, I strongly urged the Fish and
8 Wildlife Service to clamp down on those folks who have
9 not reported or who are taking caribou without permits.
10 It's time. Those folks know the rules, they're on the
11 radio all the time and I will once again right now if
12 they haven't turned in their permits they don't get new
13 ones. Just like the State, if I don't turn in my
14 caribou and moose tags I don't get to get them. I get
15 these nasty little letters and I got one once because I
16 got confused. Made a believer out of me. So don't
17 hesitate. Folks that want to mess around out there
18 that don't think they have to follow it, they're
19 stealing from everybody else or at least making it a
20 lot harder for the rest of it.

21
22 So anyway with that I'll shut up.

23
24 Thank you.

25
26 MADAME CHAIR CHYTHLOOK: Billy.

27
28 MR. MAINES: Thank you, Dan. And
29 thanks, Richard and Lary and Nanci. The thing that I'm
30 trying to stop is not so much the overharvest of the
31 animals, but to keep the animals with the original
32 intent for the people who want to have them. You sort
33 of like answered my question when you said this doesn't
34 take place until next year. Well, we have a season
35 that's coming up, it's going to -- the winter season
36 and it's the season that everybody's going to be down
37 there getting them in January. Not so much January,
38 we're still looking for snow, but definitely February
39 and March when there's lot of snow and lots of good
40 weather more times than not to get down there and get
41 them.

42
43 And like I said looking at the numbers
44 that are just in my packet here, I saw 444 caribou
45 between just the estimate from last year's 1,230 and
46 this year's 786, that's 444. And to have 444 taken
47 away from 786 drops it down to 340, you know, 342. And
48 that's reaching the low end of the management of that
49 herd. And so if this proposal doesn't take place until
50

1 next year and it's on the books, but yet you're below
2 the optimum management herd, then you're going to have
3 to do what Dan said is go and close it before it's even
4 put into practice. And that's just my thinking os step
5 A, B, C, D, you know, we've got to get through this
6 year before next year happens when this thing takes
7 place.

8
9 So if we rescind the closure now I see
10 you having to take an extra step by closing it all over
11 again. If we didn't rescind the closure it would
12 already be there.

13
14 That's my point.

15
16 Thank you.

17
18 MADAME CHAIR CHYTHLOOK: Lary.

19
20 MR. HILL: Madame Chair, looking at the
21 proposed regulation it says up -- can be harvested by
22 Federal registration permit. Now what -- what are the
23 qualifications to qualify for a Federal registration
24 permit, does that depend on your residency within the
25 State or within the harvest area.

26
27 MR. ADERMAN: Yeah, Mr. Hill, right now
28 the people that are eligible to get that Federal permit
29 are the residents of the seven communities, Togiak Twin
30 Hills, Manokotak, Dillingham, Aleknagik, Clark's Point
31 and Ekwok. If you take and remove that closure on
32 Federal lands that would open up or broaden that pool
33 of people that are eligible for the Federal permit.
34 That would -- it would include all residents of unit
35 17, 9B, Lime Village and Stony River. Not to confuse
36 stuff, but you're going to be taking up the next
37 proposal that deals with adding residents of 9C and 9E
38 to that broader pool. So it does a couple of things if
39 you remove that restriction, it allows a larger pool of
40 people to get the Federal permits. Nobody to my
41 knowledge last year got -- from outside of those seven
42 communities got a Federal permit. The other thing that
43 could happen is obviously the State could have a hunt
44 on those Federal lands. You -- you know, you've got
45 the opportunity to amend it or add language to not just
46 take the State's word for it. So that's all I have.

47
48 Thank you.

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1 MR. WILSON: Madame Chair.

2

3 MADAME CHAIR CHYTHLOOK: Richard.

4

5 MR. WILSON: Madame Chair, thank you.

6 I wonder what this would look like if you were to --
7 you know, originally when we were talking about this
8 here last season and it's been a while since this
9 conversation's been on the table here, you know, we're
10 looking to -- you know, you got a surplus there that
11 you need to happen. What would this look like if we
12 were to -- if we were to adopt or go to the next
13 proposal which is to include 9C and E as customary and
14 traditional users still under the Federal type rule and
15 use that as maybe the first tool. To step out on
16 Billy's defense here is to, you know, use that tool
17 first, get those residents involved, you know, for a
18 customary and traditional use and still be under the
19 Federal umbrella before you opened it statewide. What
20 would that look like I wonder instead of trying to
21 include State at this moment, just keep it under the
22 Federal and just add these other two communities in for
23 customary and traditional use.

24

25 Thank you.

26

27 MADAME CHAIR CHYTHLOOK: Nanci.

28

29 MS. MORRIS LYON: Thank you, Madame
30 Chair. I guess I'm liking what Richard's saying and
31 I'm envisioning having a double set of numbers here,
32 one where it would close down from that enlarged scope
33 of Federal users and one that it would close down from
34 general public use. Do you have numbers in mind? Of
35 course not, but.....

36

37 MR. ADERMAN: I don't.

38

39 MS. MORRIS LYON:think about it
40 perhaps.

41

42 MR. ADERMAN: No, I -- I'm a biologist,
43 I deal with caribou numbers and that and how people
44 want to split the pie and you know, that's not really
45 in my realm.

46

47 MADAME CHAIR CHYTHLOOK: Dan.

48

49 MR. DUNAWAY: Thank you. This always

50

1 has created a lot of discussion. One of the things I
2 seem to recall was that and Richard's idea may be worth
3 exploring here, I think in the past we've wrestled with
4 the difficulty of extending C&T or getting C&T under
5 the policies of how you do that. I know personally at
6 one point I was feeling it, I sensed this among other
7 area people in this area that they would like to invite
8 local communities like King Salmon and nearby
9 communities to be the next eligible to harvest these.
10 And I think it appeared that that could be difficult
11 through the C&T process. And that was one reason that
12 this other -- just this rescinding for all other users
13 was a more simpler way thinking most likely it would be
14 the next nearest communities could possible take
15 advantage especially in those periods when we allowed
16 aerial or same day airborne hunting. And I've got the
17 sense that some of these meetings in the past, I think
18 it was even Richard, seemed to be pretty interested if
19 he could come over and catch some.

20
21 So that was in my thoughts one of the
22 reasons I supported this as well is if there was no way
23 to get there through C&T and I don't know if there's
24 somebody could speak to that.

25
26 Thank you.

27
28 MADAME CHAIR CHYTHLOOK: Richard.

29
30 MR. WILSON: Madame Chair, yeah. That
31 would be my hopes, you know, is that -- you know, if we
32 can just include those other communities, you know,
33 closest to this herd without opening it up statewide if
34 the C&T -- you know, if we can get some C&T okay on
35 that. Maybe that would be a good first step instead of
36 opening it up statewide. I mean, that would be my
37 change on this proposal if we had one to modify it to
38 say that.

39
40 MADAME CHAIR CHYTHLOOK: Dan.

41
42 MR. DUNAWAY: Yeah, I don't know if we
43 have anybody, any experts out here in the audience that
44 could speak to C&T and I see Mr. Woods raising his
45 hand. Can we acknowledge him.

46
47 Thank you.

48
49 MADAME CHAIR CHYTHLOOK: Go ahead.

50

1 MS. WORKER: Thank you, Madame Chair.
2 This is Suzanne Worker. So I think as you mentioned,
3 Mr. Wilson, there is a proposal to expand the C&T
4 coming up and it's -- I think it's the next one on the
5 agenda. And so, you know, if the Council would like to
6 handle that proposal first and then come back to this
7 discussion there's certainly an option for that.

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MADAME CHAIR CHYTHLOOK: Billy.

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MR. MAINES: Thank you, Madame Chair.
I would prefer to go to the next one only for the fact
that if we rescind the Federal closure there's no sense
in even taking up the next one because it would be open
to them anyhow. Only for the fact that when it opens
up to the State I'm assuming that these folks are part
of the State of Alaska and they're residents and
they're able to hunt wherever anybody else in the State
of Alaska is registered to hunt. So to me it would be
-- wanted to take the horse before the cart because
right now we're talking about the cart and my sense
with the cart is that I -- I'm against going statewide,
I'm against rescinding the Federal closure because I'm
against going away from the intent of what that herd
was for.

Thank you.

MS. WORKER: Thank you, Madame Chair.
If I might just respond to your comment, Mr. Maines.
So regardless of what happens with this proposal I do
think that the question of C&T is relevant because it's
not unreasonable to assume that there might be a need
for a Federal lands closure at some point in the future
with this herd. We know that caribou herds bounce up
and down. And so the action that you take on the C&T
proposal and the action that the Federal Subsistence
Board takes could affect who is allowed to hunt on the
Nushagak Peninsula in the future. So it is an
important question if not this year, then certainly in
the future it's likely to become important.

Thank you.

MADAME CHAIR CHYTHLOOK: Lary.

MR. HILL: Yeah, we didn't take a roll
call vote on this last year on this particular proposed
regulation, but I don't think I supported it the way it

1 was written with the objection although I didn't state
2 it, that I didn't like it being allowed to be opened to
3 practically everybody in the State. But I would really
4 look seriously at a customary -- C&T designation to be
5 eligible to harvest this -- in these areas.

6
7 Thank you.

8
9 MADAME CHAIR CHYTHLOOK: Dan.

10
11 MR. DUNAWAY: Yeah, thank you, Madame
12 Chair. I see we have a change of folks up in the front
13 there to speak. But also I -- it appears to me that
14 Mr. Woods would really like to say something and I'm
15 eager to hear it.

16
17 So whatever order you choose.

18
19 Thank you.

20
21 MADAME CHAIR CHYTHLOOK: Okay. Frank.
22 C&T or sorry, Donald.

23
24 MR. MIKE: Thank you, Madame Chair.
25 I'd like to respond to Mr. Lary Hill's comments about
26 roll call last winter. There's no action taken by this
27 Council, but we discuss on record potential proposals
28 that will be submitted to the Federal Subsistence
29 Board. So there's no action taken. So this is just --
30 a lot of what we discussed last year was call for
31 wildlife proposals. So and this Council supported the
32 wildlife proposal to be submitted to the Federal
33 Subsistence Management Program.

34
35 Thank you, Madame Chair.

36
37 MADAME CHAIR CHYTHLOOK: Thank you,
38 Donald, for that clarification.

39
40 Frank.

41
42 MR. WOODS: Madame Chair and Billy. I
43 would like to kind of calm your mind and the whole
44 Council. It's your proposal, you can modify it, amend
45 it, add language, whatever you want. If there's no
46 biological concern the Federal Subsistence Board has to
47 take on this proposal and pass it. There's no
48 conservation concern. What the concern is Nushagak
49 Advisory viewed this -- I've been on that committee

1 planning -- Nushagak Caribou Peninsula Planning
2 Committee for about 10 years or more. The thresholds
3 that are addressed, 900 and above, is an emergency
4 order. A special action has to be taken by Donald's
5 office in order to allow additional harvest. And I
6 agree, this is -- this hunt wasn't -- the herd was not
7 designed for everybody. But what it is concerning is
8 when it gets as big as it was last year that the
9 special action that the OSM and the Office of
10 Subsistence Management has to take is pretty dramatic.
11 The way I looked at it on a biological end, if we have
12 13 or 1,400 animals we need additional harvest.
13 There's lots to share, we can't get enough.

14
15 The feeding capacity of that herd is
16 real important. Doesn't mean you're taking in my regs,
17 I hunt and lived here my whole life. That doesn't mean
18 I'm taking my regs. The hunt will still stay the same.
19 I might have more hunting opportunity when there's more
20 caribou on the ground, but what I will not jeopardize
21 is the herd health or where it out feeds itself and
22 crashes to the point where I can't.

23
24 The thing is I recommend that you
25 modify the proposal, say eight -- we enact this, we
26 support this proposal with a number of 900 and above.
27 I talked to Neil, I don't know if he's here, he can't
28 speak, somebody on the phone at the ADF&G office
29 recommended we include that language. Because when
30 there's -- when there's 950 I'd recommend Neil only
31 issue 50 permits and then automatically shut down the
32 State of Alaska's hunt. Then it leaves the rest on the
33 table for Federally-qualified subsistence users in 9E,
34 9 -- in unit 9. I would keep it. And the reason we --
35 Nushagak Advisory brought it to this table, we
36 supported it with the additional language that would
37 put thresholds of 900 in there.

38
39 The C&T determination was a separate
40 issue. I would take one proposal at a time. And,
41 Richard, once you adopt -- we adopt this C&T then
42 you'll be at the table at the Nushagak Peninsula
43 Advisory Committee meetings asking for your -- I mean,
44 giving your opinion on what needs to happen. So in
45 that realm I support this -- Nushagak Advisory
46 supported this as a housekeeping proposal that would
47 eliminate OSM and Donald to have to do special action.
48 But we can or you can put in the parameters that gives
49 management clear direction.

50

1 So I appreciate your time.

2

3

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8 MR. DUNAWAY: Yeah, thank you, Madame
9 Chair. Thank you, Frank. That really helps. And he's
10 reaffirming my impressions at that meeting. I don't
11 have the exact language or we didn't seem to record it
12 on the 900 threshold in our meeting, but I think our
13 whole discussion revolved around the assumption that
14 that was in there.

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Thanks.

MADAME CHAIR CHYTHLOOK: Dan.

MR. DUNAWAY: Yeah, thank you, Madame
Chair. Thank you, Frank. That really helps. And he's
reaffirming my impressions at that meeting. I don't
have the exact language or we didn't seem to record it
on the 900 threshold in our meeting, but I think our
whole discussion revolved around the assumption that
that was in there.

I know that was why I supported it as a
Nushagak Advisory Committee member.

And I see wanting to say something
else, but, thank you, Frank.

MR. WOODS: I think that was a number
came up with both ADF&G and Federal biologist if I'm
correct. Where's Andy? Oh, there you are. Do you
think that was the number we came up with?

MR. ADERMAN: Pretty close, yeah, on
both sides.

MADAME CHAIR CHYTHLOOK: Pat.

MR. SEYBERT: Madame Chair.

MADAME CHAIR CHYTHLOOK: Just a minute.
Is this -- is that Victor?

MR. SEYBERT: Yes, this is Victor. I'd
like to comment on this. It seems like if the herd is
way up there and we allow five caribou to our villages,
if we open it up to the other villages we should
decrease the herd count to maybe like three or two and
there's going to be more hunters.

Thank you.

MADAME CHAIR CHYTHLOOK: Pat.

MS. PETRIVELLI: I'd just like to make
some comments. This is Pat Petrivelli with BIA. And,
okay, the proposal before you is to open this land to --

1 and it's closed right now, to those seven communities.
2 And under the Federal program that means it's an 804
3 restriction. So eligibility, first there's rural
4 residents are eligible. And then when a customary and
5 traditional determination is made then that means then
6 those people -- it's -- they're further identified that
7 -- you know, just it's limited to those people. An 804
8 restriction is when there's a smaller group. So if
9 this closure was eliminated to close it again then you
10 would have to put in a proposal and ask for an 804
11 restriction.
12

13 So say you opened this up to all
14 statewide users then you make -- accept the next
15 proposal and add residents of units 9C and 9E. And
16 then say the population crashes again, then you would
17 have to put in a proposal to close the land to certain
18 communities. And an analysis would be done to those
19 and there's three criteria about when an 804
20 restriction is made. And that's, you know, the
21 communities closest, the ones most dependent. And that
22 would account for really those seven communities
23 because they've harvested it the most, they have --
24 they've exhibited the most direct dependence upon the
25 resource.
26

27 Now the question before you now, there
28 was an alternative in there and -- that just discussed
29 having that kind of tiered approach, that it was saying
30 that since the objective of this proposal was to just
31 reduce the harvest, I think the objective has changed
32 so much that, you know, you're really not -- this whole
33 objective isn't to reduce it. But I don't know if
34 you'd want to discuss recommending a tiered approach
35 now that would be kind of a de facto 804 which would
36 say these seven communities are the most direct
37 dependent and they should always be considered in a
38 closure. And then there would be another tier that
39 would be Federally-qualified users regardless of who
40 they are. And then the next approach would be opening
41 it up with say the 900 level.
42

43 But and then that would give the
44 toolbox to the manager. But I don't know -- I think
45 without the affected communities who are talking to the
46 manager to come up with those numbers that would say --
47 say is it 750 caribou, you know, where you -- from 750
48 to 900, maybe that's when you would let in all
49 Federally-qualified users. And then above 900 you
50

1 would let in all statewide. You know, but I think
2 those are numbers you would have to look and I think it
3 would be good to have the cooperative management
4 working group look at those numbers. But it's two
5 different processes because there's one who's eligible
6 under Federally-qualified users and then the other
7 one's the 804 restrictions when it's a smaller group.
8 And right now the closure allows a smaller group only.
9 Once you rescind that closure then you -- and reinstate
10 then you'd look again about who would be in that
11 smaller group.

12
13 But if you don't even close then that
14 seven community closure would still be there.

15
16 You could -- like Frank said this is
17 your proposal, you could say this closure would only be
18 lifted with the 900 and then just leave it alone and
19 ask the cooperative group to look at a different
20 proposal that would be affected by adding 9C and 9E and
21 maybe they could come up with a recommendation in two
22 years that would give that tiered approach. And they
23 could have those discussions. But since the State
24 agrees with that 900 levels and others, but it's your
25 proposal and you can make whatever recommendation you
26 want. But it's two different processes, the C&T and
27 the 804.

28
29 Thank you.

30
31 MADAME CHAIR CHYTHLOOK: Nanci.

32
33 MS. MORRIS LYON: Yeah, thank you, Pat.
34 Just to make sure, that -- yeah, that was exactly what
35 I was saying without having to go back. And I want to
36 make sure that that is what you're saying too because
37 of the way you stated it I was a bit unclear on it. If
38 we put a limit on it then we don't have to go back to
39 another 804(c) proposal before it closes again,
40 correct? If we say right now -- and I'm not talking
41 about the CT part, okay, we'll -- I understand that
42 those are two totally separate things. Okay. We're
43 talking about the proposal we're discussing right now.
44 If we say that this works until a 900 limit and after
45 that 900 limit it's no longer open, then we do not have
46 to revisit this to close it again, correct?

47
48 MS. PETRIVELLI: I think if you
49 modified the proposal, you could put.....

1 MS. MORRIS LYON: That's what I'm
2 talking about. I'm saying.....

3
4 MS. PETRIVELLI:(indiscernible -
5 simultaneous speech).....

6
7 MS. MORRIS LYON:I would agree to
8 this proposal if it had a limit number there.

9
10 MS. PETRIVELLI: And then you if you --
11 and then you could consider the C&T proposal later and
12 you.....

13
14 MS. MORRIS LYON: But I don't want to
15 muddy the water. That would close it and we would not
16 have to revisit it for an 804(c), correct, if we passed
17 it that limit?

18
19 MS. PETRIVELLI: The regulation would
20 say right now is closed just to the communities and
21 then you would put a limit saying if the population
22 gets under 900 then we remain closed to those
23 communities.

24
25 That's what it would be in effect.

26
27 MS. MORRIS LYON: Right. That's what
28 I'm looking for.

29
30 MS. PETRIVELLI: You could make your
31 modification that way and then you could revisit other
32 possible openings in a future proposal in two years.

33
34 MS. MORRIS LYON: Yes. Okay. Thank
35 you.

36
37 MR. McKEE: Madame Chair, Chris McKee,
38 OSM. Just wanted to point out, I mean, I think that
39 this is a good discussion about talking about these
40 population thresholds. I just want to point out that
41 if you don't put some type of threshold in the proposal
42 into things for the Board to act on then if something
43 happens with the herd biologically, it's being
44 overharvested or however it goes, the only option open
45 to be responsive to that kind of biological emergency
46 would be a special action. And on the Federal side a
47 special action is not a very -- I don't know what the
48 best way to put it, it's not a nimble, quick process.
49 If something happened that required immediate action
50

1 and you didn't have something in regulation you'd have
2 to go through a special action process and that
3 involves getting it submitted, having my office go
4 through the analysis which is several layers of review,
5 it takes a while. And so it wouldn't be like if there
6 was some emergency you put in a special action request
7 and boom, three days later the Board acts on that. It
8 takes a while, it could take many weeks if there's not
9 something in regulation.

10

11 So I just wanted to point that out.

12

13 MADAME CHAIR CHYTHLOOK: Nanci.

14

15 MS. MORRIS LYON: So you are
16 recommending that we would put a number in there or
17 you're not because if the number's not there you still
18 have to go through the special action. I don't
19 understand what you're saying, I mean.....

20

21 MR. McKEE: Yeah, I don't -- through
22 the Chair. I don't want to try to give a direction to
23 this Council, I'm just telling you that if you don't
24 have a number in the regulation and something
25 necessitates having to take -- if something biological
26 happens to the herd the only remedy that the Board has
27 to act would be through a special action request in
28 order to change -- to temporarily change the regulation
29 and that takes a long time.

30

31 So if that -- that's great. I'm just
32 saying that if it's not in regulation then the only
33 option we have on the Federal side is to get through
34 the special action process which takes a while. It's
35 not like an emergency order on the State side, the
36 State can be a little bit quicker and nimble to these
37 kind of realities than the Federal side, we have a
38 process we have to go through that is necessarily
39 bureaucratic.

39

40 MR. MIKE: Madame Chair.

41

42 MADAME CHAIR CHYTHLOOK: Donald.

43

44 MR. MIKE: Thank you, Madame Chair, I'm
45 just trying to help through the process here. Earlier
46 there was a discussion to deal with the C&T first and
47 then come back to this proposal to limit the harvest up
48 to -- cap up to 900.

49

50

1 And then what is the wish of the
2 Council.

3
4 And I'd like to acknowledge the kids
5 for being at this public meeting also.

6
7 Thank you, Madame Chair.

8
9 MADAME CHAIR CHYTHLOOK: Donald.

10
11 MR. MIKE: Yeah, Madame Chair, I'm just
12 trying to help the process here.

13
14 MADAME CHAIR CHYTHLOOK: Okay.

15
16 MR. MIKE: First what the Council
17 earlier discussed either to deal with C&T first and
18 then come back to this cap on proposal 22. It's up to
19 the Council how you want to proceed.

20
21 Thank you, Madame Chair.

22
23 MADAME CHAIR CHYTHLOOK: Okay. Let's
24 quickly have Jackie introduce your students.

25
26 MS. WILSON: Thank you. I was hoping
27 that we would have been notified in advance because we
28 have so much going on in our school and I just came
29 back from the courthouse, mock election for another
30 class. We do have a lot of subsistence users and
31 hunters in our -- in the classes. Most -- a lot of
32 them do go and eat -- hunt for caribou or moose. And
33 so Kate was able to come up when we came back and fill
34 us in what is being -- what issues are being discussed.
35 And they are serious enough for us to come down and
36 really take in the words that are being said down here
37 as it will affect these kids and their lifestyle. And
38 so this is very relevant to what we need to know and
39 understand and, you know, be in the discussion.

40
41 And so we're glad we're here and you're
42 here to have your special meeting.

43
44 Thank you.

45
46 MADAME CHAIR CHYTHLOOK: What are your
47 classes. Are these -- what grades are these?

48
49 MS. WILSON: These are Alaska history

50

1 students and they are in ninth grade, they're entering
2 high school. And so Kate was able to go up and talk
3 with them, say you need to listen and you need to take
4 charge of decisions that are being made that will
5 affect all of us.

6

7

Thank you.

8

9

10 MADAME CHAIR CHYTHLOOK: Okay. Well,
11 thank you, Jackie. That's one of the main reasons why
12 we've trying to hold our meetings here, you know, at
13 the school so that we'd be accessible to the students.
14 Because they're our future leaders, they're going to be
15 our future -- hopefully they're going to be sitting
16 here at our table in a few years, a few more years.

16

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Thank you.

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MS. WILSON: Yes, that's what I told
them, you are going to be the stewards of this land,
you need to be aware of what is going on because it
will affect all of us.

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Thank you.

MR. MIKE: Madame Chair.

MADAME CHAIR CHYTHLOOK: Donald.

MR. MIKE: Thank you, Madame Chair. To
accommodate the students' class schedule I had a
request for testimony on WP 18-22 by -- from Kate
Gomez. So I just want to notify the Council to -- we
can accommodate that student's class schedule.

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Thank you, Madame Chair.

MADAME CHAIR CHYTHLOOK: Is that
student here now?

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MS. MORRIS LYON: Right there.

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MADAME CHAIR CHYTHLOOK: Okay. We can
accommodate her now.

45

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MS. GOMEZ: Hi, I'm Kate Gomez, I'm
actually a junior in high school. But my opinion on
this is -- right here it says that Council members are
concerned about the priority access. What I don't

1 understand is why would we try to open it up and lose
2 that priority access for those seven communities. I
3 mean, the herd is growing bigger and another factor in
4 this is because of weather. We haven't had great
5 weather these past few years so we're struggling to go
6 and hunt. And with the normal kind of season that we
7 would need to go out and hunt, there's a lot more ways
8 to access the land where the caribous are. And I just
9 think if we are trying to -- like if you propose to
10 open it up I think opening it up should be a last
11 resort, like everyone else was saying, an emergency
12 call. Put a limit on it. Set that limit so if it gets
13 to 900 then open it up a little bit to unit 9. Let
14 them come in and start to hunt.

15
16 Because like everyone was saying if we
17 have it at five, you can get five caribou, if we come
18 in we have all those other hunters, they have five,
19 that's going to take away a lot of caribou and a lot of
20 resources that many subsistence hunters use to survive
21 throughout the winter. I mean, who wants to pay over
22 \$15 for a decent steak at the store when you can have
23 meat that you went out yourself and caught yourself and
24 butchered yourself for basically free because you're
25 entitled to that right.

26
27 Thank you.

28
29 MADAME CHAIR CHYTHLOOK: Thank you.
30 That was a good analysis on the worthiness of our
31 resources, our caribou, that we really harvest.

32
33 And it's so great to have a young
34 person like you to have this knowledge to bring to us.

35
36 Thank you.

37
38 MS. GOMEZ: Thank you.

39
40 MADAME CHAIR CHYTHLOOK: Okay. We're
41 going to move on on our analysis here. Down to
42 advisory group comments. Other regional councils.

43
44 MS. WORKER: Madame Chair, there were
45 no other regional advisory council that weighed in on
46 this proposal.

47
48 MR. McKEE: Slight correction, there
49 was. Western Interior did weigh in on this proposal

50

1 and they voted to support the proposal as written.

2

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Madame Chair.

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MADAME CHAIR CHYTHLOOK: Okay. Thank
you. Fish and Game Advisory Committee.

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Frank.

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MR. WOODS: Yeah, Madame Chair. We had
our State biologist, we had Togiak Refuge managers and
the public in this meeting. Just like you the heated
discussion was opening it to other residents. But
we're -- you've got to remember this is a Federal hunt
that we're not opening, we're not changing anything and
we're not taking away from the existing communities.
It just that we had phenomenal no snow years for like
four or five years in a row. This herd could not be
harvested or there was only like one or two at the most
some of them years. And in non-harvest years it put
the herd at jeopardy, the habitat and the fee that
they're feeding off of gets -- I mean, it's in jeopardy
of not only out grazing itself, but also jeopardizing
the population down there.

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So I sat down with Neil, he agreed that
number 1 he could do in season management, that he
could -- just like Andy, emergency stop. His portion
of the -- you know, the hunt which is Stateside, but
also Andy can do the same. And I think we're not
trying to take away from the communities, it's just
that we're at -- when people look at only the good
event, well, I got five caribou, well, we've only
allowed -- been allowed on or two, some years we're
only allowed none. That we issued out 10 or 12 permits
to the villages for the elders that now were
overabundance that is a threat.

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I love the idea of having to go close
to home, but, you know, there's also a Mulchatna herd
you've been living off for the last how many years.
People just don't have to go across the river anymore
and bother Dennis upriver. But that's a different herd
and that's a population.

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What I'm trying to get at is that there
are in season management tools that we capitalize on
and once we get the parameters and it's a -- I look at
it as the Chairman of Nushagak Advisory, it's a

1 housekeeping tool that allows OSM and Donald's office
2 not to have to take that one or two week, 10 or 15
3 staff action to get a special action that really
4 shouldn't have to happen. You know, we're aligning --
5 you know, I sit on Nushagak Advisory, we try to align
6 all the proposals with the Federal subsistence
7 proposals and this is just like one of that. We work
8 cooperatively on both sides.

9

10 So with that, I -- we have supported
11 this proposal with questions. And I sat down and made
12 recommendations is put that number in there and then
13 call her good because we could always go back and
14 change it.

15

16 Thank you.

17

18 MADAME CHAIR CHYTHLOOK: Nanci.

19

20 MS. MORRIS LYON: Yeah, thank you,
21 Madame Chair. I am in total agreement. I will not be
22 in support of this proposal unless we have a number in
23 there because I'd way rather revisit that number in the
24 future than not have the ability to close it down if we
25 need to.

26

27 So I'm very firm about that.

28

29 MADAME CHAIR CHYTHLOOK: Thank you.

30

31 MR. MAINES: Madame Chair.

32

33 MADAME CHAIR CHYTHLOOK: Billy.

34

35 MR. MAINES: I'm kind of curious. Is
36 this a good time to amend the proposal, or we got to go
37 through this process and then -- okay.

38

39 MADAME CHAIR CHYTHLOOK: Yeah.

40

41 MR. MAINES: All right.

42

43 MADAME CHAIR CHYTHLOOK: Not until we
44 get it on the table later.

45

46 MR. MAINES: Thank you.

47

48 MADAME CHAIR CHYTHLOOK: We're just
49 going down through the analyses.

50

1 I guess the next one would be
2 subsistence resource commission.

3
4 (No comments)

5
6 MADAME CHAIR CHYTHLOOK: Okay. Summary
7 of written public comments.

8
9 MR. MIKE: No written comments, Madame
10 Chair.

11
12 MADAME CHAIR CHYTHLOOK: Public
13 testimony. Anybody from the public.

14
15 Gayla.

16
17 MS. HOSETH: Thank you, Madame Chair.
18 Gayla Hoseth for the record and I'm speaking for myself
19 for public. And I do think we need to have a tiered
20 system in place and then we have our seven communities
21 and then we expand to the C&T communities first before
22 we open it up to statewide.

23
24 And I'm just really proud that Kate
25 testified on that and I'm really proud that our youth
26 are involved.

27
28 But that is my public recommendation
29 for that.

30
31 That you.

32
33 MADAME CHAIR CHYTHLOOK: Joe.

34
35 MR. CHYTHLOOK: Madame Chair, I didn't
36 submit a card, but I can later. But I just wanted to
37 give a little historical perspective I guess on this
38 caribou down on the peninsula and then what you're
39 discussing.

40
41 You know, originally this caribou came
42 from over on the Naknek side and back when numbers were
43 great over there they were able to pass the caribou on
44 to -- with the concurrence of the State and Federal
45 programs to implant some caribou there for people that
46 may need it in the future. And it took a while for all
47 the people involved to come up to consensus on how to
48 come up with numbers and thresholds and who to involve.
49 And, you know, and then since then it's been fortunate
50

1 that the caribou at one point grew up in great numbers
2 and then for some reason it dropped down to a number
3 below the threshold where we couldn't hunt for a while.
4

5 I think, you know, when you're making
6 changes to regulation to -- on this herd in particular
7 you need to remember that people who agree to it
8 understood that it was going to be something that would
9 supplement what was already in the area as far as
10 Mulchatna caribou and other places that people were
11 able to hunt back then. However I think also they all
12 agreed to certain thresholds that would make it so if
13 need be you could expand the regulation to include
14 others. But if you're going to pass I guess a
15 regulation or a proposal and that too much -- even
16 maybe amendments to it, we're having even through all
17 the years I think people who use the caribou down on
18 Nushagak Peninsula have been in many learning curves
19 through the years. And every time you add a regulation
20 or even in the form of a special deal for a year or so
21 when the caribou -- in response to what the numbers
22 are, people get confused.
23

24 So whatever action you -- this
25 Committee and I hope the Federal subsistence takes on
26 this caribou, I hope it's something that's in the mind
27 that people wanted this caribou to be part of a local
28 hunt and under both the State and Federal regulations I
29 think it's allowed to happen.
30

31 And then fortunately, you know, that
32 protection there is the C&T users and of course even at
33 that because of the way that's defined certain villages
34 in the State of Alaska in particular and I think the
35 Federal program also agrees with that, are used as a
36 C&T user, you know, places where people have customary
37 and traditional use.
38

39 And then, you know, one factor that I
40 think that sometimes it's kind of overlooked is that
41 anybody that goes into one of these villages and as
42 long as it -- and it's considered a C&T village, after
43 they establish residency in this community like in
44 Dillingham, Alagnak or wherever, can qualify for
45 participation. And we've seen this happen and as a
46 result I think hunting pressure has increased.
47

48 I recall when the discussion of this
49 caribou program on the Nushagak Peninsula was first
50

1 talked about, I think the population of some of our
2 bigger communities were a lot smaller than what they
3 are now, Togiak was down in population and then of
4 course Dillingham population had jumped quite a few
5 numbers since then. So I guess what I'm saying folks
6 is we need to be careful how we amend or change
7 regulations that may have a detrimental affect on the
8 intent of this herd to be utilized by customary and
9 traditional folks that at the time were looking for
10 something to add a little red meat to their table.

11
12 So it's just my comments.

13
14 Just a word of caution.

15
16 Thank you very much for your time.

17
18 MADAME CHAIR CHYTHLOOK: Okay. I guess
19 we can move on to regional council recommendation.

20
21 MS. MORRIS LYON: I'll make a motion if
22 you'd like me to.

23
24 MADAME CHAIR CHYTHLOOK: Okay.

25
26 MS. MORRIS LYON: Okay. Thank you,
27 Madame Chair. I would like to make a motion that we
28 would approve WP 18-22 with an amendment that there
29 would be a threshold of 900 animals available before
30 it's opened up to the general public. If the threshold
31 drops behind -- below the 900 animals it will be open
32 to C&T users only.

33
34 MADAME CHAIR CHYTHLOOK: Okay. There's
35 been a motion.

36
37 MR. WILSON: Second.

38
39 MADAME CHAIR CHYTHLOOK: Second by
40 Richard. Additional comments.

41
42 MR. DUNAWAY: Madame Chair.

43
44 MADAME CHAIR CHYTHLOOK: Dan.

45
46 MR. DUNAWAY: Thank you, Madame Chair.
47 Yes, thank you, Nanci, for the motion because I have
48 been supportive for a lot of the reasons like Frank
49 mentioned. We've sat down with the biologist, there's

50

1 a high concern for overgrazing when you get into these
2 big numbers and a modest harvest capacity. But at the
3 same time I do not want to compromise this as a
4 subsistence resource for the villages who have forborne
5 and not harvested when it was really bomb. I remember
6 going to these meetings where they had I think 10
7 animals to distribute among seven communities or
8 something. And I remember even Dillingham was gracious
9 and gave one to Alagnak or something. So there's some
10 really cool sharing goes on.

11
12 And everybody restrained themselves
13 back then.

14
15 So I will be supporting this with this
16 modification.

17
18 Thank you.

19
20 MADAME CHAIR CHYTHLOOK: Okay. Any
21 other comments.

22
23 Richard.

24
25 MR. WILSON: Madame Chair, Thank you.
26 Yeah, I -- you know, the only reason why this
27 proposal's before us is because of, you know,
28 biological concerns. You know, and that's why, you
29 know, it is, you know, and OSM has, you know, made
30 language here, you know, to our wishes. And with that
31 amendment I would also feel pretty safe about this one.

32
33 Thanks.

34
35 MADAME CHAIR CHYTHLOOK: Okay. Any
36 other comment.

37
38 Victor, do you have any comments
39 regarding this?

40
41 MR. SEYBERT: No, I do not. Thank you.

42
43 MADAME CHAIR CHYTHLOOK: Did you have a
44 comment.

45
46 MS. WORKER: Yeah, thank you, Madame
47 Chair. I just wanted to make a clarification on the
48 motion. So, Nanci, your intent was that when the
49 caribou herd is above 900 animals it's open to all

50

1 users and when it's below it's open only to the
2 residents of those seven communities, is that correct?

3

4 MS. MORRIS LYON: No, that is not
5 correct. I said C&T users. In case we pass the next
6 motion then it'll be open to C&T users.

7

8 MS. WORKER: Thank you.

9

10 MADAME CHAIR CHYTHLOOK: I guess we're
11 ready for.....

12

13 MR. ANDREW: Call for question.

14

15 MADAME CHAIR CHYTHLOOK: The question's
16 been called. All in favor say aye.

17

18 IN UNISON: Aye.

19

20 MADAME CHAIR CHYTHLOOK: Any
21 opposition.

22

23 (No opposing votes)

24

25 MR. SEYBERT: This is Victor Seybert, I
26 vote aye.

27

28 MADAME CHAIR CHYTHLOOK: Okay. Thank
29 you. Thank you. We had good discussions on this. And
30 I think -- what time is it now.

31

32 Let's break for lunch and be back about
33 1:30. Break for lunch until 1:30.

34

35 (Off record)

36

37 (On record)

38

39 MADAME CHAIR CHYTHLOOK: Okay. We're
40 moving on our agenda and we're going to be dealing with
41 WP 18-23.

42

43 Oh, before we get into this I'd
44 forgotten that I wanted -- it looks like our audience
45 isn't or our public isn't here. Oh, there's some. But
46 I had suggested to have non-agenda comments right after
47 lunch. But maybe we can -- I can announce it after
48 this -- I can announce it again after this proposal.
49 So let's -- unless there is anybody that want to talk

50

1 about non-agenda items?

2

3

(No comments)

4

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Robbin.

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Donald.

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MR. MIKE: Thank you, Madame Chair. Donald Mike, Council coordinator. Proposal WP 18-23 is in your meeting materials and was submitted by Gayla Hoseth of Dillingham. It was brought to my attention that this was a proposal that was supported by the Council and is a proposal from this Council. So I just want to make the record known that this proposal 23 originated from the Bristol Bay Regional Advisory Council, not Gayla. So we'll just make it known that it was developed and proposed by the Bristol Bay Regional Advisory Council.

So just for your information.

Thank you, Madame Chair.

MADAME CHAIR CHYTHLOOK: This proposal or 22?

MR. MIKE: 23, proposal 23.

MADAME CHAIR CHYTHLOOK: Okay. We're clear on that.

Robbin, welcome.

MS. LaVINE: Thank you, Madame Chair.

MADAME CHAIR CHYTHLOOK: Welcome back home.

MS. LaVINE: Through the Chair. It is always a delight to return to Dillingham, it does feel like home. My babies spent the first three to four years of their lives out here and it is always, always a really sweet and kind of bittersweet experience to come back especially without them.

Anyways, thank you.

1 So good afternoon. As you just heard
2 my name is Robbin LaVine and I'm an anthropologist with
3 the Office of Subsistence Management. I will be
4 presenting the draft analysis of wildlife proposal 18-
5 23. This was submitted by Gayla Hoseth of Dillingham
6 and it requests that residents of unit 9C and 9E be
7 added to the customary and traditional use
8 determination for caribou in unit 17 remainder.
9 Specifically the geographic boundaries that encompass
10 the primary range of the Nushagak Peninsula caribou
11 herd.

12
13 As you just heard the Nushagak
14 Peninsula caribou herd has experienced significant
15 growth in the past decade and has been above optimal
16 population size for several years. The proponent
17 states that residents of unit 9C and 9E have
18 demonstrated patterns of use relative to the herd
19 during Bristol Bay Subsistence Regional Advisory
20 Council meetings and that adding them to the customary
21 and traditional use determination for caribou on the
22 Nushagak Peninsula would provide increased opportunity
23 for Federally-qualified subsistence users to harvest
24 caribou in times of abundance. During the fall, 2015
25 Council meeting in Dillingham while addressing wildlife
26 proposal 31/32 on allowing same day airborne hunting of
27 the herd, Council members discussed other means of
28 increasing harvest of the herd and controlling the
29 booming population. Specifically members expressed
30 interest in expanding the customary and traditional use
31 determination for caribou in unit 17 in order to
32 liberalize harvest opportunities for a larger pool of
33 Federally-qualified users rather than opening the hunt
34 to all users statewide.

35
36 Discussions during that fall meeting
37 centered around the inclusion of both unit 9 residents
38 and east bay villages.

39
40 It should be noted that customary and
41 traditional use determinations are never meant to --
42 they can't be granted or to -- government -- are not a
43 reason to grant or deny customary and traditional use
44 to control populations. We use customary and
45 traditional use determinations to recognize use only,
46 they are not specifically meant to be a management
47 tool.

48
49 So the communities in 9C and 9E include
50

1 King Salmon, Naknek, South Naknek, Egegik, Pilot Point,
2 Ugashik, Point Heiden, Chignik, Chignik Lake, Chignik
3 Lagoon, Perryville and Ivanoff Bay although Ivanhood
4 Bay no longer has year round residents, for a total of
5 about 1,650 persons.

6
7 So when we conduct customary and
8 traditional use determination analyses we use eight
9 factors. So those eight factors can be found on page
10 58 of your Council book. So these eight factors are
11 used as a guideline, they guide the analysis for
12 customary and traditional use, they are not meant as a
13 checklist. The Board makes customary and traditional
14 use determinations based on a holistic application of
15 these eight factors as well as the reports and
16 recommendations from any regional advisory council. So
17 that's you.

18
19 The Board makes customary and
20 traditional use determinations for the sole purpose of
21 recognizing the pool of users who generally exhibit
22 these eight factors, doesn't have to be all, and not
23 for resource management or for restricting harvest.

24
25 If a conservation concern does exist
26 the Board address that concern through harvest limits
27 and season restrictions or through a section 804
28 analysis which is a really a subsistence user
29 prioritization process when we need to start
30 restricting and recognizing use among the pool of
31 Federally-qualified users.

32
33 So residents of unit 9C already have a
34 customary and traditional use determination for caribou
35 in units 9A, B, C and E for residents of unit 9C and
36 residents of unit 9E have a customary and traditional
37 use for caribou in unit 9E. Therefore the significance
38 of caribou to these communities has already been
39 recognized. A long term and consistent pattern of use
40 of caribou including methods of harvest, handling,
41 preparing, preserving and storage, the sharing of
42 knowledge and resources, all of these things have
43 already been recognized in their region and these
44 address many of the eight factors. This analysis will
45 demonstrate the use and harvest of caribou in unit 17
46 by residents of units 9C and E, in addition to harvest
47 patterns that demonstrate a history and an interest in
48 traveling outside of their immediate community for the
49 purpose of hunting caribou.

50

1 Archeological surveys and historic
2 accounts document the primacy of the ocean in feeding
3 the people of the Alaska Peninsula, but they also
4 describe imports of caribou particularly for those
5 communities on the western Bristol Bay portion of the
6 peninsula. Recently a comprehensive survey conducted
7 by the Alaska Department of Fish and Game, Division of
8 Subsistence, also document the continued use of caribou
9 by residents of units 9C and E and note that harvest
10 was higher in the past compared to recent times most
11 likely due to population decline and changing migration
12 patterns.

13
14 Residents of units 9C and 9E have
15 harvested caribou in unit 17 for as long as reports
16 have been kept. Currently they may only harvest
17 caribou in unit 17 under State regulations. More
18 recently all State residents including those of units
19 9C and E were able to harvest Nushagak Peninsula
20 caribou on Federal public lands due to a Board approval
21 of wildlife special action 16-02, temporarily lifting
22 the closure to all but residents.

23
24 So the ADF&G and U.S. Fish and Wildlife
25 Service maintain a harvest reporting data base, however
26 complete records were not kept until the mid 1980s.
27 And then ADF&G does not -- did not contribute to the
28 data base since 2010. So table one on page 61 of your
29 report or your book demonstrates the cumulative harvest
30 of caribou under State regulations in unit 17 by
31 residents of units 9C and 9E from '83 to 2010
32 indicating a harvest pattern that can be discerned.

33
34 While prehistorically and through the
35 early 1900s residents of the Northern Alaska Peninsula
36 typically hunted and harvested resources close to home,
37 By the latter half of the 20th century the use of
38 aircraft was becoming a prevalent form of local
39 transportation for some. And that expanded the range
40 for harvest opportunities.

41
42 The importance of this method for
43 caribou hunting specifically was recorded in an ADF&G
44 technical paper on the subsistence harvest of residence
45 of the Northern Alaska Peninsula. In the description
46 of use of caribou by residents of the Bristol Bay
47 Borough the following was noted. The regulation change
48 which created the most controversy and perhaps the
49 biggest change in local hunting patterns, was the

50

1 elimination of same day airborne hunting in '77 and
2 '78. For the previous three years same day airborne
3 hunting had been allowed for caribou from January
4 through March. Fall and Morris (ph) also documented
5 aircraft use by residents of Pilot Point, Ugashik and
6 Point Heiden to access caribou during the '86 and '87
7 study years.

8
9 Early in the season hunters would
10 access the herd along waterways by skiff, use ATVs when
11 the ground hardened and then as the season progressed
12 and the herd migrated further north hunters would use
13 airplanes. While the transportation described applies
14 specifically to the harvest of Northern Alaska
15 Peninsula caribou herd, it still demonstrates the
16 ability and need of hunters in unit 9 to travel far in
17 order to harvest important resources.

18
19 In summary residents of units 9C and 9E
20 have a pattern of customary and traditional use of
21 caribou in their region as well as a documented history
22 of caribou harvest in unit 17. The Bristol Bay
23 Regional Advisory Council has expressed support for the
24 inclusion of unit 9 residents into the customary and
25 traditional use determination for caribou in unit 17
26 specifically as a means to provide access to the
27 Nushagak Peninsula caribou herd. Residents of units 9C
28 and 9E have a demonstrated pattern of using caribou and
29 that use extends beyond their specific units. In the
30 past use of a resource often required traveling beyond
31 close proximity to home villages.

32
33 Residents of units 9C and 9E have a
34 demonstrated pattern of traveling farther, particularly
35 by airplane, to access their local herds and those
36 herds that range into their region. Herds that they
37 have accessed in the past or contemporary times include
38 the Northern Alaska Peninsula caribou herd, the
39 Southern Alaska Peninsula caribou herd and the
40 Mulchatna herd.

41
42 Residents of unit 17 have a customary
43 and traditional use determination for caribou in units
44 9C and 9E and this demonstrates a regional pattern in
45 general which can easily be extended to residents of
46 unit 9 of caribou harvest that range far, by necessity,
47 as migration patterns change and fluctuate.

48
49 Finally residents of unit 9 do have a
50

1 unique connection to the Nushagak Peninsula caribou
2 herd specifically because it was reintroduced to the
3 peninsula by transferring individual animals from the
4 Northern Alaska Peninsula caribou herd within their
5 units 9C and E.
6

7 If adopted the proposal -- wildlife
8 proposal 18-23, would add residents of communities in
9 units 9C and 9E to the customary and traditional use
10 determination for caribou in unit 17 remainder. Their
11 use of and connection to caribou in unit 17 would be
12 recognized by the Board, giving residents of units 9C
13 and E the opportunity to hunt Mulchatna and Nushagak
14 Peninsula caribou under Federal regulation.
15

16 If wildlife proposal 18 is not adopted
17 residents of units 9C and E will continue to be able --
18 will be able to continue the harvest of caribou in unit
19 17 under State regulation.
20

21 The OSM preliminary conclusion is to
22 support wildlife proposal 18-23 with modification to
23 add residents of units 9C and E to the customary and
24 traditional use determination for caribou in unit 17
25 remainder. This modification reflects that customary
26 and traditional use determinations are not meant to
27 regulate use, but instead are meant to recognize
28 subsistence uses in the most inclusive manner.
29

30 Thank you.

31 I'm ready for your comments.

32
33
34 MADAME CHAIR CHYTHLOOK: Any comments.

35
36 Dan

37
38 MR. DUNAWAY: Well, I just want to
39 thank Robbin because even -- I've read through some of
40 this, but you boiled it down and helped add a lot of
41 clarity for me.
42

43 Thank you very much.

44
45 MADAME CHAIR CHYTHLOOK: Nanci.

46
47 MS. MORRIS LYON: I don't know. Well,
48 I guess it won't be the first can of worms I opened,
49 but I think I'm about to open one. Because I see this
50

1 as -- and I know you prefaced your comments and just
2 made the statement again that C&T is not and was not
3 meant to be a limiting factor in controlling herd size
4 or anything. But I would argue that, I would argue
5 that in this case and in other cases that you should
6 have and there exists a limited C&T use in areas when
7 we have no caribou to hunt over here and you have an
8 abundance over here and vice versa. And that that
9 limited use has happened for generations. And that
10 that is a different C&T use than somebody who lives
11 right next door and can just literally walk out their
12 back door and make use of those animals. The people
13 who have to travel a long way and go to higher expense
14 only do so to feed their families. So it is a
15 different C&T use in that it's limited because it's
16 only used when necessary.

17

18 So I'd be interested to hear your
19 comments on that.

20

21 MS. LaVINE: Through the Chair. Thank
22 you, Nanci. The customary and traditional use
23 determinations are broad and inclusive. They recognize
24 use, they don't differentiate between users. That is
25 the section 804 analysis that Pat was talking about.
26 We look at a very broad user group, we say let's say
27 that the residents of the Bristol Bay watershed have
28 customary and traditional use for caribou in this
29 region. And right now the populations are -- you know,
30 are strong and sustainable. If it gets to the point
31 where the population declines we still want to ensure
32 that Federally-qualified users have access, have the
33 opportunity to harvest that resource. But rather than
34 completely close we need to then differentiate among
35 those Federally-qualified subsistence users and as Pat
36 spoke about, if we start an 804 process we would then
37 determine for a number of different reasons, who has
38 the longest recorded -- demonstrated, long demonstrated
39 a unique dependence upon that resource. I can't
40 remember, there's three criteria that we use. But it
41 is only during times of resource decline that we might
42 then use that tool which can be lifted later as the
43 population recovers. But in times of abundance
44 customary and traditional use determinations are meant
45 to be very inclusive and are solely meant to recognize
46 use. How we then -- and management tools are very
47 different.

48

49

50

MADAME CHAIR CHYTHLOOK: Nanci.

1 MS. MORRIS LYON: Thank you, Madame
2 Chair. So and I totally agree with that. And I -- I
3 mean, we as a Council would never have made this
4 proposal without already knowing that we had customary
5 and traditional use of animals in this case on this
6 side versus the other side because they had use of
7 animals on that side as well before the subsistence
8 program was in place. Okay. So I'm the -- I guess the
9 can of worms I'm opening is that I think that there
10 should be a tier step that again I think the Council
11 itself has intimate knowledge of ahead of any three
12 year study that we can tell you that, you know, if we
13 want to keep a herd managed that residents and this
14 what I'm calling limited C&T users should have first
15 opportunity at versus a statewide open hunt. So that's
16 where the differentiation comes in.

17
18 So I don't know what's going to end up
19 happening, but I'm still going to propose it I think.

20
21 MS. LaVINE: Through the Chair. Well,
22 that's really easy for me to respond to. We don't do
23 it with this proposal. This is all -- this proposal is
24 only to recognize use. To create a tiered process you --
25 it sounds like you may have done that through the
26 modification you made with wildlife proposal 22. I
27 would perhaps now is the time to clarify again and to
28 remind ourselves what you just took action on for
29 wildlife proposal 18-22 which was to lift the closure
30 to all but Federally-qualified users in regulation.
31 And up until -- you know, if the caribou population is
32 900 or under and if it goes over that closure is lifted
33 to all State residents.

34
35 Is that what we just did?

36
37 MS. MORRIS LYON: That is correct. And
38 I totally understand that. And that then allows all of
39 us if we choose not to accept us as C&T users to access
40 the herd at the same time. But that's not where I'm
41 going to end up going with this proposal. So I just
42 wanted those questions ahead of time, yeah.

43
44 And we'll see, we'll see where the
45 worms go.

46
47 MADAME CHAIR CHYTHLOOK: Dan.

48
49 MR. DUNAWAY: I know in the past and

50

1 I'm -- maybe I'm sliding back in the weeds after a
2 moment of clarity, at one point I was concerned, there
3 was a lot of talk within our Advisory Committee and
4 other times about seeking the C&T for east side
5 communities. And I remember one of the biggest looming
6 questions in my mind is that they might not meet the
7 criteria because the history of this herd being so
8 short. It's -- there's not been time to develop much
9 of a tradition. And so that's why in my mind in the
10 past we've kind of parceled these proposals out in
11 pieces to try to get at what we can do. And so I think
12 you actually said through this analysis you can
13 recognize C&T, but in a sense can we kind of just jump
14 across some of that too as the RAC and say it's C&T,
15 recognizing the analysis you've done. But I guess you --
16 if you'd gone through this analysis and there was even
17 less to base it on would you might have said, no,
18 there's not any grounds for a C&T or I'm trying to get
19 clear where we might have ended up.

20
21 It looks like we don't go there, but
22 I'm just -- need that help.

23
24 Thank you.

25
26 MS. LaVINE: Thank you, Dan. Through
27 the Chair. Yeah, I could probably say that there's not
28 a big basis for customary and traditional use for the
29 east bay communities, the last 20 years regulations
30 have kind of restricted their harvest. So most of the
31 data that we have as far as in recent times are really
32 for -- within their own units. And so therefore I
33 recommend a -- that, you know, we do not adopt this
34 proposal. And then you could say, no, we support it,
35 we support the east bay communities, we support the --
36 we have familialties and prior to the subsistence
37 program we know that people hunted in unit 17. And
38 then both my or the OSM analyses and your
39 recommendations would go before the Board and the Board
40 would decide. And as we know unless there's a
41 conservation concern or a number of other issues, the
42 Board will really -- what you decide as a Council
43 influences strongly how the Board decide to move.

44
45 But additionally -- so that's one
46 thing. And then the other is that if we were to simply
47 look at customary and traditional use of caribou on the
48 Nushagak Peninsula that is -- recognizing that use is
49 not in the spirit of customary and traditional use
50

1 determination process. This is very inclusive. We're
2 not looking at a real small, discrete area or a small
3 discrete population, we are trying to be as open as
4 possible so that later as -- if we need to in times of
5 resource decline or user pressure, we will have other
6 options to prioritize among Federally-qualified
7 subsistence users. But the spirit of customary and
8 traditional use determinations or the intent is really
9 to be inclusive. And so we're looking at unit 17
10 remainder and not just the Nushagak Peninsula. The
11 Nushagak Peninsula is within unit 17 remainder, but do
12 also know that as we look at unit 17 remainder and add --
13 and expanding that C&T there are other hunts that
14 occur within unit 17 remainder that now unit --
15 residents of unit 9C and 9E would be qualified to
16 participate in.

17
18 MR. DUNAWAY: No, that helps. I'm
19 still -- this is great to have all this analysis,
20 really helpful.

21
22 Thank you.

23
24 MADAME CHAIR CHYTHLOOK: If no more
25 comments we can move on down our analysis.

26
27 Reports on board consultations.

28
29 MR. MIKE: Madame Chair, there were no
30 participants during the consultation on this proposal.

31
32 Thank you, Madame Chair.

33
34 MADAME CHAIR CHYTHLOOK: Agency
35 comments, ADF&G.

36
37 (No comments)

38
39 MADAME CHAIR CHYTHLOOK: Federal.

40
41 (No comments)

42
43 MADAME CHAIR CHYTHLOOK: Tribal.

44
45 (No comments)

46
47 MADAME CHAIR CHYTHLOOK: Other regional
48 councils.

49
50

1 (No comments)

2

3 MADAME CHAIR CHYTHLOOK: Fish and Game
4 Advisory.

5

6 Dan.

7

8 MADAME CHAIR CHYTHLOOK: Thank you,
9 Madame Chair. As Secretary of the Nushagak Advisory
10 Committee, we took this up and we supported it. The
11 -- especially -- we were thinking a little bit of the
12 management tool, but I think there's a lot of folks
13 locally who are very respectful and aware of the fact
14 that the broodstock from this Nushagak herd came from
15 the east side. And in the past when there were few
16 caribou here I've heard frequent tales about people
17 from here ran over in Egegik area especially and I've
18 even harvested caribou in Naknek area myself. So I
19 think there was a strong desire to respect our nearby
20 neighbors and take care of them also being aware that
21 they've been painfully waiting for their herd to come
22 back. So we did support it eight to zero which was
23 unanimous for the people present.

24

25 Thank you.

26

27 MADAME CHAIR CHYTHLOOK: Okay. Let's
28 see, subsistence resource commission.

29

30 (No comments)

31

32 MADAME CHAIR CHYTHLOOK: Summary of
33 written public comments.

34

35 MR. MIKE: Madame Chair, there are no
36 written public comments on this proposal.

37

38 Thank you.

39

40 MADAME CHAIR CHYTHLOOK: Public
41 testimony.

42

43 (No comments)

44

45 MADAME CHAIR CHYTHLOOK: Okay.
46 Regional Council recommendation.

47

48 MS. MORRIS LYON: Okay. I'm going to
49 take a stab at a proposal that I have brewed up in my

50

1 head. And due to our previous comments, suggestions
2 and concerns that I've heard and that is going to be to
3 accept proposal WP 18-23 with modification as written
4 in here. And in addition that it's available to those
5 residents, that they would be considered limited C&T
6 users and then it would be fully available to them
7 whenever the herd numbers between 700 and 900 animals
8 or 700 and above animals I guess would be a cleaner way
9 to put it. So that basically my thought is that when
10 the herd gets out of hand or out of size and it's not --
11 when we have a situation going on that we do right now
12 where we have no large herds available to us on the
13 east side or the west side, whichever way it would
14 happen to go, and we have a herd exploding on the other
15 side, we would have an opportunity to fill our freezers
16 before we opened it up to State hunters without
17 impairing the people who must rely on that resource.
18 And again waiting for the Federal government to take
19 action on the resource, be able to limit it in that
20 manner. So when the herd falls below the number of 700
21 animals, at that point we would not be hunting it, we
22 would not be told that we shouldn't hunt it, we do not
23 have to have separate permits issued to us.

24
25 And I think there's enough clarity and
26 we can start our discussion from there if I can find a
27 second.

28
29 MADAME CHAIR CHYTHLOOK: There's been a
30 motion by Nanci to accept WP 18-24 -- I'm sorry, 23
31 with modifications.

32
33 MR. WILSON: Second.

34
35 MADAME CHAIR CHYTHLOOK: Second by
36 Richard. Discussions.

37
38 Dan.

39
40 MR. DUNAWAY: Okay. That's a very
41 interesting concept, I'd like to explore it. I'm -- if
42 there's a lot of objection from maybe the agencies it
43 makes me wonder if there -- we might have to consider
44 backing up and taking up 22 again, reconsidering it,
45 and adding some of those elements in there if we're --
46 if we're not allowed to do it in this one. Just an
47 idea as an alternative.

48
49 The other thing I'm wondering is by

50

1 adopting this -- I kind of think from what you showed
2 us we already have from this area C&T for that area,
3 but I was wondering if there's like a reciprocal. So
4 Robbin's shaking her head negative to that.

5
6 The other thing is we also got to keep
7 in mind that how this might affect the allocation in
8 say moderate levels of caribou herd abundance. I've
9 sat through a number of these -- I forgot what we call
10 them, Nushagak planning -- caribou planning meetings
11 where they've actually parceled out how many permits go
12 to each community or total harvest guideline plus how
13 many individual permits are issued. And this is going
14 to broaden the pool in the moderate abundance. And so
15 we want to proceed carefully, but at the same time like
16 I said before we really appreciate and respect the east
17 side residents' contribution to herd.

18
19 Thank you.

20
21 MADAME CHAIR CHYTHLOOK: Nanci.

22
23 MS. MORRIS LYON: Thank you, Madame
24 Chair. Yeah, Dan, that's my intent is so that we are
25 not included when it gets to that point where you have
26 to divvy up who those -- what principals are entitled
27 to those first permits. That's my whole intent. If my
28 number's off I would definitely look to Pat and Andy to
29 correct my number of when they think that it gets to a
30 point where it should be held closer to home. I -- the
31 number was one I kind of just picked because my thought
32 is and I -- I think my thought is clear, just because
33 we want to keep that caribou herd in check and we want
34 to feed everybody out here first.

35
36 I would also ask Donald or whomever I
37 would have to ask to absolutely do a reciprocal C&T for
38 the other direction. Why can't you do that.

39
40 MS. LaVINE: Through the Chair. This
41 is kind of what we are doing. I mean, it's -- but the
42 Board does not make customary and traditional use
43 determinations to restrict harvest or to manage really
44 in any way, we just recognize use. And we can't
45 recognize use conditional upon the population abundance
46 or decline of a resource. That's not what this is
47 about. That would be a very different kind of
48 proposal. So what you are proposing is better attached
49 to something like wildlife proposal 22 or a new

50

1 proposal. But, yeah, customary and traditional use
2 determinations, again they're not based on population.
3 And in the past we've actually made customary and
4 traditional use determinations for resources that are
5 currently not even in the region, but were. Just so
6 that if they return people have a customary and
7 traditional use determination in place already.

8
9 MS. MORRIS LYON: Right. And I totally
10 get that. But that's what I'm saying, I can't -- I
11 mean, I don't know if anybody else on this Board
12 understands, I can't believe that you can't do a
13 reciprocal because we all know that we use each other's
14 resources when they're available and when we have none
15 on our side. I mean, it's you guys that need to put it
16 on paper to make it sound good or whatever, we already
17 know that. And what I'm saying is when we have a
18 resource like this, I don't know -- I still am not
19 bought into the fact that by accepting this proposal
20 and acknowledging customary and traditional use for the
21 east side that this does not fit into this proposal
22 because it doesn't take away from C&T. All it does is
23 my idea is that in my opinion it gives you a tool in
24 the toolbox or management a tool in the toolbox to be
25 able to say gosh, you know, 700 animals, but we won't
26 have east siders over here hunting right now. That's
27 fine. That's my total intent.

28
29 I don't see how it affects that.

30
31 MADAME CHAIR CHYTHLOOK: Pat, you want
32 to have any additional comment.

33
34 MS. PETRIVELLI: Yes, this is Pat
35 Petrivelli. And Robbin brought up the 804 in her
36 discussion. And, okay, that's the tool in the toolbox
37 that the Federal Board would use to distinguish among
38 subsistence users. The C&T tool just recognizes who is
39 a subsistence user. And then the 804 in -- when
40 there's not enough resource for all subsistence users
41 they -- they're supposed to make distinctions using
42 this criteria and they are a customary and direct
43 dependence upon the populations as a mainstay of
44 livelihood, local residency and the availability of
45 alternative resources. So if there comes a time when
46 there's not enough population on the Nushagak Peninsula
47 your Council could put in a proposal or the seven
48 villages could put in a proposal and say you need to
49 make an 804 distinction for our seven communities. And
50

1 then Robbin would write an analysis looking at those
2 factors and then you would say does that make sense.
3 And you would help define local residency. And you
4 would help define customary and direct dependence and
5 you would help define availability of other resources.
6 But those are the things that Robbin would analyze.
7 And then the Board would make its decision based upon
8 those factors.
9

10 So there is a process when there's a
11 shortage of resources to make a party among subsistence
12 users. But a C&T determination is only to say who is
13 and who is not a subsistence user under Federal
14 regulations for that resource.
15

16 MS. MORRIS LYON: Okay. I appreciate
17 the clarification, but I still don't see -- that's
18 exactly what we're doing here. That's why I don't
19 understand why it -- just because -- what, we're going
20 to put Robbin out of a job. I mean, we can tell you,
21 we know, we understand that and we know when we should
22 and shouldn't be hunting on that herd. Why can't we
23 just put it in paper here.
24

25 MS. PETRIVELLI: Okay. What you're
26 doing here, this proposal says are you going to
27 recognize residents of 9C and 9E as customary and
28 traditional users of that resources. And say -- and
29 that's all you're doing here right now. You're not
30 making -- you're not -- the proposal isn't to make a
31 distinction for times of shortage, that's not what the
32 proposal said. This proposal was to recognize them as
33 subsistence users period.
34

35 And when you do -- when you make that
36 recognition you don't take -- you don't say I'm going
37 to recognize them as subsistence users, it's either
38 they are a subsistence user or they aren't, they're not
39 subsistence users only when there's enough. You know,
40 it's -- a customary and traditional -- a customary and
41 traditional use determination is made to recognize the
42 use of the resource and not just only when there's
43 enough, you know. I mean, someone either uses the
44 resource or doesn't use the resource and that's what
45 this proposal is -- the question is there. And then
46 your Council put in the proposal to recognize their use
47 determination and there's an analysis before you, do
48 these people use caribou, do they use it in this area.
49 And then if there's a shortage in the future then you
50

1 make that determination later, but that's a different
2 process.

3

4 MADAME CHAIR CHYTHLOOK: Okay. I've
5 got Billy and then Dan and then Nanci.

6

7

Billy.

8

9

10 MR. MAINES: Thank you, Madame Chair.
11 And thanks, Pat. You just basically said what I was
12 going to say because the action we took in the previous
13 one was to set a number as to managing that herd, if it
14 got 900 or higher then it would go statewide. As long
15 as there was 900 or less we'd stay within the C&T
16 because my understanding is that we made it a C&T
17 issue. And the way I look at it here is that we're
18 adding our friends to the east where the caribou came
19 from in the first place, giving them the opportunity to
20 come and partake and get some of the caribou that they
21 had loaned us that we'd been real good at raising and
22 calving and stuff like that to give them the
23 opportunity to come and get some of it back. So the
24 part that I was trying to figure out was your number,
25 Nanci. I was trying to figure out was it 700, 750 or
26 were you going by with the previous motion where it was
27 900. If it was 900 or higher then it goes statewide,
28 if it's below that it stays within the C&T boundaries.

28

29

30

31

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MS. MORRIS LYON: Yes. Thank you,
Billy. Yes, I was going by the numbers previously
stated by Andy I believe it was. And my -- again my
thought process is that as the herd builds and the
local entities are not able to keep it in check then
the east siders should come over and assist, fill their
freezers up, and if we still can't keep it in check, it
falls over the 900, then it's opened up. So that was
exactly where my mind was going because I'm still -- I
guess my logical brain just says to me I don't
understand why. And I understand that this motion may
not be the motion, but I don't understand why we can't
take care of that without having to worry about a whole
two year council process to get it done right now.

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MADAME CHAIR CHYTHLOOK: Dan.

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MR. DUNAWAY: Thank you, Madame Chair.
And there are some good discussions here, I think it
was real healthy on the last one. I think maybe Billy

1 and I both see that maybe this isn't -- this proposal
2 isn't quite the right vehicle. This is an allocative
3 vehicle that 18-22 was the one that was doing
4 allocative stuff. And I would be open to reopening 18-
5 22 to further modify it if that's the pleasure of the
6 Council.

7
8 And because overall I agree with the concept,
9 Nanci, but the more and more I think I'm getting maybe
10 with my vast bureaucratic experience of splitting frog
11 hairs, because I do agree with the tone of it, but
12 maybe not here. And I also think I'm comfortable that
13 we don't need to look for -- ask for reciprocation in
14 this C&T because folks here already have it so we don't
15 -- that job doesn't need to be done again.

16
17 So I'm wondering too in the past I've
18 talked at length with some of the Federal biologists
19 about numbers and such as far as this plan and I'm
20 wondering if any one of them, Pat or Andy, might talk
21 about the number 700 or 750 or even the Chairman of
22 advisory committee here's pretty well versed in it as
23 well or should we reserve that for when we actually --
24 well, we are into it now. So if somebody can add some
25 light to it, I see Pat leaning forward a little bit to --
26 I'd be eager to hear.

27
28 Thank you.

29
30 MADAME CHAIR CHYTHLOOK: Billy.

31
32 MR. MAINES: I think I'd rather myself
33 speak to the motion and I would wonder if there's a
34 possibility that we took the allocation out of it and
35 actually stick to what the proposal was and that's to
36 recognize our brothers and sisters, friends and
37 neighbors in 9C and E as C&T users of caribou. And
38 that's what my understanding of this proposal is.

39
40 The proposal that we talked about
41 earlier today was to put a number as far as an
42 emergency fire escape type of thing where you put a
43 number, if it goes above that then we've got to do
44 something really quick in a fast manner. And then
45 listening to the conversation right now maybe we should
46 have put a different scenario in the portion because
47 reading the backup material under 22 and also this one,
48 23, it's fairly clear to me that the size of the herd
49 that they were trying to manage on the peninsula is 400

50

1 to 900 with the optimum number being 750. The size of
2 the herd that they would like to have is 750, each and
3 every day that they wake up and go to bed, every year,
4 that's the number. Now we can't rely on that happening
5 because mother nature tends to do things, boys and
6 girls and everybody else. So my feeling is that I'm
7 not going to vote on the motion that's on the table
8 right now because it has something in there that I
9 think fails to address the general motion in the first
10 place and that's to give 9C and E the customary and
11 traditional characterization for dealing with caribou.
12

13 MADAME CHAIR CHYTHLOOK: Thanks. I
14 want to put my two cents in. What I understand Pat to
15 say is that the proposal here is, you know, just like
16 what Billy said, is to share our resources with the 9E
17 and C and that's what the proposal is about. And
18 Robbin's motion -- Nanci's motion was kind of -- well,
19 changed the proposal all together by adding numbers to
20 it. So I agree with Billy, I think we should stick to
21 the proposal in front of us and maybe reword the motion
22 to stick with what's in front of us instead of adding
23 to it. Because that complicates or we would have to I
24 guess redo it or redevelop the proposal.
25

26 Donald.

27
28 MR. MIKE: Thank you, Madame Chair. I
29 can offer a suggestion of action for the Council to
30 consider. The maker of the motion can choose to
31 rescind the motion as long as it's -- the second of the
32 motion agrees with it. And then you can restate your
33 motion as a new motion.
34

35 Thank you, Madame Chair.

36
37 MR. HILL: I'm kind of half asleep
38 here, but is it -- what we're doing here with this same
39 bunch of animals, this resource, we've already
40 addressed the numbers on 22, on the one we just done
41 working on, we've already addressed the numbers. And
42 what we're going to do if they go above a particular
43 number and if they go below, we've already addressed
44 that regardless of who is accessing the resource.
45

46 So what I -- seems like what we're
47 doing now is going to allow residents of unit 9B, C and
48 E particularly through C&T, is that what I'm hearing?
49

50

1 MR. MAINES: Yeah.

2

3 MR. HILL: Okay.

4

5 MADAME CHAIR CHYTHLOOK: Nanci, did
6 you.....

7

8 MS. MORRIS LYON: Yeah, that's what
9 I've been trying to do is get back to the original
10 motion and ask my second if we can go back, if they
11 would be agreeable to eliminate everything other than
12 the support with modification as written. Everything
13 added past that we'll go ahead and eliminate it on this
14 one and then perhaps I would suggest that maybe we have
15 a brief discussion about revisiting 22 in order to add
16 any allocative nature that we might or may not decide
17 to add to it with the other portion of it.

18

19 Who's my second, was that you, Richard?

20

21 MADAME CHAIR CHYTHLOOK: Yeah. I think
22 Richard was your.....

23

24 MR. WILSON: Did she with -- did she
25 withdraw her motion?

26

27 MS. MORRIS LYON: Yeah, what I did is I
28 said we could rescind the motion to the portion other
29 than.....

30

31 MR. WILSON: I shall withdraw my
32 second.

33

34 MS. MORRIS LYON: Okay.

35

36 MADAME CHAIR CHYTHLOOK: Donald.

37

38 MR. MIKE: Yes, my suggestion was to
39 make it a motion, withdraw the motion and with the
40 concurrence of the second restate the new motion that
41 just -- just for the C&T portion of it rather than the
42 allocation.

43

44 Thank you, Madame Chair.

45

46 MADAME CHAIR CHYTHLOOK: Nanci.

47

48 MS. MORRIS LYON: Thank you. Through
49 the Chair. So I'm going to -- I'm going to make the

50

1 motion that we support proposal WP 18-23 with
2 modification to add residents of unit 9C and 9E to the
3 customary and traditional use determination for caribou
4 in unit 17 remainder.

5
6 MR. WILSON: I'll second that one.

7
8 MADAME CHAIR CHYTHLOOK: Okay. There's
9 been a motion to accept WP 18-23 with modifications and
10 a second by Richard.

11
12 MR. WILSON: Call the question.

13
14 MADAME CHAIR CHYTHLOOK: The question's
15 been called. All in favor say aye.

16
17 IN UNISON: Aye.

18
19 MADAME CHAIR CHYTHLOOK: Any
20 opposition.

21
22 (No opposing votes)

23
24 MADAME CHAIR CHYTHLOOK: And, Victor,
25 are you online.

26
27 MR. MAINES: Yeah, he said aye.

28
29 MADAME CHAIR CHYTHLOOK: Yeah, I heard
30 you. Thank you. Okay.

31
32 Donald.

33
34 MR. MIKE: Madame Chair, I just want to
35 remind Mr. Pete Abraham, he's a Council member, he
36 stated he would be with us after lunch.

37
38 Mr. Pete Abraham, are you with us
39 today?

40
41 (No comments)

42
43 MR. MIKE: Hearing none, I think he's
44 not there.

45
46 Thank you, Madame Chair.

47
48 MADAME CHAIR CHYTHLOOK: Okay. Moving
49 on. But before we.....

50

1 Dan.

2

3 MR. DUNAWAY: Well, I was -- maybe I'm
4 premature, I was going to see if we would want to
5 reconsider 18-22. Okay. Well, in fact, I'll move that
6 we reconsider 22. I think we have to vote to
7 reconsider it and then we take it up, is that how it
8 works?

9

10 MADAME CHAIR CHYTHLOOK: Donald.

11

12 MR. MIKE: Madame Chair, Ms. Morris
13 Lyon moved to adopt 22 with the second by Mr. Wilson.
14 So I think Ms. Nanci Morris Lyon would have to move to
15 reconsider proposal number 22 with the concurrence of
16 the second.

17

18 Thank you, Madame Chair.

19

20 MADAME CHAIR CHYTHLOOK: Nanci.

21

22 MS. MORRIS LYON: Thank you, Madame
23 Chair. I would make a motion that we reopen
24 consideration for WP 18-22 with the approval of my
25 second.

26

27 MR. WILSON: I will take the second.

28

29 MADAME CHAIR CHYTHLOOK: Okay. There's
30 been a motion to reconsider WP 18-22, seconded by
31 Richard. Okay.

32

33 Discussion.

34

35 Nanci.

36

37 MS. MORRIS LYON: Thank you, Madame
38 Chair. I think we've discussed the heck out of it, but
39 I would like to ask Andy if he'd come up one more time
40 and talk numbers to us.

41

42 MR. ADERMAN: Yeah, so oh, it's
43 probably about four or five years ago we come up with a
44 harvest strategy based on again the population
45 objective of 400 to 900 with an optimum of 750. An
46 annual harvest objective of 20 to 50 and a bull to cow
47 ratio of.....

48

49 MADAME CHAIR CHYTHLOOK: Sorry to

50

1 interrupt, Andy, could you get closer to your mic.

2

3

4 MR. ADERMAN: I'm sorry. So our
5 population objective is 400 to 900 with an optimum size
6 of 750 caribou. An annual harvest objective of 20 to
7 50 caribou and a bull to cow ratio of 35 to 45 per 100
8 cows.

9

10 So we have eight different states and
11 it's based on population size and trend. Trend is
12 defined as the average of the two previous years.
13 Declining is less than 98 percent, stable is within 2
14 percent and increasing is anything over 102 percent.
15 So at the lower states where we have less than 200
16 caribou there is no harvest. Or 200 to 400 caribou as
17 the population is declining there's no harvest. It's
18 when we get to state three where's there 200 to 400 the
19 population is stable, we could allow a harvest of 2
20 percent. As the herd increases in size that harvest
21 percentage increases up to 3 percent until we get to
22 the state seven which is 400 to 800 caribou and the
23 population is increasing and that's the trend. And we
24 want to manage for harvest and try to slow growth at
25 that point. And so we'd have 3 percent initially and
26 then there's kind of a formula that allows you to take
27 more. The last state is when the caribou herd is over
28 800 animals. And this is where we've been the last --
29 well, since we adopted this strategy. And it's pretty
30 simple, we try to harvest everything that's above 750.

31

MADAME CHAIR CHYTHLOOK: Dan.

32

33

34 MR. DUNAWAY: Yeah, thank you, that's
35 real helpful. I'm kind of scrambling in my mind here a
36 little bit. That is very helpful seeing that you
37 desired harvest levels of 20 to 50, that's not a lot of
38 animals to spread around even among the seven villages.
39 And I'm especially looking to like our Nushagak
40 Advisory Committee and Gayla, the other proposer on --
41 I think she follows this stuff really close and I think
42 she might even be on that advisory committee.

43

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1 extra animals is significant and, you know, if Richard
2 wants to fly over and get two or three and Victor wants
3 to get a couple, probably be happy for the help at that
4 point. So I'm interested to hear other's thoughts,

5
6 Thank you.

7
8 MADAME CHAIR CHYTHLOOK: Billy.

9
10 MR. MAINES: Thank you, Madame Chair.
11 Andy, again if the herd was the optimum 750 what would
12 be the bag limit, would you be managing with?

13
14 MR. ADERMAN: Well, again it depends on
15 the trend. If it's declining and it's at 750 it would
16 be 2 to 2 and a half percent of the population is what
17 we'd target for harvest which -- I can't do math in my
18 head on the spot.

19
20 Seven hundred at 2 percent would only
21 be 14.

22
23 MR. MAINES: You're saying 14 animals
24 caught?

25
26 MR. ADERMAN: Yeah.

27
28 MR. MAINES: Okay. I was just looking
29 at a bag limit per hunter type of thing. If we were
30 giving out permits which we normally do every year for
31 that hunt and we've given out no less than a hundred
32 every time we've done it, but yet you don't get those
33 all reported back and stuff like that. But this last
34 year again it was like -- I don't know, how many did
35 you give us, about 500. It was a huge number of
36 permits because you kept on bringing a hundred over to
37 the office because they were going out the door just as
38 fast as you were bringing them. And looking at the
39 harvest it was, you know, my number's again 444.

40
41 But I guess I'm trying to set my head
42 based on what has happened in the past 10 years,
43 knowing that we want the locals to be able to utilize
44 that resource. And when I say local, Nanci and
45 Richard, I'm talking you guys too. That's why it was a
46 no brainer for me to say, yeah, as far as C&T goes,
47 yeah, Naknek, South Naknek, King Salmon and all those
48 folks over there are part of us.

1 So it's a no brainer as far as that
2 goes.

3
4 But when I look at opening up statewide
5 I tend to say, no, we've got to try to keep it as local
6 as we possibly can. So optimum 750 and that's for the
7 seven villages, 900 -- between 750 and 900 bring in our
8 friends from the east side and then over 900 go
9 statewide. At least that was something I was thinking
10 of when we were talking about this proposal at the very
11 beginning. Knowing what you would like to see is an
12 optimal herd to manage and how to keep that number and
13 still be able to satisfy the needs that all us caribou
14 hunters and eaters would like to have in our freezer.
15 Yeah, that's something you were just talking about, you
16 know, you used eight and nine. To me it was going by
17 the numbers in the book, 750 being optimal, that's for
18 the seven villages. Anything over that to the 900 is
19 everybody else and the 900 statewide. That's how I was
20 looking at it. So when you were talking about that
21 that's why I was kind of curious, what -- the bag limit
22 right now is five.

23
24 MR. MIKE: I apologize, Council
25 members. But we're having -- for those online please
26 mute your phone.

27
28 MR. MAINES: But, yeah, again I was
29 looking at that when we were first discussing it and
30 trying to figure out in my head as a hunter what's
31 going to be my limit during those times, you know. And
32 we have it up to five right now because that was that
33 emergency order. And it was taken advantage of by a
34 number of people. So I was just curious. That's the
35 only thing that's stopping me right now is how many am
36 I going to be able to get.

37
38 MADAME CHAIR CHYTHLOOK: Richard. I
39 have Richard, Dan and did you have your hand up?

40
41 MS. MORRIS LYON: Yeah, but I'll.....

42
43 MADAME CHAIR CHYTHLOOK:and
44 Nanci.

45
46 MR. WILSON: Thanks, Madame Chair. The
47 North Peninsula herd over there, south Naknek side, you
48 know, we're able to hunt on those a little. You know,
49 a lot of the residents are, you know, starting to get a

50

1 caribou there. 9B, Iliamna Lake area, Kvichak,
2 caribous are -- you know, they go from, you know, the
3 New Stu area, they go on the hills there and they're --
4 you know, kind of everybody here gets a taste of those.
5 So it's -- you know, by adding 9C and 9E is really a no
6 brainer for me, I mean, you know, everybody's getting a
7 little bit already. All we're doing is trying to help
8 this population by a little bit and that's all you're
9 going to get, is you're going to get a little bit of
10 help from over there. There's no way everybody's all
11 of a sudden going hey, you know, let's go over there
12 and get something, you know.

13
14 It ain't going to happen, it just ain't
15 going to happen.

16
17 So, you know, there is no threat here,
18 you know, and to try to put numbers as a tier kind of
19 thing, that might be just complicating it.

20
21 I'm just -- at this point I'm thinking
22 the simpler the better.

23
24 MADAME CHAIR CHYTHLOOK: Dan.

25
26 MR. DUNAWAY: That's a point well
27 taken. The KISS principle's always good.

28
29 A couple of things I wanted to clarify
30 if I didn't say on that 800 number I did throw out if
31 we choose to go there, would be on the condition the
32 herd is stable or increasing, adding to the
33 complications.

34
35 The other thing I was going to try to
36 help answer Billy's question on the bag limit. I know
37 when we've met in these planning -- Nushagak caribou
38 planning meets there's a lot of discussion on how many
39 each individual hunter will be permitted to take
40 because of the economics of going down and even the
41 folks from Manokotak don't necessarily want to run all
42 the way to the end of the cape for one animals. So I
43 know there was a fairly long discussion this fall about
44 that. We settled on three. So the tradition has been
45 and I don't know quite all the enabling legislation and
46 regulation, but the planning committee kind of sets
47 that limit on kind of an annual basis depending on all
48 the herd conditions. And balancing that with the
49 economics of going down there and I think we settled on
50

1 three.

2
3 There was a long discussion, some
4 people really wanted five. Then you add into that that
5 there is the I think designated hunter and/or proxy
6 hunter objections where, okay, maybe if you only issue
7 say one or two permits per hunter, but a hunter could
8 go down there with the proxies for two or three hunters
9 to make it worthwhile to go down there. There are a
10 lot of ways that this whole thing gets shaved, but keep
11 in mind that that -- that's an important option. I was
12 happy to go down with my pocket full of five tags last
13 year. I would really have to think about it if I was
14 only going to go for one, it's a long ride.

15
16 But I do believe that's annually set
17 and if I'm wrong maybe one of the Fish and Wildlife
18 folks could correct me.

19
20 Thank you.

21
22 MR. ADERMAN: I will correct you, Mr.
23 Dunaway. You have it mostly right, but it's the
24 decision of the Refuge manager kind of in consultation
25 with that committee. And my recollection everybody
26 except the agencies was in favor of four or five. The
27 Refuge manager set it at three. Part of that decision
28 making I think was the idea of spreading the permits
29 around to more people, untimely reporting that we've
30 had somewhat in the past.

31
32 But and then to address a couple of
33 Billy's questions. It's in regulation now that that
34 harvest limit can be up to five. Doesn't mean that
35 it's going to be five, just that it can be up to five.
36 And in the history of this herd, it's only been in the
37 last two years that it's been above two, you know. In
38 hindsight, you know, we should have had that maybe in
39 place a few years back although with the poor winters
40 it's -- I don't know that we would have achieved much
41 with it.

42
43 Permits last year, I made 1,300
44 available. And I think 1,100 and change got issued.
45 And that's to the seven communities.

46
47 You mentioned a harvest of 444. What I
48 had reported to me was 373. And you have to take into
49 account the two numbers, the 1,230 and the 786. Those
50

1 are end of June numbers so there's some caribou that
2 died from bears and wolves and accidents and that along
3 the way.

4
5 So that's kind of where you make up the
6 difference in that.

7
8 MADAME CHAIR CHYTHLOOK: Nanci.

9
10 MS. MORRIS LYON: Thank you, Madame
11 Chair. I am totally in cahoots here with Richard on
12 the KISS method, there's no doubt. And I guess the
13 thing I was thinking just knowing how quickly the
14 Federal government works, that it might be a big assist
15 to have a tool in your toolbox that made it easy for
16 you to know who to issue permits for at what point. Is
17 that something you do think would be useful for
18 yourself or the Refuge manager, I'm talking yourself be
19 Fish and Wildlife Service, the manager of the resource.

20
21 MR. ADERMAN: Yeah, I mean, we -- we've
22 got the, you know, seven communities. And it's really
23 three, Manokotak, Dillingham and Aleknagik that utilize
24 that herd or have in the past, you know. And again you
25 had -- the bigger C&T pool, that's certainly an option,
26 but how many of those folks are going to really want to
27 participate. I can see some of the closer villages,
28 you know, maybe New Stu if they don't have caribou and
29 they're visiting Dillingham anyways, they could run
30 down there. But I think the farther you get away the
31 less likely you're going to have participation.

32
33 MS. MORRIS LYON: Okay. So it would be
34 a tool however it might -- I mean, that was kind of my
35 point too is in its own form it's going to be regulated
36 by the number of animals anyway. Who's going to want
37 to travel a longer distance to look harder for animals
38 when it's a low year or if you have animals closer
39 you're not going to go to that time and expense without
40 good reason. So maybe it's not really a tool that's
41 really all that useful and we can just close it down
42 again and be done with it. But I didn't know if that
43 would be a useful tool in acknowledging who should have
44 priority rights to the herd.

45
46 MR. ADERMAN: Again I -- you know, I
47 don't really want to get into the, you know, who gets
48 what piece of the pie, you know. You know, we can work
49 with what we have and the conditions. When the

50

1 Mulchatna herd was across from Wood River we didn't
2 have that much harvest from Dillingham down on the
3 Nushagak, caribou were closer. Makes sense you're
4 going to go where it's easiest. When those Mulchatna
5 caribou weren't present the effort really ramped up
6 down on the Nushagak.

7
8 So I don't know if that answers your
9 question.

10
11 MS. MORRIS LYON: No, it just supports
12 my statement, but that still is valuable.

13
14 Thank you.

15
16 MADAME CHAIR CHYTHLOOK: Okay.

17
18 Dan.

19
20 MR. DUNAWAY: I need to get my bearings
21 again. So if we don't add any new numbers or
22 conditions all we have actually done with the C&T part
23 is actually invited a few more communities into the
24 harvest pool; is that correct?

25
26 MR. MIKE: Excuse me, Council. I'd
27 like to remind those folks online that are
28 participating via teleconference, please make sure your
29 phone is on mute, we're having background noise.

30
31 Thank you.

32
33 MADAME CHAIR CHYTHLOOK: Okay. Any
34 more comments.

35
36 (No comments)

37
38 MADAME CHAIR CHYTHLOOK: Where are we
39 going to go with this?

40
41 MR. DUNAWAY: Well, at this point we
42 agreed to reconsider it. We haven't really opened the --
43 to rewrite it, have we, we're just considering it. So
44 -- okay.

45
46 Go ahead, Nanci.

47
48 MS. MORRIS LYON: Thank you. Through
49 the Chair. Yeah, I'm just glad, Richard, that we have

50

1 such a perfect motion, we don't really have to do
2 anything with it.

3

4 So I think we just leave it alone.

5

6 MADAME CHAIR CHYTHLOOK: Okay. I guess
7 we're.....

8

9 Donald.

10

11 MR. MIKE: Yes, thank you. I just want
12 to thank the Council members for being so patient with
13 the Robert's Rule stuff, but we -- the Council moved to
14 reconsider so I think for closing we just want to
15 affirm from somebody on the Council that we
16 reconsidered WP 18-22, but left the main motion intact.

17

18 Thank you, Madame Chair.

19

20 MADAME CHAIR CHYTHLOOK: What was --
21 what was that?

22

23 MR. MIKE: Madame Chair, the Council
24 moved to reconsider WP 18-22 and the Council discussed
25 it and then, you know, just for closure I was
26 requesting that the Council, you know, reaffirm that
27 the -- they reconsidered the proposal, but no changes
28 were made on the original motion to adopt WP 18-22.

29

30 Thank you.

31

32 MADAME CHAIR CHYTHLOOK: The Council
33 revisited -- reconsidered WP 18-22 and after discussion
34 there was no changes to the main motion that was made
35 earlier. So we're good with the proposal.

36

37 I guess before we move on I want to
38 recognize the students. If the teacher would come and
39 tell us who your students are. We're happy to have the
40 students visit us. Again we're looking to you as our
41 future leaders. You're going to be sitting up here,
42 one of you, all -- those are you that are there we're
43 hoping that someday you'll be sitting up here leading
44 the Regional Advisory Council for meetings.

45

46 Okay. You can use a mic.

47

48 MS. McARTHUR: Thank you for having us.
49 I'm Sarena McArthur, I am the multi culture teacher

50

1 here at the middle school/high school. And actually
2 also combined with Mrs. Jacqueline Wilson's history
3 class. She is on a field trip with her government
4 class so I brought her class as well. And I don't know
5 all of them so I'm going to have them introduce
6 themselves if that's all right with you.

7
8 MR. WASLEY: Hi guys, thanks for having
9 us. My name is Drew Wasley.

10
11 MADAME CHAIR CHYTHLOOK: And I -- what
12 I -- what will make the process faster is having one of
13 you introduce the students and the students when they
14 hear your name you can raise your hand.

15
16 So could we appoint somebody to --
17 okay.

18
19 MR. WASLEY: All right. Jaden. I
20 don't know half of these kids.

21
22 MADAME CHAIR CHYTHLOOK: Thank you.

23
24 UNIDENTIFIED VOICE: Thank you. Hi,
25 I'm (indiscernible). We have Mason, we have Otis,
26 Angelica, Twig, but Alexandria, Lara, Kiona, Rosinda,
27 Oakley, Vernie, Drew, Jamal, Bristol, Daris, Jaden,
28 Jolyn, Luke and Preston.

29
30 MADAME CHAIR CHYTHLOOK: Okay. Welcome
31 and thanks for coming to visit our meeting here.

32
33 Okay. We'll move on to WP 18-24.

34
35 MS. LaVINE: Good afternoon, Madame
36 Chair, members of the Council and all of those in
37 attendance. My name is Robbin LaVine and I'm an
38 anthropologist with the Office of Subsistence
39 Management. I will be presenting the analysis of
40 wildlife proposal 18-24.

41
42 Wildlife proposal 18-24 was submitted
43 by Kenneth Nukwak of Manokotak and it requests that
44 Federally-qualified subsistence users be allowed to use
45 a snow machine to position caribou, wolves and
46 wolverines for harvest in unit 17 provided animals are
47 not shot from a moving vehicle.

48
49 The Alaska National Interest Lands

50

1 Claims or Lands Conservation Act or ANILCA provides the
2 appropriate use of snowmachines, motor boats and other
3 means of surface transportation for subsistence
4 purposes on Federal public lands. However current
5 agency specific regulations are prohibitory.

6
7 The proponent states that the requested
8 regulatory changes are needed to prevent hunters from
9 shooting into a herd of animals and to provide better
10 guidelines to hunters for the method of harvest.

11
12 The statewide regulatory history on
13 this issue I think is pertinent to your discussion here
14 so I'll walk you through it just a bit. In 1995
15 proposal 95-52 requested that snowmachines and motor
16 driven boats be used to take caribou and moose in unit
17 25 during established seasons with the knowledge that
18 shooting from a snowmachine in motion was prohibited.
19 There was no existing regulation on the use of
20 motorized vehicles in unit 25 prior to that time.

21
22 The Federal Subsistence Board adopted
23 the proposal on the consent agenda as recommended by
24 both the regional advisory councils of that area who
25 supported the proposal in recognition that methods
26 change over time and because it supports subsistence
27 needs.

28
29 In 2000 proposal 03-53 requested the
30 use of snowmachines to position a caribou for selection
31 and harvest. The Board adopted that proposal with
32 modification allowing the use of snowmachines to
33 position a hunter, not the animal, and select
34 individual caribou for harvest in unit 22 and 23. The
35 Board did this to recognize long standing customary and
36 traditional use practice in the region. The Board
37 provided a rationale for the modification.

38
39 The following regional council winter
40 meetings -- following the regional council winter
41 meetings the deputy regional director of the U.S. Fish
42 and Wildlife Service met with the assistant regional
43 director of law enforcement, the Staff Committee member
44 for Fish and Wildlife Service, the Refuge supervisor
45 for the northern Refuges, the Native liaison and after
46 lengthy discussion agreed to recommend substituting a
47 hunter for caribou in the proposal language. They
48 agreed that this is consistent with conservation
49 principles and existing agency regulations as long as
50

1 herding does not occur and shooting from a moving
2 snowmachine is prohibited. This was in 2000.

3
4 In 2012 wildlife proposal 12-53 was
5 submitted by the Yukon Delta National Wildlife Refuge
6 and it requested unit specific regulation prohibiting a
7 hunter in unit 18 from pursuing with a motorized
8 vehicle an ungulate that is fleeing. The Board adopted
9 the proposal with modification and prohibited the
10 pursuit with a motorized vehicle of an ungulate that
11 was at or near a full gallop in quotation marks in unit
12 18, providing greater clarify of allowable methods of
13 harvest. That's 2012.

14
15 At its March, 2014 meeting the Alaska
16 Board of Game adopted proposal 177 which allowed a
17 hunter to use a snowmachine in units 22, 23 and 26A to
18 position a caribou, wolf or wolverine for harvest so
19 long as these animals were shot from a stationary
20 snowmachine. The purpose of the proposal was to change
21 hunting restrictions to allow the use of snowmachines
22 to track and pursue these animals without the
23 prohibition against driving, herding, harassing or
24 molesting game in unit 23 while hunting these species.

25
26 In 2016 wildlife proposal 16-48
27 submitted by the Native Village of Kotzebue requested
28 that Federally-qualified subsistence users be allowed
29 to use snowmachines to position a caribou, wolf or
30 wolverine for harvest in unit 23. The Board adopted
31 the proposal with modification to allow this method of
32 harvest only on those lands managed by the BLM, the
33 Bureau of Land Management. The Board recognized use of
34 snowmachine to position animals as customary and
35 traditional practice. However positioning animals by
36 snowmachine is prohibited on Park Service and U.S. Fish
37 and Wildlife Service lands under agency specific
38 regulations. BLM regulatory language does not
39 specifically prohibit the use of snowmachines to
40 position animals for hunting and the harvest method is
41 allowed on State managed lands.

42
43 In the past prior to the use of
44 snowmachines people in this region were nomadic.
45 Residents of southwest Alaska practiced an annual round
46 of harvest activities that allowed them to effectively
47 position themselves in proximity to important resources
48 that supported their families through extended travel
49 to seasonal subsistence camps. In a 2003 report elders
50

1 describe a harvest year that began at fish camp in the
2 early summer, moved up the river to hunting and
3 trapping camps for the fall and winter, traveled
4 through mountain passes and down rivers to bathe in
5 estuaries for the spring harvest of migratory waterfowl
6 and eggs, finally returning to fish camp once again in
7 time for the salmon runs of early summer. A trip such
8 as this required travel by boat, sled and foot and took
9 the family hundreds of miles and 12 months to complete.

10
11 This seasonal cycle is consistent with
12 regulation in other parts of the State that allows for
13 the positioning of a hunter in order to select
14 individual animals for harvest. As village life
15 solidified around schools and economic opportunities,
16 technological advances like boats with outboard motors
17 and snowmachines allowed people to travel further over
18 shorter periods of time in order to access the
19 resources they once had to follow their seasons instead
20 -- to follow over seasons instead of hours.

21
22 If adopted wildlife proposal 18-24
23 would allow hunters to use a snowmachine to position
24 caribou, wolves and wolverines for the selection and
25 harvest as long as they were not shot from a moving
26 snowmachine. This proposal would address a need for
27 Federally-qualified subsistence users to be able to use
28 the most efficient and effective methods to take wild
29 resources important for their livelihood.

30
31 The proposed regulation is not expected
32 to result in significant population changes of caribou,
33 wolves or wolverines as snowmachines already
34 extensively utilized in unit 17 to access hunting
35 grounds and traplines. And harvest numbers will
36 continue to be managed by season and limits within
37 regulation. However adopting this Federal regulatory
38 change would emphasize the difference between ANILCA
39 section 811 and existing agency specific regulations on
40 Park Service and U.S. Forest Service lands.

41
42 Adoption of this proposal may require
43 clarification between the new and existing regulations.

44
45 The biological affects of winter
46 hunting with snowmachines on caribou, wolves and
47 wolverine in unit 17 are largely unknown. If this
48 proposal were adopted any biological affects positive
49 or negative may occur -- that may occur in these
50

1 species relating to traditional winter hunting
2 practices are anticipated to remain mostly unchanged as
3 snowmachine are already extensively utilized in this
4 manner in order to bring hunters within close proximity
5 to the animals they harvest.

6
7 So in summary the proposed regulatory
8 changes would ensure that Federally-qualified
9 subsistence users are provided the opportunity to use
10 snowmachines as an efficient and effective means to
11 harvest caribou, wolves and wolverine during the winter
12 months in unit 17. The proposed changes would have
13 little to no effect on current hunting behavior and any
14 changes in the population status of caribou, wolves and
15 wolverines are anticipated to continue to be addressed
16 through season and bag limits.

17
18 The OSM preliminary conclusion is to
19 support proposal -- wildlife proposal 18-24.

20
21 Thank you, Madame Chair.

22
23 MADAME CHAIR CHYTHLOOK: Any comments
24 from the Board.

25
26 (No comments)

27
28 MADAME CHAIR CHYTHLOOK: I guess we can
29 go through the report on board consultations.

30
31 MR. MIKE: Madame Chair, there are none
32 for this -- board consultations from the tribes.

33
34 Thank you.

35
36 MADAME CHAIR CHYTHLOOK: Agency
37 comments, ADF&G.

38
39 MS. PETERSON: Madame Chair, this Chris
40 Peterson from ADF&G. This is a preliminary opinion and
41 we reserve the right to possibly update our information
42 and change this later, but at this time the Department
43 is neutral on this proposal because it does not create
44 a biological concern for the caribou, wolf or wolverine
45 population. However seasons and bag limits may need to
46 be adjusted if the harvest increases significantly.

47
48 Because caribou often aggregate in
49 groups adoption of this proposal would likely lead to

50

1 multiple animals being disturbed in the process of
2 positioning any single animals. In places like the
3 Nushagak Peninsula where caribou are confined to a
4 relatively small area, using snowmachines to position
5 caribou would have the potential to repeatedly stress
6 the same individuals, especially if many hunters
7 utilize the technique.

8
9 So again the Department is neutral on
10 this proposal and will continue to consider it.

11
12 Thank you.

13
14 MADAME CHAIR CHYTHLOOK: Okay. Thank
15 you. Federal.

16
17 MR. WALSH: Madame Chair, I'm Pat Walsh
18 from Togiak Refuge. We oppose this specifically for
19 caribou and so my comments are restricted to caribou.
20 For the same reasons that were just presented from
21 ADF&G, when a hunter on a snowmachine chases an
22 individual caribou he puts the whole herd into flight.
23 That causes stress to all the animals, not just one.
24 And it's done at the worst time in the year for that to
25 happen. For us it's late winter, usually in March.
26 That's the point in time where most of their -- well,
27 all their fat reserves are gone, caribou have been
28 living off muscle at that time of the year.

29
30 This is working okay in units 22 and 23
31 and 26, but there's a big difference there. Those
32 areas of more than a hundred times larger than the
33 Nushagak Peninsula, those caribou herds there are --
34 caribou that are migratory while the Nushagak caribou
35 is non-migratory. It spends all its time on a
36 relatively small area and so the point that was made
37 earlier where the same animal will be chased repeatedly
38 is very much the case.

39
40 This happens right now already and
41 we've heard arguments in previous meetings that well,
42 we're already doing it so let's make this the rule and
43 let everybody else do it. But the fact is not
44 everybody does it. Lots of people hunt caribou on the
45 Nushagak Peninsula without chasing them. And I myself
46 do that, I don't chase them and I'm able to get
47 caribou. So I know it's easier, but you don't have to
48 do it. So we look at this as a practice that's
49 injurious to caribou and not necessary.

50

1 There are also waste issues associated
2 with this style of hunting that could be better
3 addressed by Alan Miller if you'd let him talk.
4

5 MR. MILLER: Madame Chairman, I'm Alan
6 Miller, I'm the deputy Refuge manager and I'm the only
7 law enforcement officer currently that we have on the
8 Refuge. So I was going to give a little bit of
9 perspective on what we see down on the peninsula in
10 terms of enforcement and violations particularly with
11 regard to caribou in this hunt on the Nushagak
12 Peninsula.
13

14 And I just wasn't going to reiterate
15 what Pat said, although I -- the Refuge does agree with
16 those comments. I just would like to say approximately
17 50 percent of the patrols that I do on the Nushagak
18 Peninsula during the caribou hunt, and these are
19 snowmachine based patrols, I don't -- I don't see a lot
20 of hunt -- most of the hunters. You know, as you --
21 it's amazing that you can go down in an area that
22 appears to be pretty flat and yet you don't see
23 everybody just like you don't see all the animals. So
24 keep those -- that in mind with my comments.
25

26 When I go down there on a patrol, a one
27 day patrol, I'm not staying overnight generally and
28 about 50 percent of those patrols I have come across at
29 least one wounded animal, sometimes two. I think the
30 most I've ever come across in one trip was three that
31 had been shot, but not retrieved. That's a concern to
32 us.
33

34 The most common violation that I have
35 issued and other officers have issued down there has
36 been for failure to validate their tag before leaving
37 the scene. It's gotten better, we're making
38 improvement there. But the thing I want to point out
39 is the second most common violation and very close on
40 the tail of the first one is chasing. And it's
41 approximately half of the trips that I've made down
42 there I have come across people who were chasing
43 animals. They don't always get a ticket for that, you
44 know, we take the holistic view, totality of the
45 circumstances in mind, you know. As you all know it
46 can be a gray area. The types of tickets that I have
47 given out have been when there's an extreme chasing
48 event. I'll give you an example of one. The last one
49 I wrote the individual chased animals for approximately
50

1 18 minutes at a gallop over about six miles as it was
2 plotted by a beacon over that time that was on my
3 snowmachine. And so a long ways, a group of about 50
4 animals. And so that's our concern is that they are
5 herded up animals, they're at a vulnerable time of the
6 year and they are some of the same animals getting
7 repeatedly harassed in a small physical area. You
8 know, you can do the entire peninsula in one day, it's
9 a really rough day if the snow's not good and you can
10 really be beat up pretty rough, but it is possible to
11 do.

12
13 So anyway I just want to characterize
14 that there are some real issues to think about in terms
15 of chasing, a little bit of wastage of animals
16 associated specifically with maybe the technique of
17 shooting, shooting on the run, that type of thing.

18
19 Thank you, Madame Chair.

20
21 MADAME CHAIR CHYTHLOOK: Tribal.

22
23 (No comments)

24
25 MADAME CHAIR CHYTHLOOK: Advisory group
26 comments, other regional council.

27
28 MR. WOODS: Madame Chair, for the
29 record my name is Frank Woods, I'm the Nushagak
30 Advisory chairman. This proposal before us, we
31 reviewed this one and also the one before the Board of
32 Game. This proposal took up a lot of our time, we had
33 a lot of comments. As you heard the Federal Togiak
34 Refuge staff had an opposing view to OSM's traditional
35 use and practice.

36
37 This is not a chasing proposal. I've
38 heard that mentioned not only in Nushagak Advisory,
39 I've also heard it in this room. This is a positioning
40 proposal that clarifies legal regulation that allows
41 hunters to position themselves, position the herd, not
42 only just for caribou, but for wolf and wolverine. The
43 peninsula is a contained area, but if everybody's been
44 driven like Alan Miller said, if anybody's been driven
45 that area, it's a big area. It might not be very big
46 for 1,400 animals like we had last year, but I tell you
47 what, for the size of the peninsula it's a heck of a
48 trip.

49
50

1 I'd like to just -- Nushagak Advisory
2 had a long discussion, a heated discussion. We had two
3 opposing votes, we had seven in favor of. The reason
4 we had it in favor of is it clarifies the law, that
5 everybody says it's common practice, I disagree. As a
6 user and a subsistence user the common practice that we
7 see is unclear regulation both on the State side and
8 the Federal side. So if we clarify the language that's
9 -- I do not see anywhere in that proposal it says
10 chase. It says position, position animal, position
11 hunter. From a stopped, not moving vehicle, but a
12 snowmachine, boat, not a moving vehicle.

13
14 So with that I'll -- the Nushagak
15 Advisory supported this, this proposal specifically.
16 And we chose to have a rolling vote at that time and I
17 think it was seven to two I believe. Yeah. So, yeah,
18 we had -- it was a long discussion. I'm glad the
19 proposer brought this forward, that not only
20 enforcement has a gray area that they have to -- and
21 like I think Alan said is some people don't get charged
22 with anything. Well, it's time to educate the public
23 on what is in regulation. And I think the State laws
24 are pretty unclear and I think Robbin pointed that out
25 that's it's been approved everywhere else, but unit --
26 well, not everywhere else, but in different areas of
27 the State that allow that practice.

28
29 So with that I'll -- and the vote was
30 seven to two.

31
32 Madame Chair. Thanks.

33
34 MADAME CHAIR CHYTHLOOK: Okay. Thank
35 you, Frank. Move on to -- oh, sorry.

36
37 Lary.

38
39 MR. HILL: Question, how do you tell
40 the difference between chasing and positioning?

41
42 MS. LaVINE: I would suggest that the
43 proponent is looking for greater clarification in
44 defining what that method might be. And that this is
45 an opportunity to clarify. But again they state that a
46 snowmachine could be used to position, yes, both a
47 hunter and a caribou or an animal provided they're not
48 shot from a moving vehicle as Frank clarified. But
49 exactly what that means, and I believe it's still --

50

1 there needs to be some distinguishing between
2 positioning, chasing, harassment, et cetera. One might
3 argue that just the very nature of harvesting an animal
4 constitutes harassment. And yet this is something that
5 is essential to the subsistence way of life. So
6 further guidance perhaps from you would be beneficial
7 at this time.

8

9

Thank you.

10

11

MADAME CHAIR CHYTHLOOK: Dennis and
12 then, Dan, did you have anything.

13

14

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MR. ANDREW: Thank you, Madame Chair.
I guess on -- a question to you, you know, if a guy
goes out there with a boat and just drifting on a boat,
not using a motor or anything or even a raft moving
down the stream, can he shoot -- he or she can he shoot
then or no.

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Positioning the animal means you can
drive to the animal and chase it. And there's no
further definition beyond that so it's one and the
same.

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MR. MILLER: Thank you, Madame Chair.
It's Alan Miller with Togiak Refuge again. Just to
specifically answer the boating one. So in Federal law
if you were drifting with your boat in the current

1 without any motion left from the motor, you've come to
2 a position where your boat is drifting free completely.
3 It's no longer moving forward because of the motor you
4 can shoot. In State law, I'm also a State commissioned
5 officer secondarily so I'll take a shot at this. In
6 State law it's similar, the only difference is not only
7 do you have to have all your momentum stopped, you have
8 to turn the ignition off. So you could shoot in both
9 of those instances if the boat's turned off and in one
10 instance it could still be running, idling, but not
11 moving forward.

12
13 MADAME CHAIR CHYTHLOOK: Okay. Thank
14 you. Did you have a comment?

15
16 MR. MCKEE: Just to add to the legalese
17 and the -- this is from -- directly from the CFR. The
18 following method and means of taking wildlife for
19 subsistence uses are prohibited. And it states taking
20 wildlife from a motorized land or air vehicle when that
21 vehicle's in motion or from a motor driven boat when
22 the boat's progress from the motor's power has not
23 ceased. So there's your CFR for you.

24
25 Madame Chair.

26
27 MADAME CHAIR CHYTHLOOK: Thank you.

28
29 Richard.

30
31 MR. WILSON: Are we -- is it our turn
32 yet? No.

33
34 MADAME CHAIR CHYTHLOOK: No, not yet.
35 Gayla, did you have your hand up?

36
37 MS. HOSETH: I did, Madame Chair,
38 because there was a white -- for the record, Gayla
39 Hoseth. There was a white paper that was done by the
40 special agent in charge at, where does he work, U.S.
41 Fish and Wildlife Service I believe, Ryan Noelle. But
42 it has to do with migratory birds and you are allowed
43 to shoot birds from a moving vehicle during the
44 subsistence hunt for migratory birds. And I could
45 address that when I get to the -- when we get to the
46 BBNA report, but that is an allowable method of use for
47 motorized vehicle -- for motorized boats.

48
49 MADAME CHAIR CHYTHLOOK: Okay. Ready

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1 to move on to subsistence resource commission.

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MS. RUPP: Madame Chair, Liza Rupp for the Lake Clark National Park SRC. And the SRC did discuss this proposal, but decided not to comment on it based on the Park Service prohibition on positioning animals.

Thank you.

MADAME CHAIR CHYTHLOOK: Thank you.

Summary of written public comments.

MR. MIKE: Well, thank you, Madame Chair. You'll find your summary of written comments on page 80 and 82. We had two comments from folks from Fairbanks on WP 18-24. And they both opposed the proposal stating that it will open the door to harassment of wildlife and will be difficult to enforce harassment rules.

Thank you, Madame Chair.

MADAME CHAIR CHYTHLOOK: Okay. Thank you. Public testimony. I think under this public testimony you can do your -- yeah, come on up.

MS. GOMEZ: I am going to be waiting for the next proposal.

MADAME CHAIR CHYTHLOOK: Pardon.

MS. GOMEZ: I'm going to be waiting for the next proposal.

MADAME CHAIR CHYTHLOOK: Okay. Public testimony, anybody.

(No comments)

MADAME CHAIR CHYTHLOOK: Okay. Regional Council recommendation.

MR. WILSON: Madame Chair.

MADAME CHAIR CHYTHLOOK: Richard.

MR. WILSON: I'm having a bit of a hard

1 time with this one for a yay or a nay myself. I can
2 see both sides of it, you know, if you're -- you know,
3 you're growed up right and you had respect for the
4 animals you're going to do your best not to -- not to
5 chase and harass. Maybe if you didn't have a good
6 upbringing, you know, that snowmachine can go 60 in a
7 heartbeat. Yeah, all right, you know. So it's --
8 there's both of that out there, you know, and that's
9 just part of life.

10

11 It's all there.

12

13 Would this proposal make or break
14 somebody, I doubt it. You know, there has been a whole
15 lot of citations out there, we understand the
16 regulations as they stand. I just have a hard time
17 even voting this one yay or nay. I think I'm just
18 going to kind of be neutral on this one.

19

20 MADAME CHAIR CHYTHLOOK: Any -- Dan.

21

22 MR. DUNAWAY: Yeah, let's get it on the
23 table. I'll move to adopt.

24

25 MADAME CHAIR CHYTHLOOK: Okay. There's
26 a -- there's been a motion to adopt WP 18-24.

27

28 MR. MAINES: Second.

29

30 MADAME CHAIR CHYTHLOOK: Second by
31 Billy. Dan.

32

33 MR. DUNAWAY: Maybe I can speak to the
34 motion some. I'm very, very ambivalent and tend to
35 oppose this myself. I sat through like Frank, well
36 summarized the advisory committee discussion which was
37 more about a corresponding identical proposal for the
38 Board of Game. It was hotly discussed. And one of the
39 problems and why people are asking for this is there
40 needs to be public education on what constitutes
41 positioning versus chasing. I think there's also an
42 inconsistency of enforcement. It's kind of in the eye
43 of the beholder. I think it's more vigorously been
44 enforced over near Dillingham maybe than other parts of
45 the area.

46

47 And one idea I want to cast out, use
48 this opportunity since we have a bunch of agency people
49 here, is if it's possible to do a video, either a

50

1 cartoon or animation or something, what is chasing
2 versus what is positioning, something like that that
3 could be then shown to people to aid in public
4 education as well as uniformity of enforcement.
5

6 Because even -- I don't like chasing,
7 but I've hunted and I'm going am I chasing because I
8 saw a herd over on that hillside and I'm going to try
9 to go around this way and as I'm ripping around this
10 way all of a sudden there's a caribou running out in
11 front of me that I never saw. And am I going to get in
12 trouble for that caribou and I don't even want to mess
13 with that one. So I'm pretty paranoid when I'm out
14 there and that's why some folks really strongly
15 advocate to allow something is because it could look
16 like I was chasing. And that literally happened to me
17 before I even knew there was an animal there. And
18 that's why we had a split vote on it as well.
19

20 So I'm kind of eager to hear more
21 conversation on this before I even make a final
22 position. Overall I tend to think that being cautious
23 because we -- my second hunt down on the peninsula this
24 last winter, we could not even get within a half mile
25 of the animals and they would -- you'd just see these
26 black dots running like the wind. And two weeks
27 previous when I'd gone down you could at least see them
28 at five to 800 yards and then we'd try to do this sneak
29 around a hill and get in front of them. They still got
30 ahead of me and they weren't even running. So anyway,
31 other people's ideas.
32

33 Thank you.
34

35 MADAME CHAIR CHYTHLOOK: Lary.
36

37 MR. HILL: I -- again if there isn't
38 anyone there, I've always thought the measure of a
39 person's I guess you could say integrity, is what you
40 do when no one's watching. And that's kind of what
41 this is. I don't like chasing. Sure you can chase an
42 animal for five miles, a whole herd, and they get
43 really tired and then you can come and position
44 yourself in for the shot. Well, I don't like that, I
45 might have done it, but I don't like it. First of all
46 you chase a caribou that far they're going to be so
47 tough you got nothing but caribou burger you're going
48 to be eating. Some of this speaks to maybe the
49 inexperience of the hunter, not knowing the lay of the
50

1 land, not knowing the habits of animals. As an example
2 you go straight at the caribou herd they're going to
3 split and run so you go at an angle through them, turn
4 off the light on your snowmachine and they might not
5 run. But if they're used to be chased soon as they see
6 you they're going to run. So what recourse do you have
7 but to chase until you they -- you get them trapped or
8 something.

9
10 Again it's this idea of chasing is the
11 eye of the beholder I guess and the enforcement
12 officer. But I was asked -- I asked an enforcement
13 officer how this person could tell say if a wolf was
14 chased or if it was positioned or moved. And he says
15 well, where's the wound. If the wound's in the
16 hindquarters, close to the center, it's chasing. If
17 it's on the side, you know, sideways or the back of the
18 head, it's probably positioning. And that's how this
19 enforcement officer chose to decide what to do. So I
20 don't care one way or the other I guess because I'm not
21 there and it's just kind of up to the person, but just,
22 you know, the idea, what is chasing, it's going to be
23 up the person and the enforcement officer I guess. But
24 the more you chase those animals the more they're going
25 to run. If everybody's used to going out there a
26 hundred miles an hour and chasing down, soon as they
27 see you they're going to run. And it's -- they've
28 conditioned them to run.

29
30 That's -- okay. I'm done.

31
32 MADAME CHAIR CHYTHLOOK: Nanci.

33
34 MS. MORRIS LYON: Thank you, Madame
35 Chair. It seems to me from everything that I've heard,
36 well, maybe not everything, but the gist of a lot of
37 what I've heard is in some ways that this proposal is
38 kind of almost being used in a political sense to force
39 the Department to define specifically certain
40 methodologies. And I think as my position here on the
41 Council, I'm not sure I'm ready to use my position in
42 such a manner. I may not be quite so resistant to it
43 if caribou were not involved. If just the wolf and the
44 wolverine were part of this. But as a food source and
45 what I consider my position on the Council to be,
46 showing the youth and users of our area responsible
47 resource use, I think I'm going to have a hard time
48 agreeing with this proposal.

49
50

1 Thank you, Madame Chair.

2

3 MADAME CHAIR CHYTHLOOK: Any other
4 comments.

5

6 (No comments)

7

8 MADAME CHAIR CHYTHLOOK: I want to put
9 my two cents in. I was -- I received caribou meat from
10 the peninsula herd and every piece of meat that I've
11 cooked has always been tough. I've never -- I haven't
12 received a caribou from down in that area that isn't
13 tough to where I have to cook it for four or five hours
14 in a crockpot.

15

16 And people -- the hunters aren't the
17 only ones that are chasing these animals. There's
18 wolves and bears that are chasing these animals. And
19 so to blame one I guess user group is -- I don't think
20 is fair. But, you know, since the use of snowmachines
21 in the I'd say like early '60s and when our dog teams
22 were slowly put away or not being used, snowmachines
23 were the only transportation during the winter to
24 harvest these animals. And once you get a tool like a
25 snowmachine that can travel to these animals I don't
26 know how anybody could go down there and get five
27 caribou in one day and come home and say that they
28 didn't chase these animals to harvest these animals.
29 So I think we need to be careful about, you know, I
30 guess blaming one user group for this.

31

32 But morally if I was a hunter and
33 knowing that I don't like to cook or eat tough animals,
34 I don't think I would go and chase a caribou to harvest
35 because it does toughen the meat. And if you don't
36 season it for a longer length of time without other
37 insects getting into it then it's going to be a hard
38 decision. And I think each one of us have a reason,
39 moral reason, to make a decision on this.

40

41 Thank you.

42

43 Dan.

44

45 MR. DUNAWAY: Nanci brought up a couple
46 of points that I guess I'd take a look at our advisory
47 committee discussion too. There was some discussion
48 about changing it to positioning the hunter versus the
49 animal or splitting and removing the caribou and just

50

1 leaving it to positioning wolves and wolverine were
2 other ideas. And I know I'd be more inclined to
3 support it if it was just wolves and wolverine. Or
4 just for all animals positioning the hunter, not the
5 animal.

6
7

Thank you.

8
9

MADAME CHAIR CHYTHLOOK: Do we have to
10 deal with the maker of the proposal to change it.

11
12

Donald.

13
14

MR. MIKE: Thank you, Madame Chair.
15 There's a motion to adopt WP 18-24 I think as
16 presented, but there's -- you certainly can amend the
17 main motion as Mr. Dunaway stated. So it's up to the
18 Council.

19
20

Thank you, Madame Chair.

21
22

MADAME CHAIR CHYTHLOOK: Dennis, did
23 you have your hand up earlier?

24
25

MR. ANDREW: No.

26
27

MADAME CHAIR CHYTHLOOK: Okay. Anybody
28 else.

29
30

(No comments)

31
32

MADAME CHAIR CHYTHLOOK: Okay. Where
33 are we, are we ready to vote on this.

34
35

Dan.

36
37

MR. DUNAWAY: Well, I'll try this and
38 see where we go with it. I'm going to move we change
39 the language to positioning the hunter from positioning
40 the animal was the shortest and easiest wording change.
41 If I have a second we can try that amendment.

42
43

Thank you.

44
45

MADAME CHAIR CHYTHLOOK: So that's your
46 motion?

47
48

MR. DUNAWAY: Yes, ma'am, that's my
49 motion. I seem to be dying for lack of a second here.

50

1 So, but, you know.....

2

3 MADAME CHAIR CHYTHLOOK: I think we're
4 all thinking -- Donald you want to read that -- the
5 motion.

6

7 MR. MIKE: Thank you, Madame Chair.
8 There's a motion to amend the main motion to position
9 the hunter, not the animal as amended by Mr. Dunaway.

10

11 Thank you, Madame Chair.

12

13 MADAME CHAIR CHYTHLOOK: Do we need a
14 second.

15

16 MR. SEYBERT: This is Victor. I'll
17 second that.

18

19 MADAME CHAIR CHYTHLOOK: Okay. Victor
20 seconded the motion.

21

22 MR. SEYBERT: Yes.

23

24 MADAME CHAIR CHYTHLOOK: Okay. Are we
25 ready to vote on this. Any further discussion.

26

27 Billy.

28

29 MR. MAINES: This is where my stupidity
30 kicks in. We're going to position a hunter to what,
31 harvest a hunter. Because the way it's written right
32 now it's position the animal to harvest animal as it's
33 worded right now. So if we're going to position the
34 hunter are we harvesting the hunter or what.

35

36 MR. DUNAWAY: Okay. Clarity's always
37 better. So the hunter may position himself to take a
38 wolf, wolverine or caribou is my intent. But it would
39 be clear that he would be moving himself to get in a
40 better position, not necessarily trying to move the
41 animal, trying to get himself in a better. And I think
42 at least personally that's more of my practice, you try
43 to get in a little bit closer or find a place where you
44 can intercept them when they come to you, but not
45 moving the animal, it should be moving the hunter to
46 get a better angle on the animal.

47

48 Thank you.

49

50

1 MADAME CHAIR CHYTHLOOK: Robbin, did
2 you have a comment.

3
4 MS. LaVINE: Yes, Madame Chair. Could
5 I clarify that it might be written like this. A
6 snowmachine may be used to position a hunter for the
7 harvest of a caribou, wolf or wolverine provided that
8 the animals are not shot from a moving machine. Is --
9 would that be your intent?

10
11 MR. DUNAWAY: Madame Chair, yes. Yeah,
12 I would agree with that. It's not from moving
13 vehicles, I think that's hazardous. My hunter safety
14 instructor, it's not -- it doesn't enhance quality of
15 shot to the animal. That's possibly where some of
16 these wasted animals may come from although I think
17 some of the long shooting is also a problem out on the --
18 people shooting at very long distances and don't even
19 know they hit an animal. So, but, yeah, thank you for
20 that.

21
22 I would accept that language if the
23 second does.

24
25 MADAME CHAIR CHYTHLOOK: Is there --
26 oh, Victor, you second that?

27
28 MR. SEYBERT: Yes, I'll accept his --
29 yes, proposal.

30
31 MADAME CHAIR CHYTHLOOK: Richard.

32
33 MR. WILSON: Isn't it already accepted
34 language, positioning a hunter, I mean, isn't that --
35 are we just -- are we reiterating something that's
36 already in place. I mean, this man or this person here
37 is looking to provide the position the animal, but
38 isn't there already language that if a snowmachine is
39 usable for hunting then isn't it common practice that
40 you are positioning yourself already. I mean, I don't --
41 I don't see what this language -- how this language is
42 actually going to change the intent here.

43
44 Thank you.

45
46 MR. MAINES: Madame Chair.

47
48 MADAME CHAIR CHYTHLOOK: Billy.

49
50

1 MR. MAINES: I was going to agree with
2 Richard. It's on page 84. It doesn't matter whether
3 it's a hunter or the snowmachine, it's in there for
4 both positioning. You can position the hunter or you
5 can position the animal.

6
7 The way it's written in there as far as
8 say backup, it says either or.

9

10 MR. MIKE: Madame Chair.

11

12 MADAME CHAIR CHYTHLOOK: Donald.

13

14 MR. MIKE: Thank you, Madame Chair.
15 I'd offer a suggestion to the Council is we can take a
16 break and get a committee together and then get an
17 intent of the amended motion and vote on that and then
18 get back to the main motion with amendments and vote.

19

20 MADAME CHAIR CHYTHLOOK: Okay. Lary,
21 Dan and Bill, you're the committee.

22

23 MS. MORRIS LYON: Better include Victor
24 in it too.

25

26 MADAME CHAIR CHYTHLOOK: And Victor.
27 So take -- would it -- about 15 minutes.

28

29 Dan.

30

31 MR. DUNAWAY: Madame Chair, looks like
32 some of our agency folks are consulting. Maybe before
33 you break we could hear what they have to say and we
34 may need to sit down with them and get guidance.

35

36 Thank you.

37

38 MR. McKEE: Madame Chair, Chris McKee,
39 OSM. I don't want to dissuade you from breaking and
40 discussing it, but I just wanted to point out that the
41 regulations that were pointed out on page 84 of the
42 analysis are State regulations, not Federal. And under
43 Federal regulations as near as I can tell we have unit
44 specific regulations like in unit 23, it talks about
45 positioning an animal, but that's a unit specific
46 regulation, it's not an over -- it's not a generalized
47 Federal regulation, we have unit specific regs.

48

49 Madame Chair.

50

1 MADAME CHAIR CHYTHLOOK: Dan.

2

3 MR. DUNAWAY: Yeah, thank you. Well,
4 this might be another -- if it -- that's where I was
5 getting confused. I thought -- Richard, because I
6 don't want to make more regs on top of regs. But I got
7 the impression that it was -- yeah, I was -- I was
8 losing track of which agencies it was okay, but if it
9 appears that there's no clear cut allowance within game
10 management unit 17 and clearly snowmachines are used,
11 I'd like to see at least some allowance for being in
12 motion for part of the time as a snowgo, but I see Mr.
13 McKee's come to the table again. I'm curious.

14

15 Thank you.

16

17 MR. McKEE: Madame Chair, the Council
18 can choose to do whatever it wants to do on this
19 proposal, you can amend it however you like. I mean,
20 at the Federal Board meeting as long as the intent of
21 the Council's clear there can be further discussion.
22 In this case it'll be the Chair of this Council that's
23 going to be at the meeting and the Board can make their
24 decision based on whatever -- the Council can do
25 whatever they want, but as long as the intent of the
26 Council is clear so the Board had an idea what your
27 rationale was, then the Board can make an informed
28 decision. So however you want to do that, whether that
29 takes -- means taking a break and kind of discussing it
30 a little bit more or not or just go ahead and acting on
31 the amended motion is totally up to you.

32

33 Madame Chair.

34

35 MADAME CHAIR CHYTHLOOK: Nanci.

36

37 MS. MORRIS LYON: Thank you, Madame
38 Chair. Yeah, with the clarification that these rules --
39 it wasn't clear to me at all that these were State
40 rules and that they did not apply to our Federal hunts
41 on Federal lands. I think it has provided plenty of
42 clarity for me and I'm actually considering the big Q
43 and calling for it right now.

44

45 But if there's more discussion, I'm not
46 going to say that word.

47

48 Thank you.

49

50

1 MADAME CHAIR CHYTHLOOK: Billy.
2
3 MR. MAINES: I guess you're asking
4 whether or not we're going to position the hunter or
5 the animal, which are you.....
6
7 MS. MORRIS LYON: I am.....
8
9 MR. MAINES:because the amendment
10 is to.....
11
12 MS. MORRIS LYON:my clear.....
13
14 MR. MAINES:position the hunter.
15
16 MS. MORRIS LYON: Right. I'm clearly
17 voting on the one to position the hunter. There's no
18 doubt.....
19
20 MR. MAINES: Okay.
21
22 MS. MORRIS LYON:in my mind that
23 that's what's on the table and that is what I want to
24 call the big Q for.
25
26 MR. MAINES: You wanted to call
27 question?
28
29 MS. MORRIS LYON: Yes. He said it.
30
31 MADAME CHAIR CHYTHLOOK: Okay. There's
32 been a.....
33
34 MR. WILSON: Question's called.
35
36 MADAME CHAIR CHYTHLOOK:is it --
37 was it a -- question's been called. All in favor say
38 aye.
39
40 IN UNISON: Aye.
41
42 MADAME CHAIR CHYTHLOOK: Any
43 opposition.
44
45 (No opposing votes)
46
47 MADAME CHAIR CHYTHLOOK: I guess we're
48 good with this.
49
50

1 MR. MIKE: Madame Chair.

2

3 MADAME CHAIR CHYTHLOOK: Donald.

4

5 MR. MIKE: Yeah, thank you, Madame
6 Chair. That was the -- you took action on the
7 amendment so we'll get to the main motion with the
8 amendment and go from there.

9

10 Thank you.

11

12 The main motion as amended presented by
13 Mr. Dunaway.

14

15 MR. DUNAWAY: Okay. So then now as I
16 understand it our -- change this proposal to reflect
17 positioning of the hunter in pursuit of a or in the
18 taking of a wolf, wolverine or caribou. And the intent
19 is to allow a hunter to do that as long as his motor
20 vehicle is -- I think it was not moving was the
21 language, to allow some activity with a snowgo. This
22 will still take a lot of public education, a lot of law
23 enforcement education and communication because there's
24 still folks I know are going to feel extremely
25 vulnerable to the subjectivity of this. But I don't
26 want it to where folks have to walk a half mile from
27 their snowgo to shoot a caribou. And I hope they're
28 not arrested because the caribou moved some as they
29 move their snowgo. But I sure hope this doesn't
30 encourage just full out chasing and clearly gets that
31 across to hunters is why I prefer the positioning of
32 the hunter versus positioning of the animal.

33

34 Thank you.

35

36 MADAME CHAIR CHYTHLOOK: I think we
37 have a comment from the public.

38

39 MR. CHYTHLOOK: For the record, Madame
40 Chair, I'm Joe Chythlook, husband of the Chair. But I
41 thought I would just say, you know, either way to me
42 it's a matter of semantics. And how I surmise that is
43 I'll tell you a story. Sometimes English language and
44 the Native language kind of -- by the time you
45 translate it to people it just becomes a little
46 unclear. There was an old guy that had been arrested
47 for drinking and driving. And he went before a judge.
48 And so the judge read the charge to him and it was
49 interpreted by interpreter. And it said that you were

50

1 drinking and driving. The old guy said, no, I don't
2 drink and drive. I stop and drink and then I drive.
3 So either way -- either way that I think that this
4 regulation is voted on is -- whether it's positioning a
5 hunter or positioning a -- positioning the game, it's
6 still going to be -- it's just in the eye of the
7 beholder, I guess. If protection happens to be there
8 and I'm hunting and I'm on my snowgo and there's some
9 caribou that I'm hoping to position to be able to
10 shoot, I'm liable -- probably liable to be charged as
11 chasing caribou.

12
13 But anything that's just my -- that's
14 just my funny little story.

15
16 Thank you.

17
18 MADAME CHAIR CHYTHLOOK: Bill then
19 Richard or.....

20
21 MR. WILSON: So just for clarification
22 for me, did I miss something or is this unit here not
23 allowing snowmachines at the moment to hunt caribou, I
24 mean, is that the case here.

25
26 MADAME CHAIR CHYTHLOOK: Dan.

27
28 MR. DUNAWAY: Yeah, through the Chair.
29 I believe it is allowed. And so -- yeah, I don't know
30 yet if -- I got the idea that it wasn't clear in the
31 Federal regulations so that's why I'm pursuing it
32 because I don't want to pass a regulation that or
33 advocate one that's either already there or doesn't --
34 isn't needed. And I really, really appreciate you
35 holding my feet to the fire on that, Richard, but I --
36 I'm just kind of missing the times when we had a legal
37 beagle here to help us thread our way through the
38 Federal regs.

39
40 But at -- seemed like there -- we might
41 need clarity on what was legal is the only reason I'm
42 pushing this.

43
44 Thank you.

45
46 MADAME CHAIR CHYTHLOOK: I guess my
47 question, Dan, so when you go down to the peninsula to
48 caribou hunt where do you leave your -- where do you
49 leave your snowmachine to start walking or calmly

50

1 waiting for the caribou, you know, if -- that -- that's
2 my puzzling -- yeah.

3
4 MR. DUNAWAY: Since we haven't had a
5 lot of opportunities to do it, the way it worked for me
6 this last year I often was stopping and walking forward
7 below the crest of a hill or ridge and walking over and
8 looking on the other side. When I actually finally
9 managed to get caribou I had stopped, we had been
10 trying to go behind hills and flank a herd, get out in
11 front of them and never could do it. Finally we gave
12 up and got up on a ridge and we ate lunch and pouring
13 gas in the snowgos. And we had split with half of our
14 group and we saw them a long ways away kind of inching
15 up on a group of caribou that we thought were going to
16 go way off to our left. And, but we went to this --
17 walked over to this ridge and next thing I know I have
18 them walking right up to me. They saw us and dropped
19 down and ran around the end of the ridge, but it was a
20 skinny ridge so we just ran over to the other side and
21 shot them on there. So we happened to be pretty much
22 not -- our snowgos were off and we were on foot running
23 around when that caribou kind of came to us. The other
24 guys -- actually I don't know if they knew where we
25 were, but they certainly weren't trying to push the
26 animals to us because they were pointed a whole other
27 direction and the animals kind of doubled back on
28 themselves much to everybody's surprise. And they were
29 just inching forward and it looked to me like they were
30 trying to get a better view, positioning the hunter,
31 inch around these alders to where they could see the
32 herd and then the herd just bolted.

33
34 So generally I much prefer to stop if I
35 can and then walk up to where I think they are. And
36 that's the practice that I usually do. I'm often off
37 my snowgo when I'm hunting.

38
39 Thank you.

40
41 MADAME CHAIR CHYTHLOOK: Okay. Are we
42 ready to.....

43
44 Nanci.

45
46 MS. MORRIS LYON: No, I'm like Richard
47 I voted on the last one only because I was under the
48 understanding that at the current moment snowmachines
49 were not allowed in 17 as a legal use of.....

50

1 MS. LaVINE: Madame Chair, Nanci,
2 Council Member Nanci Morris. We have the general
3 ANILCA title VIII, subsection 811 on access which
4 provides the opportunity that all Federally-qualified
5 subsistence users should have access to their
6 traditional hunting and fishing areas. Additionally
7 again it has more to do with access, but in the Alaska
8 National Wildlife Refuges use of snowmachine
9 notwithstanding provisions about the use of
10 snowmachines, motor boats, dog teams or other means of
11 surface transportation traditionally employed by local
12 residents is permitted within the Refuges except at
13 those times and in those areas restricted by the Refuge
14 manager. And in addition in such a manner as to
15 prevent waste or damage and in such a manner as to
16 prevent the herding, harassment, hazing or driving of
17 wildlife for hunting or other purposes.

18
19 So basically what this proposal is
20 doing is providing a unit specific clarification on
21 what that might mean.

22
23 Thank you.

24
25 MR. McKEE: Madame Chair, Chris McKee.
26 Yeah, Robbin is correct. I think that there's no
27 prohibition in unit 17 using a snowmachine obviously to
28 engage in subsistence activities. What this proposal
29 is merely doing is trying to clarify how you go about
30 using it. I mean, I don't think anybody here is going
31 to use a snowmachine as a method of take necessarily,
32 by that nobody's going to use a snowmachine to run over
33 the animal and that's how you take it. Obviously
34 you're using it in employing your subsistence
35 activities. Usually we get these kind of proposals
36 when someone has either been ticketed or otherwise
37 gotten in trouble using some methodology. I know in
38 unit 23 the reason it came up on the State side is
39 because somebody was ticketed I believe pursuing a
40 wolverine. So a lot of times we just get these
41 proposals because there's been some legal concern as to
42 what somebody can and can't do with a snowmachine.
43 That isn't to say there's nothing in the regulations
44 that say you can't use a snowmachine while you're
45 engaged in subsistence activities. So this as Robbin
46 intimated is merely a way of clarifying the legalese
47 surrounding these kind of activities.

48
49 I mean, it's -- we live in a regulatory
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1 world.

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And I know it's -- and I know it makes people see double that are already engaged in these kind of activities traditionally anyway, but that's -- it's a regulatory structure and this is just seeking to clarify those regulations.

Madame Chair. Thank you. Lary.

MR. HILL: I don't if this is the place for this, but anyway something to do with what Dan's talking about. When I was little I grew up not speaking American and went to school and learned to speak American. And I wanted to stay in the village and that's only speak (in Native). But I couldn't and my grandmother and my grandfather and my uncle says, no, we want you to go to school and learn the language of the Americans. They're the ones that hold the power over us, they make the laws and they can harm us or put us in jail, restrict our movements. So you have to learn the language in order to protect ourselves. So that's what we're doing, trying to learn the right language to keep from being classified as criminal or arrested for something that we -- all we want to do is go out and get an animal. So all this semantics about what's right and what's not, I mean, who's going to be looking, nobody. It just -- so what do we do with this. We pass regulations or recommend regulations then it goes to the higher people that make the -- in the system that make the actual laws to -- whether or not we become criminals or not.

So we can beat this to death, let's just make a decision.

MR. McKEE: Just one more thing based on that statement. And I want to make clear, I said it before when I was -- when I was presenting the in service awards. The regional advisory councils are the absolutely most important part of the Federal Subsistence Management Program. The decisions that this Council makes, 97 or more percent of the time the Board supports whatever the position of the Council is. So it's the Councils that drive the Federal Subsistence Management Program. It's not -- I mean, the Board is the ultimate authority and they make the final decision, but almost without exception the Board goes along with the decisions that the regional advisory

1 councils make. So I want to make sure that you
2 understand the importance and that it's really the
3 Councils that hold the power in the Federal Subsistence
4 Management Program.

5
6 So it's good that you're having the
7 discussion, putting your rationale on the record, and
8 the decisions that you make the Board with very
9 exceptions, there's only a small number of exceptions
10 in ANILCA that allows the Board to overrule the
11 position of the Council and so it's very rare that they
12 do. So the decisions that you make here are most
13 likely the decision that the Board's going to go along
14 with. That's not 100 percent guaranteed, but more
15 often or not that's the way it goes. So the fact that
16 you're having the discussion and clarifying your
17 position and voting on it is critical to the ultimate
18 decision that's made by the Board in April and you'll
19 have representation at that meeting as well.

20
21 Madame Chair.

22
23 MADAME CHAIR CHYTHLOOK: Dan.

24
25 MR. DUNAWAY: Yeah, thank you, Madame
26 Chair. That helps a lot. I mean, we could not pass
27 this and I understand the Federal Subsistence Board's
28 supposed to listen to us, then likely the status quo
29 will remain, what goes -- what we have today would go
30 on. If we pass it it may add another little layer,
31 another piece of bureaucracy. So it's kind of I guess
32 what's the pleasure of the Council here, is status quo
33 better than if we add this thing or would it be better
34 to add it. So I think already we've amended it to
35 something that a number of us would feel more
36 acceptable if it does pass.

37
38 And with that I'll just let other
39 people think about it.

40
41 Thank you.

42
43 MADAME CHAIR CHYTHLOOK: Billy.

44
45 MR. MAINES: Thank you, Madame Chair.
46 I guess I'm sort of like torn in between right now
47 because there's -- my understanding is that we don't
48 even need to bring this up only because we're able to
49 use snowmachines as it is right now. What we're doing

50

1 is tying our hands by saying specifically how we can
2 use that snowmachine. And I -- I'm not really too sure
3 if I'm in a position to specify how I could use my
4 snowmachine or not other than what I've been doing in
5 the past. So I guess that's where I'm sitting and
6 that's exactly what we're trying to do, right.

7
8 MR. McKEE: Through the Chair. I'm not
9 sure I would have that exact interpretation. What I
10 think we're asking for is clarity because right now
11 it's -- you know, like has been stated before it's a
12 law enforcement discretionary type of situation where
13 they're going to determine how and when they're going
14 to ticket somebody. And a lot of times these
15 regulations are brought up in proposals and passed
16 because the clarity is needed. I'm not sure exactly
17 how else to put that. I wouldn't put it that you're
18 hamstringing yourself or limiting yourself, it's more
19 just -- I see it more as just making sure there's some
20 protection out there for the users to make sure that
21 they are engaged in lawful activity and clarity for law
22 enforcement so they know when and where they can and
23 can't ticket somebody. I mean, I'm not a law
24 enforcement expert, but these regulations more often
25 than not are passed and adopted because clarity is
26 needed because something has happened in the past.

27
28 MADAME CHAIR CHYTHLOOK: Billy.

29
30 MR. MAINES: Thanks for that. I wasn't
31 going to say anything because for a while there I
32 thought I was an outlaw because I've used a snowmachine
33 all the time in the wintertime when it goes to hunting.
34 And when this proposal was before me I was saying, oh,
35 crap, am I doing something I shouldn't be doing, has
36 this always been there. And at the same time I'm
37 looking at -- saying, okay, well, we've had that option
38 and I know that there are folks that abuse the
39 opportunity when they have that available to them, but
40 at the same time there are those who will abide by the
41 letter of the law and at times the law like you said is
42 vague and unclear and clarity needs to be an issue.

43
44 But I'm not -- that's why I brought up
45 my idiotic question at the very beginning, what are we
46 positioning, are we positioning ourselves or are we
47 positioning the animals and to me what's the
48 difference, you know. The animal's not going to
49 position me to shoot me, I'm going to position the
50

1 animal to shoot it. And I'm not as young as I used to
2 be to where I can park the snowmachine at the top -- at
3 the bottom of the hill and climb a hill to see if
4 there's something on the other side, whereas I would
5 just drive it up on top and see if there's something
6 there. If there is try to figure out where it's going
7 to go and try to get there before it. And more times
8 than not they've beaten me each and every time because
9 they know where I'm going to go before I do.

10

11 So I'm just trying to make some sense
12 out of the -- what this final proposal's going to look
13 at because we already agreed we're going to position
14 the hunter to take the animal as long as that machine
15 that we're using is not moving. And now we're back to
16 the original motion and in here it says moving vehicle,
17 but then it -- the regulation says moving snowmachine.
18 So I'm substituting snowmachine for everything where I
19 see moving vehicle.

20

21 Thank you.

22

23 MADAME CHAIR CHYTHLOOK: Richard.

24

25 MR. WILSON: Madame Chair, a final
26 thought for myself. The proponent -- we've actually
27 changed -- we did a three -- a 180 on his proposal or
28 the proposal. You know, they were looking to move the
29 animal, you've changed it -- we have changed it to
30 position ourself. So we've already gone away from the
31 intent of the proponent here and we created our own
32 proposal in my mind as it stands and is that really
33 necessary at this point.

34

35 That's my final thought.

36

37 MADAME CHAIR CHYTHLOOK: Okay. Who's
38 able to answer that because I sure can't.

39

40 Okay.

41

42 MR. MCKEE: Well, like I said earlier,
43 I mean, the Council -- I mean, I would interpret it as
44 since the Council's the most important part of the
45 program, the Councils can do pretty much anything they
46 want in a proposal, amend it anyway they see as
47 appropriate. It's going to be -- you're having the
48 discussion on the record, that's what vitally important
49 for the Board to make an informed decision. And you're

50

1 going to continue to have these discussions at the
2 Federal Board meeting in April.

3

4 Madame Chair.

5

6 MADAME CHAIR CHYTHLOOK: There was a --
7 Dan.

8

9 MR. DUNAWAY: I just see Frank Woods
10 holding his hand up out here in the audience if we want
11 to give him an opportunity to speak and then maybe
12 Victor too.

13

14 Thank you.

15

16 MADAME CHAIR CHYTHLOOK: While Frank's
17 coming up, early on when we were -- when we first
18 started discussing or maybe even before we started,
19 there was a comment made that there hasn't been very
20 many arrests for I guess this type of hunting. Are we --
21 I guess like Bill said, we must be positioning
22 ourselves to get arrested.

23

24 Frank.

25

26 MR. WOODS: Yeah, Madame Chair and the
27 members of the RAC. In the white paper of the wildlife
28 proposal 18-24 it references wildlife proposal 16-48 to
29 the North Slope Subsistence Regional Advisory Council,
30 we're positioning caribou, we are not trapping them
31 into a closed area. It talks about positioning the
32 hunter and the caribou as herding. There's also the
33 hunter positions himself close to where the caribou
34 would pass depending on the way the wind is blowing.
35 So you're not only positioning the hunter, but you're
36 also positioning the herd.

37

38 If I'm hunting with a party and they're
39 running over there and I know that the caribou are
40 ahead of them, they're positioning the caribou. The
41 difference is that we -- like, Billy, I agree, we have
42 clarification in the law by just the proposal as
43 written, it clarifies it. It's already a legal
44 practice, but there's no definition of what chase is
45 because we've been hearing that word too much I think.
46 The majority of the people -- my job is to educate as
47 many people as possible on this, not only in this
48 circle, but also the ones out -- at a State level that
49 this would clarify and give opportunity to have

50

1 definition of what -- you know, and the public needs to
2 be educated on what's legal and what's not. Right now
3 it's unclear.

4 And I think the gentleman before me
5 pointed out perfectly that right now it's just a --
6 it's a terminology clarification so we don't get each
7 other in trouble. Young people and all the kids here,
8 we want to be clear for that next generation coming up
9 that they are not getting themselves in trouble by our
10 definitions aren't clear enough. And I think that
11 we've changed the definition of the proposal, I mean,
12 that would be its own proposal almost. But the way
13 it's written is what's acceptable in 18, 23 and other
14 areas of the State.

15
16 Let me tell you one other thing to
17 remember. If the Board of Game passes it in March, it
18 being legal everywhere and it only does it just for the
19 hunter on State -- on Federal land then we're in
20 conflict, we have to come back to another proposal and
21 run this again.

22
23 So that's all I've got.

24
25 Thank you, Madame Chair.

26
27 MADAME CHAIR CHYTHLOOK: Lary.

28
29 MR. HILL: Thank you. That brings up
30 again my little thing about language. See what we're
31 looking at is what language will satisfy the people in
32 the enforcement division so that we're not arrested for
33 something we're -- something illegal that we're doing.
34 What language will satisfy. That's -- I'm still not
35 clear on, what language will satisfy to keep us from
36 being arrested or otherwise.

37
38 MADAME CHAIR CHYTHLOOK: Dan.

39
40 MR. DUNAWAY: Well, I'm glad to see
41 Alan coming up here. But, yes, really that's what
42 drives all of this is that there -- it is such an eye
43 of the beholder and there's been possibly -- and I'm
44 not accusing locally, but I think there's some
45 inconsistency on the enforcement side as well as on the
46 folks out there driving around how to comply. So maybe
47 Alan can enlighten us.

48
49 Thank you.

50

1 MR. MILLER: Thank you, Madame
2 Chairman. I won't pretend that it's not ambiguous.
3 I'd like to characterize just real quickly what the --
4 I'll just take like the last five years just as an
5 example. On the Nushagak Peninsula I average about one
6 ticket for chasing if you will about every two to three
7 years. I don't like that information out there, but I
8 think it's appropriate at this point. It is those
9 extreme cases that I gave an example of earlier where
10 somebody was pursuing a large herd that changed
11 direction multiple times over many miles.
12

13 And the reason I'm bringing this up is
14 the language that Robbin read you from the CFRs, I
15 can't remember exactly which section, but it's actually
16 in -- I'll go ahead and refer to it here, but in 50 CFR
17 36.12 is where it comes from. But if you remember the
18 wording she gave you, it talked about -- it talked
19 about as long as they weren't doing things that were
20 herding, harassing, hazing or driving, those were some
21 of the actions -- the words used in there. The
22 examples that I gave where I gave a ticket, it was
23 clear in my mind that that was harassment, okay. So
24 even though it's unclear I think most of us would agree
25 that if an officer has the discretion to reserve a
26 ticket for a case that does meet some of these extreme
27 words, harassing, herding.
28

29 If we think about that then you could
30 look at the proposed -- the amended proposal here. It
31 does add one thing that's not in the CFR and that the
32 actual word position a hunter. So it does add one
33 little bit of clarification. It's up to you guys
34 whether you want to do that, but it does change -- for
35 this unit it will change it a little bit because the
36 wording that Robbin read is statewide regulation.
37 Federal regulation for the whole State. Your proposal
38 would say well, for unit 17 at least we're clarifying
39 that positioning a hunter is not herding, harassing,
40 hazing. So there is some benefit there. Whether or
41 not that's overall a benefit to the herd and what you
42 want to do, I don't know, but there is some benefit of
43 terms of making it a little clearer.
44

45 So I think that might address it.
46

47 The last thing I'd say is I'm not aware
48 of anybody ever having been arrested for that violation
49 since the herd was reestablished ever here.
50

1 Thank you, Madame Chair.

2

3 MADAME CHAIR CHYTHLOOK: Before you
4 leave I've got a question. I heard that positioning
5 and chasing were about the same, mean about the same.

6

7 MR. MILLER: This is a tough one
8 because the word chasing you'll notice isn't really --
9 you know, we throw a lot of words out there, but they
10 do have the word driving. So herding, harassing,
11 hazing or driving. So it's funny all of us I think on
12 every side of -- you know, all the groups here, we tend
13 to use that word chasing and it's not really in any of
14 these regulations. And I know it -- maybe it's just
15 how we want to deal with it in our minds. I do the
16 same thing. So it's hard to answer that question
17 because chasing not really defined in any of these.

18

19 Does that answer that?

20

21 MADAME CHAIR CHYTHLOOK: Dan.

22

23 MR. DUNAWAY: I think, Molly, what
24 you're referring to is I believe Mr. Walsh when he came
25 up spoke that it would be very difficult if you're
26 talking about positioning the animal, that it could be
27 very hard to differentiate between positioning and
28 possibly positioning the animal too extremely and
29 breaking into the herding, hazing, harassing mode is
30 what I understood from Mr. Walsh. I think he's still
31 here and I don't -- if he'd rather speak for himself he
32 certainly should. That's what -- I heard that in
33 reference to when we were discussing and that's why I
34 preferred to switch the language to positioning the
35 hunter. And if it adds a little more clarity to the
36 enforcement and compliance I'm all for it because
37 that's what this is all about is what is right and
38 what's wrong.

39

40 Thank you.

41

42 MADAME CHAIR CHYTHLOOK: Well, I think
43 that's why we're having a hard time finding a word to --
44 a different word because Pat did say that positioning
45 and chasing were the same, had the same meaning.

46

47 Bill.

48

49 MR. MAINES: Thank you, Madame Chair.

50

1 I just want to make a couple quick comments to our
2 gentleman over here from I guess the Office of
3 Subsistence Management. He was quick to point out the
4 language on page 84 was from State statute. I just
5 wanted to make the comment everyone of the meetings
6 I've gone to with you guys for the past couple years,
7 it seems to be the intent to marriage the State and
8 Federal language so the regulations mirror one another.
9 So when I was talking about the language here it goes
10 back to what you were just talking about because on
11 page 84 I think it's -- I want to say subsection three
12 because it's the -- all right. Notwithstanding any
13 other provision to this section in units 9B, C, E, 17,
14 18, 19, 21, 22, 24, 25C and D, except on any National
15 Park Service or National Wildlife Refuge lands not
16 approved by the Federal agencies, a snowmachine may be
17 used to position a hunter to select an individual wolf
18 for harvest where wolves may not be shot from a
19 stationary machine.

20

21 To me that's basically the language
22 that you guys are talking about, but it also includes
23 not only wolf, but wolverine and caribou. And that to
24 me seems like what you are looking at and referring to
25 and it's already part of the State, but then the
26 Federal language would marry to the State regs at that
27 same time. So there wouldn't be any confusion, it
28 would be the same language.

29

30 MADAME CHAIR CHYTHLOOK: Donald.

31

32 MR. MIKE: Thank you, Madame Chair.
33 The Council's still on the main motion as amended so
34 you can offer another amendment if you wish to do so on
35 the main motion.

36

37 Thank you.

38

39 MADAME CHAIR CHYTHLOOK: Dan.

40

41 MR. DUNAWAY: I'm going to call the
42 question.

43

44 MADAME CHAIR CHYTHLOOK: Okay.
45 Question. All in favor say aye.

46

47 Maybe you can do a roll call, Donald.
48 And, Donald, could you read the motion.

49

50

1 MR. MIKE: Thank you, Madame Chair.
2 Our anthropologist will read the main motion as amended
3 while I get the roster out for a roll call vote.
4
5 MS. LaVINE: Madame Chair, members of
6 the Council. The motion as amended would be a
7 snowmachine may be used to position a hunter for the
8 harvest of a caribou, wolf, or wolverine provided that
9 the animals are not shot from a moving snowmachine.
10
11 MR. MAINES: Unit 17.
12
13 MS. LaVINE: Yes, thank you for the
14 clarification. This would be a unit 17 specific
15 regulation.
16
17 MR. MIKE: Thank you, Madame Chair. As
18 stated by Ms. LaVine, our roll call vote on the main
19 motion as amended.
20
21 Mr. Richard Wilson.
22
23 MR. WILSON: Nay.
24
25 MR. MIKE: Mr. Victor Seybert:
26
27 MR. SEYBERT: No.
28
29 MR. MIKE: Mr. Lary Hill.
30
31 MR. HILL: Nay.
32
33 MR. MIKE: Mr. Dan Dunaway.
34
35 MR. DUNAWAY: Yes.
36
37 MR. MIKE: Mr. Billy Maines.
38
39 MR. MAINES: No.
40
41 MR. MIKE: Ms. Molly Chythlook.
42
43 MADAME CHAIR CHYTHLOOK: No.
44
45 MR. MIKE: Ms. Nanci Morris.
46
47 MS. MORRIS LYON: No.
48
49 MR. MIKE: Mr. Dennis Andrew.
50

1 MR. ANDREW: No.

2

3 MR. MIKE: Madame Chair, there are
4 seven nays and one yes. Motion fails.

5

6 MADAME CHAIR CHYTHLOOK: The motion
7 fails.

8

9 MS. MORRIS LYON: Yes.

10

11 MADAME CHAIR CHYTHLOOK: Okay. We can
12 take a five minute break and what time do we need to be
13 out of here?

14

15 MR. MIKE: I requested for our meeting
16 for this facility is from 8:30 to 5:00 daily.

17

18 MADAME CHAIR CHYTHLOOK: 8:30 to 5:00.
19 So should we just break for the evening until 8:30 in
20 the morning.

21

22 MS. MORRIS LYON: You've got somebody
23 who really would like to give some testimony though on
24 the next one.

25

26 MADAME CHAIR CHYTHLOOK: Are we going
27 to be done in half an hour, if we take up the other
28 proposal.

29

30 MR. WILSON: Take a five minute break.

31

32 MADAME CHAIR CHYTHLOOK: Donald.

33

34 MR. MIKE: The next proposal's 25/26.
35 We can start with the analysis and then continue on
36 tomorrow. And if you wish to do so we can accommodate
37 one of our testifiers from the high school.

38

39 Thank you, Madame Chair.

40

41 MADAME CHAIR CHYTHLOOK: Okay. We'll
42 take a five minute break and then we'll do the analysis
43 and then pick up the rest of the proposal tomorrow
44 morning. Are we going to be starting at 8:00 or --
45 8:30 or 9:00.

46

47 MR. MIKE: I requested 8:30 for a start
48 time every day unless you want to start at 8:00, 7:30,
49 it's the wish of the Council.

50

1 Madame Chair.

2

3 MADAME CHAIR CHYTHLOOK: Okay. Five
4 minute break.

5

6 (Off record)

7

8 (On record)

9

10 MADAME CHAIR CHYTHLOOK: Okay. We're
11 dealing with WP 18-25/26.

12

13 MS. WORKER: Thank you, Madame Chair.
14 This is Suzanne Worker with the Office of Subsistence
15 Management and I'll be presenting the analysis for WP
16 18-25/26. This analysis begins on page 86 of your
17 meeting book and it was submitted by Kenneth Nukwak of
18 Manokotak.

19

20 So these proposals are about moose in
21 the portion of unit 17C west of the Weary River. WP
22 18-25 requests that the current December 1st to 31st
23 season be restructured as a may be announced season
24 that can be open for up to 31 days between December 1st
25 and the last day of February. Proposal WP 18-26
26 requests that the current August 20th to September 15th
27 season be shifted five days later to August 25th to
28 September 20th. And it also requests that the current
29 September 1st to 15th season which allows the harvest
30 of one antlered bull with a harvest ticket assuming it
31 has -- it meets certain antler requirements, be
32 extended five days to September 1st to September 20th.

33

34 So essentially this proposal asks for
35 season dates in western unit 17C that are more similar
36 to those in unit 17A which is the adjacent hunt area.

37

38 The moose dynamics in unit 17A are
39 quite a bit different than they are in unit 17C
40 however. In unit 17A the moose are relatively new to
41 the area and so they're still exploiting previously
42 unused habitat so there's a lot more potential for
43 growth than there is in unit 17C. In 17C the moose
44 population isn't as productive and so it requires a
45 little bit more cautious approach.

46

47 In 2014 the moose population in unit
48 17C was estimated to be between 3,200 and 4,800 moose
49 which spans the upper limit of the State's intensive

50

1 management objective. But the local managers have
2 expressed concern about a later fall season because the
3 bulls become so much more vulnerable during the rut.
4 And there's a similar concern in the restructuring the
5 winter hunt because if you open a season during a good
6 weather window of course you're likely to have more
7 hunting pressure.

8
9 Most of the reported harvest within
10 unit 17 comes from unit 17C and most of that it taken
11 by local residents, particularly by residents of
12 Dillingham. About 80 percent of the local harvest
13 occurs in August and September so in this area at this
14 time of year there is quite a bit of use on the moose
15 population.

16
17 If this proposal is adopted a new hunt
18 area would be established in unit 17C west of the Weary
19 River and the seasons would be adjusted in that new
20 hunt area. So again the fall season would be shifted
21 back five days, the winter season will become a may be
22 announced season and the September 1st to 15th harvest
23 ticket season would be extended by five days. So
24 collectively these changes are likely to increase
25 harvest and because it's not clear that the moose
26 population in unit 17C can sustain additional harvest
27 without negative consequences, the most conservative
28 approach is to maintain the status quo.

29
30 And so the OSM preliminary conclusion
31 is to oppose WP 18-25/26.

32
33 Thank you, Madame Chair.

34
35 MADAME CHAIR CHYTHLOOK: Okay. Let's
36 go down through the reports I guess.

37
38 MS. MORRIS LYON: Yeah.

39
40 MADAME CHAIR CHYTHLOOK: Yeah. Okay.
41 Reports are board consultation?

42
43 MR. MIKE: There are none, Madame
44 Chair.

45
46 Thanks.

47
48 MADAME CHAIR CHYTHLOOK: Okay. Agency
49 comments, ADF&G.

50

1 MS. PETERSON: Yes, please, Madame
2 Chair. This is Chris Peterson with Alaska Fish and
3 Game. I am the assistant area biologist in unit 17 as
4 well as units 9 and 10. And I would like -- I have a
5 fair amount of information to present to the Board at
6 this time.

7
8 First of all the Department of Fish and
9 Game is opposed to this proposal based on biological
10 data and information that we have been able to collect
11 in the past year to year and a half. Most of these
12 surveys I've personally been involved in and have a
13 good feel for what it is that we have been finding out
14 there.

15
16 Last fall in late fall of 2016 we did
17 conduct a composition -- moose composition count or
18 survey in unit 17C. And we began this survey mostly
19 over along the Nushagak River and worked our way -- it
20 was somewhat random, but basically it ended up that we
21 worked our way from the eastern half of 17C toward the
22 western half. And we were counting how many moose we
23 did see and ranking them for bull, cow or calf. We did
24 -- I think we counted a total of about -- I believe it
25 was around 1,000 moose during this survey. And overall
26 we counted 22 bulls per 100 cows and 16 calves per 100
27 cows which is very low for both.

28
29 There were a couple small areas, one of
30 which was over in the upper Weary River, a very small
31 area, we only counted a total of 37 moose in there on
32 the survey and unfortunately for what we were -- well,
33 maybe that's the wrong word. We were surprised that
34 right in there we did count 48 bulls per 100 cows and
35 13 calves per 100 cows. So that was one of the highest
36 counts for bulls and calves of anyplace on the survey,
37 but because it's such a small area, it was a -- the
38 total number counted was very small. And it's very
39 possible that that small area is feeding the rest of
40 the area for bulls and calves which is -- that's only
41 possible and we don't know it for sure, but that is a
42 very important thing to keep in mind as we go through
43 this.

44
45 So overall we only have -- only counted
46 11 percent calves so our potential for growth in the
47 herd is very low at the moment. Based on this and
48 previous numbers that we had gotten last fall and
49 observations that we were making as well as the
50

1 decrease in hunter success in the 17C instigated that
2 we put on a -- we started a project this past spring.
3 We collared cow moose and then monitored them for
4 production of calves and then survival of both the cow
5 and the calf. And in this particular study we believe
6 that we're seeing a shift in the population structure
7 in 17C. Four of our 35 cows that were collared, four
8 of those cows died within five months of being
9 collared. And not due to the collaring, that is often
10 something that happens on a very limited basis, but it
11 can happen. But in this case there was no relationship
12 between the collaring and the death of the cow. And of
13 the 30 cows that we saw with calves, 26 of them lost
14 their calves in the first couple weeks which is a very
15 high mortality rate.

16
17 Interestingly also in unit 9 at the
18 same time we were doing an extremely similar project
19 and we had extremely similar results in the northern
20 part of unit 9. Currently -- I was unable to get out
21 and do the survey this week due to the weather, but we
22 are currently at no more than three out of 25 calves
23 that have survived since this spring. So we have
24 extremely low mortality rates across unit -- the
25 northern part of the unit 9 and clear into unit 17C
26 which tells us that something is going on out there.

27
28 The abundance estimate over the past
29 several years when we've done GSE surveys or other
30 composition surveys. We do have abundance estimates
31 that indicate the population overall is somewhat stable
32 or declining. And those particular surveys were
33 conducted before this current data that I've been
34 giving you. So we believe it's very possible that we
35 are at the very initial start of a decline in 17C. We
36 don't know that, we don't have enough information yet
37 to state that imperatively. So we do believe we need
38 more time to continue these counts and surveys and try
39 to get more information.

40
41 We are slated to repeat the calf
42 mortality studies this coming spring and see what we
43 get on that, but overall the composition data suggests
44 that low recruitment is leading to low bull/cow ratios
45 and low -- very low calf/cow ratios in at least
46 portions of 17C. The small, somewhat separated small
47 areas that did not go as low of bull/cow ratios or as
48 low of calf/cow ratios. They're far separated and they
49 are very small portions of the units.

50

1 We have plans to deploy radio collars
2 in the Weary River area so that we can get greater
3 insight into the population dynamics in that area in
4 particular and see how that is interplaying with the
5 rest of 17C.

6
7 The majority -- I guess I would
8 emphasize that the majority of the moose that we did
9 count in this last fall and since have been east in 17C
10 and not in the western part. But again the western
11 part is a very, very small portion of the overall area
12 or of the overall herd. And so we're very reluctant to
13 use those increased numbers over there to represent the
14 herd overall.

15
16 Our -- oh, one other thing that I could
17 throw in there is that for the last couple, three
18 years, we have done -- conducted some twinning studies
19 in 17C and it's been very interesting be out on all
20 these surveys as to what we're seeing and how they're
21 all kind of supporting each other and interrelated. On
22 the twinning surveys we tend to see a lot of single
23 cows with no calf. And that's been one of the things
24 that caused us to start looking more intensely for more
25 information. And even though we have a fairly high
26 twinning rate which would suggest we have good
27 nutrition, we're not seeing those calves make it to
28 maturity or to be accepted into the herd.

29
30 So if there are any questions I'd be
31 glad to answer those if somebody has something more
32 that they would like to know.

33
34 But based on that information the
35 Department did not support this -- adoption of these
36 two proposals due to these biological concerns. Also
37 this is a final note, because the survey conditions are
38 typically poor in the fall it would be difficult to
39 monitor the affects if these proposals are enacted.
40 Then it would be difficult for us to monitor the
41 effects of the hunt and take any corrective actions.
42 So there's just a plethora of reasons there why we are
43 not supporting this proposal.

44
45 Any questions I'd be glad to answer.

46
47 Thank you.

48
49 MADAME CHAIR CHYTHLOOK: Any --

1 Richard.

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MR. WILSON: Just one quick thought there, what did -- did you do any predator assessment at all while you're doing the moose survey, compositions, otherwise?

MS. PETERSON: Yes. Madame Chair, this is Chris. Yes, we have an ongoing predator control project over in 17C and 17B where we are also collaring wolves, mapping territories, trying to get some good numbers on wolves and where they're going and what they're doing. And along with this we're also keeping track of how many moose or calves or caribou or whatever that we can as -- that are being taken by wolves as well as bears. So we have that going on at the same time and we're getting a lot of information from these, but we just -- we need more time to get enough information to have a clear picture of what is happening there. We tend to think that we have coincidentally or luckily or whatever the word is, we feel that we've caught this decline just as it's starting. Up to at least a year and a half, two years ago we were feeling pretty good about the numbers and all of a sudden the numbers are not showing what we expected them to show. And so we would hope that we would have more time to continue to get this information and come up with some clear cut ideas of what is going on.

MR. WILSON: Thank you.

MADAME CHAIR CHYTHLOOK: Any other questions.

Lary.

MR. HILL: Yes, what was the -- how much of a factor was that extra -- a lot of snow we had last year, did that have something to do with the calf survival.

MS. PETERSON: Madame Chair. In many instances that would be very possible, you know, a high possibility. We did not measure set high amounts of snow over in 17 that we thought it would be any problem for the moose. None of the mortalities that we observed or sampled if you will indicated that that was any kind of a problem. The moose that we captured were

1 in -- and main -- it was all cow moose, were in
2 excellent condition to very good condition. So some
3 weren't quite as good as others, but this was in March
4 that we did the capturing and they were still in very,
5 very good condition. Calves that were born appeared to
6 be in very good condition, we did not observe any
7 stillborns or weak calves that were -- you know, that
8 would be related to poor nutrition or perhaps cows not
9 being able to lactate well enough. Everything --
10 nothing indicted that the past winter had an affect on
11 the cows or the calves.

12
13 Does that answer your question, I hope
14 I didn't divert too far.

15
16 MADAME CHAIR CHYTHLOOK: Yeah, it must
17 have answered your question.

18
19 Dan.

20
21 MR. DUNAWAY: Yeah, Madame Chair.
22 Chris, I think I'll try to clarify. My understanding
23 is those calf mortalities, the calves were born this
24 spring in the Mayish. And they.....

25
26 MS. PETERSON: Yes, that is correct.

27
28 MR. DUNAWAY:they weren't -- so
29 they didn't -- snow didn't -- other than the condition
30 of the mother the calf itself never experienced snow
31 before it experienced death.

32
33 MS. PETERSON: Correct. Yes.

34
35 MR. DUNAWAY: I know Neil was
36 expressing a dismay and big concern that it was a close
37 to 90 percent calf mortality by the end of July I
38 believe it was.

39
40 That's very alarming.

41
42 Thank you.

43
44 MS. PETERSON: Yes, we were -- as we
45 started these surveys on the calves we had --
46 especially in unit 9 we had 100 percent pregnancy on
47 the cows, that's one thing that when we capture them
48 with the intent to put a collar on we do take a blood
49 sample and have that analyzed for pregnancy. And in

50

1 unit 9 we had 100 percent pregnancy. In unit 17 I
2 believe it was -- I believe it was closer to 95
3 percent, very close to that anyway, which is very good.
4 And so everything was looking good, the cows started
5 having their calves, everything's looking good, the
6 calves look good, the cows look good, for the first oh,
7 week and a half. In unit 9 it happened a little more
8 suddenly than over here in 17 and all of a sudden we
9 started losing calves right and left to predation for
10 the most part. Some years when we do these studies we
11 will observe a percentage of the loss that is due to
12 drowning or to maybe the cow laid on the calf or
13 something like that or the calf just broke a leg or
14 something, it's usually a very small percentage, but it
15 does pop up. This year we didn't see that, I don't
16 think there was time for that to happen.

17

18 So personally I was really surprised at
19 how high the predation was, the loss of calves. And a
20 certain percentage of those that we examined -- these
21 things happen very quickly and we can't always get to
22 them immediately so -- and sometimes there's no
23 evidence left so we cannot state unequivocally that all
24 of it was due to predation. And so I cannot say that,
25 but we certainly saw a high amount of predation, but we
26 just feel that we need more time to examine this in
27 greater detail. And then we would have much more that
28 we could say about it.

29

30 MADAME CHAIR CHYTHLOOK: Dennis.

31

32 MR. ANDREW: Thank you, Madame Chair.
33 Just really interested on your calves, the moose count
34 in the springtime. Do you people when you guys do a
35 survey out there and stuff, you guys ever run across
36 albino moose or beaver, that sort of thing?

37

38 MS. PETERSON: Oh, boy, if we do I will
39 let you know. I think that would be very cool. I have
40 not seen an albino moose. This spring about the
41 closest I've ever come is I did see a cow that had
42 twins that were not albinos, but they were -- they were
43 almost white. But they were also very big and healthy
44 and they definitely were not albino, they were just
45 extremely light. I've never seen a moose that light in
46 coloration. And I haven't -- and that's about the
47 closest I've ever come and I do watch.

48

49 MADAME CHAIR CHYTHLOOK: Okay. Thank

50

1 you. We have like five more minutes. So we'll go to
2 Federal, but I'm afraid that's going to take more than
3 five minutes. I guess you can go as long as you could.

4

5 MR. ADERMAN: I'll be real quick.

6

7 MADAME CHAIR CHYTHLOOK: Okay.

8

9 MR. ADERMAN: Togiak Refuge opposes WP
10 18-25 and 26 for the reasons stated in the analysis and
11 from Fish and Game.

12

13 MR. MILLER: I have a really quick part
14 two of that. Just a quick characterization of illegal
15 take in the western part of unit 17C. Just want you to
16 be aware that last year after the season closed there
17 were approx -- I believe it was eight, but I'll say
18 there was at least six moose taken after the season
19 closed. And so just be aware that those -- the numbers
20 that the State and the Refuge have for how many moose
21 were taken each year are -- you know, don't include
22 those. It may be prudent to consider a conservative
23 approach here because as the State has said earlier,
24 there's some early indicators that the population may
25 be not looking as well. And on top of that the numbers
26 of animals reported is probably not as accurate as it
27 could be.

28

29 If I were to characterize the unit --
30 the area that's under consideration here and compare it
31 to the area east and west, unit 17A and the remainder
32 of 17C, I have not seen nor has the State trooper seen
33 as many illegal moose taken. And so, you know, we
34 don't know who, you know, in a lot of cases where these
35 people are, they could be Dillingham folks, they could
36 be from anywhere. But just be aware it is close by,
37 it's easy access and there is significant illegal take
38 that occurs.

39

40 Thank you.

41

42 MADAME CHAIR CHYTHLOOK: Is this in the
43 whole unit 17?

44

45 MR. MILLER: These remarks were
46 specific to west of the Snake River let's say, the
47 cases that I'm characterizing. It doesn't align
48 exactly with the area under proposal, but pretty close.

49

50

1 Thank you.

2

3

MR. ANDREW: Madame Chair.

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MADAME CHAIR CHYTHLOOK: Dennis.

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MR. ANDREW: Thank you, Madame Chair.

8

Just a question to the Department again. A hunter's
9 out there when it opens with today's technology what we
10 got besides a cell phone, call it a drone, you fly your
11 choppers up in there and you're looking at -- through
12 your computer to see what's behind the trees there.
13 Did you guys see any people using that tool to get a
14 moose?

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MR. MILLER: I'm not -- I am not aware
of any out here yet. I've had several people ask about
it and one person demonstrate one for me along a river
at a lodge and actually was asking if it might be a
useful tool to use in salmon surveys. But I know the
State is very concerned about it and in other states
it's becoming a widely used tool for in most states
illegal take. I don't know that all states have
outlawed them. But me personally, I have not seen or
heard of a case in unit 17 of anybody being cited or
warned for using a drone yet.

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MADAME CHAIR CHYTHLOOK: Dan.

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MR. DUNAWAY: Yeah, thank you, Alan.
Yeah, Mr. Andrew, I think there's a State proposal
that's kind of asking the Board to address some of this
new technology and I can't remember what number it is,
but we wrestled with that at the advisory committee
too.

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So I imagine it'll be coming to us
sometime soon.

The only other thing I might add is
that, you know, my understanding is that the Togiak
Refuge and Fish and Game are working really close on
all these moose surveys there, it's a big joint
program. And that's why they -- you know, they're
sharing all the data and they're sharing the burden and
all. And so their interpretation is pretty much the
same.

Thank you.

1 MADAME CHAIR CHYTHLOOK: Okay. Tribal.

2

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(No comments)

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MADAME CHAIR CHYTHLOOK: If there's nobody under tribal we'll pick up the rest of our -- the rest of this starting at 8:30 tomorrow morning and we'll start off with advisory group comments.

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It's 5:00 o'clock and we need to be out of here.

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And I think we can leave our books here, I think they'll be safe.

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(Off record)

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(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 for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 02 through ___ contain a full, true and correct Transcript of the BRISTOL BAY FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME I taken electronically on the 1st day of November in Dillingham, 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.

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