MEMBERS PRESENT:

Tim Towarak, Chairman
Charles Brower
Anthony Christianson
Bud Cribley, Bureau of Land Management
Geoff Haskett, U.S. Fish and Wildlife Service
Deb Cooper, National Park Service
Bruce Loudermilk, Bureau of Indian Affairs
Beth Pendleton, U.S. Forest Service
Ken Lord, Solicitor's Office

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CHAIRMAN TOWARAK: I'd like to call this meeting back to order. I started off on the wrong foot this morning by calling the meeting to order. I forgot that we were going to have the tribal consultation and the village corporation consultation which took place. We ended at about 11:45. I'm going to call the meeting back to order and bring us back to the point where we were this morning before where I was corrected. We had changed the agenda to add a couple of things. One, a briefing on the Governor's [sic] shutdown, and another to have an executive session to happen at the adjournment tomorrow. And we did not -- for the Board, we did not have a motion to accept the agenda as it is.

MR. C. BROWER: So moved, Mr. Chair.

MR. HASKETT: Second.

CHAIRMAN TOWARAK: You heard the motion and the second.

Discussion.

Go ahead, Tony.

MR. CHRISTIANSON: Mr. Chair. We also, just for the sake of the agenda, I would like to make a motion to move some of the proposals from the non-consensus to the consensus agenda. I'll read those proposals off. Those proposals would be 08;

Proposal 36

Proposal 41

Proposal 27

Proposal 44 needs some language change on Page 5, the word needs to be striked from opposed to support.

CHAIRMAN TOWARAK: Is there a second to that motion.
MR. C. BROWER: Second.

MR. CHRISTIANSON: No, I said non-consensus to consensus. Gene, did I say that backwards, I didn't mean to. These are going.....

MR. PELTOLA: Going from the agenda to the consent.

MR. CHRISTIANSON: Yes, that's what I said, non-consensus to consensus.

CHAIRMAN TOWARAK: Okay. The motion on the floor and it was seconded by Charlie is to move the three or -- three is it, what is it?

MR. CHRISTIANSON: Mr. Chair. It would be to move Proposal 08, Proposal 36, Proposal 41, Proposal 27 to the consensus agenda.

CHAIRMAN TOWARAK: Okay. Those four to the consensus agenda so that there's no debate. And the second was done by Charlie. And I would like to hear the rationale.

MR. CHRISTIANSON: The rationale is, is that, they were all supported by all the agencies.

CHAIRMAN TOWARAK: Okay.

MR. CHRISTIANSON: And I think we have Staff here, too.

CHAIRMAN TOWARAK: Go ahead, Chuck.

MR. ARDIZZONE: Mr. Chair. The opinion of the RACs, the ISC and the State are all consistent, all the same. Those would normally go on the consensus agenda. It's just when we did the agenda they got put on the wrong page. So it's just a shifting to where they should be.

CHAIRMAN TOWARAK: Were you testing the Board.

(Laughter)

MR. ARDIZZONE: Yeah, and Tony caught it.
CHAIRMAN TOWARAK: Okay. Is there any other discussion on the motion.

(No comments)

CHAIRMAN TOWARAK: Is there a call for the question.

MR. SHIEDT: Question.

CHAIRMAN TOWARAK: Okay. All -- I think it has to be a Board member.

(Laughter)

MR. C. BROWER: Question.

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

(IN UNISON: Aye.

CHAIRMAN TOWARAK: Those opposed, say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously.

Is there -- I need a little hand here, did we have a motion to accept the agenda as adopted.

REPORTER: Yes.

CHAIRMAN TOWARAK: Okay. Did we vote on that.

MR. HASKETT: No.

MR. PELTOLA: No.

CHAIRMAN TOWARAK: No, okay. Any further discussion on the motion to accept the agenda as amended.
(No comments)

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

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed, say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes unanimously.

We've got an announcement. I'm going to ask Gene to make this announcement.

MR. PELTOLA: Yes, hello, Gene Peltola, OSM. On behalf of the Chair, as seating becomes more limited here in the room we do have two other conference rooms available in this building here which are set up with videoconferencing. So if we have any Federal or State Staff who are not essential to the discussion at the time, they could participate and view the proceedings up in those conference rooms so you could make more seats available for members of the public.

CHAIRMAN TOWARAK: Okay. We did information sharing this morning. We are now down to Item 4, which is Board discussion with the Council Chairs or their designees.

Are there any questions from the Board regarding -- or any communications you would like to have directly with the Chairs at this point.

(No comments)

CHAIRMAN TOWARAK: And it goes vice versa, if there are any questions from the Chairs to the Board, this is a good time to bring it up.

Ralph, do you have a question.

MR. LOHSE: I don't have a question but if this is the Board discussion with the Council Chairs, I thought this was a good time to bring
something to the Board's attention.

And that's, you know, listening to everything this morning on tribal consultation and rural and I totally agree with everybody on the value of good food for our cultural and our health and things like that. But I want to remind the Board that you're dealing with an Act of Congress that says the subsistence should be preserved for rural Alaskans, Native and non-Native. And I hate to see, sometimes, in all of the need that's in the Native community, I hate to see the rural residents that are non-Native left out of the discussion. And I'd just like to bring that to your attention, that in that discussion, remember that it deals also with us rural residents who are non-Natives and that has to be taken into consideration also.

CHAIRMAN TOWARAK: Thank you. And I think there was a presidential mandate that we insert tribal consultation into the Federal process.

MR. LOHSE: And I think that's wonderful.

CHAIRMAN TOWARAK: And then we still have the common standard public hearing that we have for everyone and it's all inclusive.

Any further discussion between the Chairs.

MR. ROCZICKA: Mine's just sort of a quick question, clarification, I guess. It's been a few years since I sat in Lester's chair here, but this would be for items that are not on the agenda; would that be correct?

CHAIRMAN TOWARAK: The next topic will be public comment period on non-agenda items; is that what you're asking.

MR. ROCZICKA: Well, as far as from the Chairs and so forth.

CHAIRMAN TOWARAK: Oh, from the Chairs, it's open.

MR. ROCZICKA: Yeah.
CHAIRMAN TOWARAK: It's an open discussion on anything you would like.

MR. ROCZICKA: Well, what I wanted to bring up can be covered under an agenda item later on down, it would have been specific to the special actions that are on the Kuskokwim so I can wait until then.

CHAIRMAN TOWARAK: Bert.

MR. ADAMS: Thank you, Mr. Chairman. I just want to acknowledge the fact that I wasn't here this morning and I noticed some people missed me so that made me feel good.

(Laughter)

MR. ADAMS: I am recovering from ear surgery as we speak and so the doctor has asked me to be limited in what I do. So I'm happy to only have a half a day today so I can go back and maybe get some rest and then be fresh for tomorrow and the next day.

Anyhow, I wanted to explain that.

I also want to make a comment in regards to Saxman's, you know, rural determination, or C&T issue. I wanted to go on record to say that the Southeast Regional Advisory Council has always supported Saxman in their effort to be recognized as a rural community and we will continue to do so as vigorously as we possibly can.

So, just for the record, you know, I would like to make that comment.

Another thing that I would like to announce is that in March Southeast Alaska Regional Advisory Council and Southcentral had a joint meeting here in Anchorage and to me that was one of the most productive RAC meetings that I have ever been to because of the fact that we had common interests that we addressed and even though, you know, we differ in many ways, you know, I think we had some common grounds that we could really support each other on and I think that was a very beneficial meeting for not only the RAC, but I think Ralph can attest it was so with Southcentral as well.
So I just wanted to make those comments, Mr. Chairman, and I thank you for this opportunity.

CHAIRMAN TOWARAK: Thank you. And welcome to the meeting and we wish you Godspeed on your health.

MR. ADAMS: Thank you.

CHAIRMAN TOWARAK: Go ahead, Mr. Ivan.

MR. IVAN: If we could be allowed, that's just my question.

CHAIRMAN TOWARAK: Okay. I'll give you that opportunity. The next item on the agenda is public comment period on non-agenda items but we'll make an exception and maybe start with you and then open it to the public on non-agenda topics.

Before we do that, though, I have been requested and I'm going to ask if there's any objections, if we could ask Myron Naneng, who is the president of AVCP, the heart of the Kuskokwim in Bethel, to address the Board at this point. He's got a flight to catch and I've agreed to have him take the table for a few minutes before he leaves.

Are there any objections.

(No objections)

CHAIRMAN TOWARAK: Not hearing any, the table is yours -- the floor is yours Myron.

MR. NANENG: Thank you, Mr. Chairman.

Members of the Federal Subsistence Board. Chairman of the Regional Advisory Councils.

There's two topics I want to comment on.

One, I'd like to thank the Office of Subsistence Management for putting together an .804 assessment. I think that it's a long time coming and I wish that it had been done earlier. And under the Federal law there's rules and regulations that we all have to try and abide by but when the Federal agencies are not carrying out their responsibilities, like doing
an .804 assessment when there's low numbers of resources returning to the river systems, mainly chinook salmon in this case, none of our people would have to be criminalized. A year ago, in 2102, 60-plus fishermen were cited. In essence the State converted it to a traffic violation. There was no .804 assessment at that time. No declaration by the Federal agencies that chinook salmon was closed. You know, only the State of Alaska was the one that raised the very concern that there was low returns of chinook salmon on the Kuskokwim River but the people needed food. I even asked the Governor at that time, the day before the citations were issued to allow our people on the Kuskokwim River an opportunity to fish for the other salmon stocks. We got a cold shoulder from the Governor's office, as well as the Department of Fish and Game. And I think that the .804 assessment, if it had been done, would have restricted it to rural Federally-qualified users, which I know will be the agenda item that will be raised at this meeting from one of our villages. And I hope that in the future if there is any resource both land, air and especially the land and the waters are low in numbers, that an assessment be made to insure that the Federally-qualified users are the ones that have first priority.

I just heard a mention that not only the Native people are the ones in rural Alaska that need subsistence because it's a Federal mandate. If it's a Federal mandate let's follow those rules to make sure that .804 assessments are done so that the qualified people that need the food will be able to access those resources.

On another matter, this morning we had a meeting with Tanana Chiefs to talk about the Yukon River. I know on the Yukon River, even if you did not -- even if you did not harvest any chinook salmon last summer, you probably wouldn't even meet the escapement objectives or the escapement goals or even the treaty obligation that the US government has with Canada. You wouldn't have met it at all. So the villages are talking about imposing a moratorium on their own to avoid chinook salmon. But where are the other Federal agencies that also know that they have impacts on these returning salmon, or potentially returning salmon when they're out in the Bering Sea. You know it seems like the first people that are given the strict conservation burden are the people that live on the river system. Shame on us. Don't we all live in the US. Aren't all
those laws applicable to everyone, regardless if they're commercial or non-commercial. But it seems like the poorest people that rely on these food sources are the ones that are heaviest hit by the rules and regulations that are made by different agencies that are supposed to find ways to protect and perpetuate the resources. You know, sometimes I get a little frustrated at some of the things that they ask us to do as a Native community. We want a conservation easement on your lands in perpetuity and we'll pay you a million dollars for it. But when you go to other states where Federal agencies want a conservation easement, we'll pay you $20 million for 20 years, but they want the Native community to put their lands into conservation easements in perpetuity, and that's not fair to the Native community. And I think that the people on the Yukon are going to work together and we've got AVCP and Tanana Chiefs that are going to work together for implementing a moratorium chinook salmon. The other salmon will still be available for use for subsistence.

And I know the Federal agency cannot -- or the US Fish and Wildlife Service or the other agencies that are sitting on the table cannot tell NOAA to say, you know, we really have a conservation concern, can we find a way to reduce bycatch. You know, that's part of the solution. But I think it needs to be -- the message needs to be sent strongly.

If our Native community is willing to go on a moratorium on the Yukon River, I'm sure they, too, can be willing, or fine ways to substantially reduce any bycatch that have an impact on the returning chinook salmon on the river.

And on the Kuskokwim, we're going to have to work together to do that.

And as we all know with other resource management concerns that come up, I sit on the WaterFowl Conservation Committee. We work with Fish and Wildlife Service, State of Oregon, California and Washington, and guess who the people that they rely on to help increase those numbers, it's the people who live in the villages who utilize these migratory birds during springtime and falltime to try and help increase the numbers. And our success in increasing the numbers can be a factor that impact other users in other parts of the country. Like for instance, today, we're trying to work with the Oregon farmers who's lands are being
impacted by the large number of cackling Canada geese
but there are other things that we can't control, like
the climate. It seems to be having an impact on where
these birds winter. Where before they used to winter
in California and now a large number of them winter in
both in Oregon and Washington.

But these are things that we try to
work together, as a Native community, as partners, co-
managers.

And, you know, it's getting to the
point where I think the Native community needs to be
sitting at the table at every Council or committee that
has some determination on what the harvest is, what the
science is, because our people live out there in the
villages and they know the environment and they know
what may be causing the declines. You know, when you
sit in Anchorage or elsewhere you don't see what kind
of winter we've gone through, what kind of summer we're
going through, what floods have occurred and all these
environmental factors.

So I appreciate the fact that an .804
assessment is being made. And AVCP's on record in
support of Napaskiak's proposal. For fishing on the
Yukon, if there is any harvestable surplus, and I think
it's not only because we want to eat but it's also to
keep our families together, strong, and our cultures
alive.

So with that, thank you very much, Mr.
Chairman.

CHAIRMAN TOWARAK: Thank you. Are
there any questions of Mr. Naneng from the Board, or
the RAC Chairs.

Go ahead.

MR. HASKETT: Thank you, Myron. So I
want to make sure I understood this correctly. So is
AVCP on record for supporting the analysis on the .804,
too?

MR. NANENG: Yes. I think that, you
know, in the past we've requested an assessment of how
much salmon goes out of the Bethel airport. There's
large substantial numbers of salmon going out of Bethel
for many years and we've requested that. So based on
that, I think that with the low numbers of chinook salmon, the .804 and recognizing Federally-qualified users would be the best thing at this time while we're going through the process of rebuilding the numbers of chinook salmon.

CHAIRMAN TOWARAK: Mr. Smith.

MR. SMITH: Myron, I was just wondering how do you think that the closure on subsistence fishing on the Yukon would affect trawl bycatch in the pollock trawl fisheries?

MR. NANENG: Well, we've had reduction in opportunities on chinook salmon since about 1994, it's been building up. They've imposed windows to give them an opportunity for the salmon to pass by in order to -- like about 20-some-odd years that this program has been in place, both by working with the Feds, as well as the State where they've only given the people on the river system a window of opportunity to fish, meaning that it's probably closed from 12:00 midnight on Monday and it probably wouldn't open until midnight on Wednesday and then you're open for at least 12 hours and then closed for 12 hours. What has also been imposed on the Yukon is that if they know that a large number of chinook salmon are coming in from the north mouth they'll close north mouth and tell people they can fish on south mouth. And that run, either on the south mouth or the north mouth depends on the predominate one that has been happening a the mouth of the river area during the wintertime.

So the restrictions on the Yukon River has been there for a quite long period of time and there has not been any commercial fishing for chinook salmon, which was the life blood of many of our people on the Yukon Delta for many years and they haven't done that for at least the last five years.

CHAIRMAN TOWARAK: It was pointed out by the Staff that the .804 process is only for the Kuskokwim at this point.

MR. NANENG: We understand that. But I think that .804 should, at some time, be brought into the Yukon, too, as well.

MR. LORD: A question.
CHAIRMAN TOWARAK: Go ahead.

MR. LORD: Myron, a few years back the pollock fishery told us they were going to try different ways to try and reduce that bycatch, I know that maybe 2010 or 2011 there was a pretty substantial drop but I haven't heard much since then, have you been following it and do you know if they've had any successes.

MR. NANENG: Based on the numbers that we looked at recently there's a slight increase in the bycatch that happened in A season. There's two seasons that occur with the trawl fleets, one that's done during the A season and the B season. And recent reports say that there's been an increase in bycatch during the A season. The B season is during the falltime, and A season is sometimes during the early months of the year.

CHAIRMAN TOWARAK: Any further questions.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, then thank you for your presentation, Mr. Naneng and we will -- your statements have been put on our record.

MR. NANENG: Quyana.

CHAIRMAN TOWARAK: With that we will move officially into the public comment period on non-agenda items. Any topic that -- go ahead, Mr. Brower.

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

I wanted to bring up some concerns from our North Slope Regional Advisory Council regarding our appointments to the RAC itself. We've been waiting quite some time for our appointments, new appointments to our Council and they've not been selected yet. And it's getting a little burdensome for just a few members of our Council making recommendations into regulations which affect all of the North Slope, not just the few in our area and that's becoming to be a situation that we're having to deal with. And trying to communicate accordingly with the impacted communities when we don't have that representation there we're having to look at
other information that gets gathered either by Staff or
other agencies that are attending the meeting, meetings
of the North Slope Regional Advisory Councils.

So having representation is very
important from each of our communities and that's one
concern that I needed to bring up in regards to our
Council.

There's another thing about, Mr. Chair,
in regards to non-agenda items, is the mentoring
younger students to become interested into this
program, this Federal Subsistence Program. I've had
some communications with our coordinator, Eva, and
other Staff members of the agency in regarding to
trying to speak to the schools about mentoring and
seeking out young students, our high school students
that are interested into progressing into science
fields, or wildlife management specifically. To get
their interest in pursuing this type of education, to
help mentor young students into this Federal
Subsistence Management Program. It takes a lot of a
person to learn. I mean I've been on the Federal
Subsistence Program for 20 years and I still continue
to learn the process, changes are being made on an
annual basis and can't keep up with all those changes
when we have to rely on some of the information that we
are provided and learning more of ANILCA itself and how
that's interpreted and in times of need.

So these kinds of changes are occurring
and I'd like to see some programs be initiated into the
school programs to learn about our Federal Subsistence
Program.

The other thing is, it's kind of
misleading when we talk about the Federal Subsistence
Board, okay, just the title. It's fragmented when I
look at it. It's not the Federal Subsistence
completely, we're missing migratory birds, we're
missing marine mammals, so we don't even address those
in this forum, they have to be brought out into a
different forum to address those issues of concern
regarding marine mammals or migratory birds, so it's
fragmented in the sense that there needs to be some
clarification into the program of how much this Board
is going to be addressing, what resources need to be
clearly spelled out. You know everybody don't receive
those regulatory -- regulation booklets that says that
these agencies manage these resources.
So those are the type of concerns that I have to voice out, Mr. Chair, and hopefully somehow they get addressed in a sense that it becomes meaningful for our constituents.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you, Mr. Brower.

With regard to the appointment, on the last day we have a discussion on the late Secretarial appointments and right about the same time we were going to also being discussing with the Staff the effects that the government shutdown has had on the Federal Subsistence Program, and I think some of your issues will be probably brought up during that time.

We had a briefing for the rural members of this -- the Board yesterday and we -- I, personally, believe that there's going to be a solution to the late appointments and the need for having a full advisory -- Regional Advisory Council all the time, and the solutions that we're looking at looks like will point towards having a full RAC for every region once the changes take place.

With regards to some of the education programs, we've heard reports on some of the agencies that have various ones but, you're right, I think specifically for subsistence we don't have any particular program that addresses -- go ahead.

MR. PELTOLA: Thank you, Mr. Chair.

Gene Peltola, ARD of OSM.

Mr. Brower. Here, earlier on, this fall, Geoff Haskett, the Regional Director for Fish and Wildlife Service and myself with National Fish and Wildlife Foundation, Rasmusson and some others and that's one area that we discussed where we could potentially initiate a program to get to Alaska Native students and get more involvement in the fisheries realm, the wildlife realm and hopefully if this program flies we could bring those into the Federal Subsistence Program. Right now we have a proposal before the National Fish and Wildlife Foundation Board of Directors for consideration for funding. If that does come through, which there is a lot more than a little light at the end of the tunnel, they're seriously
considering the funding for that, they could potentially, based on their organization interests have specifically targeted the YK Delta, more specifically the Kuskokwim drainage where not only the Fish and Wildlife Service but the ANSEP Program with the University of Alaska, we could potentially fund internships for students with regard to the ANSEP Program and place them in projects which occur in the field, whether it be a weir, whether it be a subsistence monitoring program, engage and foster that interest and hopefully do a couple things.

The secondary result is we may get more people into these programs like you were talking about and we'll have more rural and Native alike representation in the future.

That's significant funding. I mean we're talking hundreds of thousands of dollars potentially for that particular purpose.

MR. HASKETT: And the only thing I would add to that is we expect that this will be successful and if it is then I think we could expand it at some point because both NFWF, well, NFWF primarily at this point, they're interested in seeing us be successful here so we may be able to expand to other geographic areas, too. We don't have it yet but we're very positive where this is going to end up.

MR. H. BROWER: Follow up, Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.

MR. H. BROWER: Thank you for your comments and I sure appreciate it. And once the program is initiated and following through, I think expanding it to other regions would be very helpful, and meaningful. I think that's what's needed within our own state, we have a dual management system and there's a lot of people that are not really educated on both ends of how each of the managing agencies differ in their lands that they manage the resources on. So that needs to be expressed in ways that, you know, -- like I said it's taken me 20 years to know what I know today and I'm not going to claim that I know everything as well, either, I'm still learning and that's the most important thing, I continue to learn new things and new approaches to move forward with wildlife resources.
Thank you, Mr. Chair.

CHAIRMAN TOWARAK: You're welcome. Do we have any -- oh, go ahead.

OPERATOR: We do have a comment on the phone line. Hi, your phone line is now open if you'd like to make.....

MR. KORTH: yeah, I'd like to testify against proposition WP14-48 regarding moose hunting on the Coleen River and the Sheenjek River area and the Innoko River in the Arctic National Wildlife Refuge.

Yeah, what I'd like to say is it's not a good proposal, it's too extreme. And I think there's much better ways to manage the moose than to shut the area down like that and just give out five permits. Me, and my wife and my family, we've been living up there for 40 years and with this, there's only five permits given out to these areas and if we don't get one of these permits, we don't get a moose, and so then we won't be able to eat. I mean if the caribou aren't there. And our daughters that were almost born out there and raised out there if they wanted to come out and hunt they won't be able to do it. And my wife is Native and so she's kind of shocked at this proposal. And it would affect us big time.

But that's what I'd like to testify to, is against that, you know, and I think it's very bad. I put in a proposal to the State Game Board one year to just shorten the season. I realize there is a decline in the moose but it's not that bad that you have to take drastic measures to shut down the area. And then my proposal was just to shorten the season and then I think that would reduce the take of the moose and then make it later in the year, too. That would cut down on the floaters which take a lot of moose.

And so I -- I guess that's my say-so.

CHAIRMAN TOWARAK: Thank you. Would you state your name and who you're representing for our records.

MR. KORTH: Okay. My name is Hemimo Korth, H-E-I-M-O, first name, Korth K-O-R-T-H is the last name and we live around eight months of the year we live on the Upper Coleen River in the Arctic Refuge and we're representing ourself. I'm speaking for me
and my wife and my kids, too.

CHAIRMAN TOWARAK: Thank you, very much. And for your information our Staff has reviewed that proposal that you were commenting on they are recommending that we oppose that proposal and unless we hear anything otherwise that's how we will probably come on record.

MR. KORTH: Okay. Well, thank you very much and I appreciate it and good day.

OPERATOR: There are no other comments on the phone at this time.

CHAIRMAN TOWARAK: Thank you, very much. We will -- I apologize to Mr. Ivan, but let's give the floor to Mr. Ivan at this point to talk about tribal consultation.

MR. IVAN: First of all, Mr. Chairman, thank you for this opportunity on behalf of the Akiak Native Community members that could not be here to testify.

For the record my name is Ivan M. Ivan. I'm the Chief of Akiak Native Community. Our address is Post Office Box 52127, Village of Akiak, A-K-I-A-K Alaska 99552; our telephone number is (907) 765-7112, that's the main office. And I'm here to testify on behalf of Akiak.

The statement before you is a collective statement of the Federally recognized sovereign tribes of Akiachak Native Community, Akiak Native Community, organized Village of Kwethluk, and Tuluksak Native Community, hereinafter tribes, on the spiritual, cultural, customary and traditional use of subsistence resources time immemorial.

I'd like to make a preface remark. I, myself was born in 1945, and if my math is right I'm 68 years old. I was born when the local communities controlled their resources by themselves. The fish and wildlife and the game. And I was born to a fishing life, we moved to fish camp in early spring, right after river breakup and we fish for -- we call it king salmon, I believe it's chinook, I'm not quite used to that yet, and also red salmon, they call that other one dog -- not dog fish, but chum, chum salmon and silver
salmon and other fish on the river. But that's the
number one food that kept us alive for many, many
years, even through my parents and grandparents.
That's the only thing that they put away for the long
cold winters where our eating habits become for days in
this longer days of the light -- daylight.

We're getting very desperate for the
last several years, whereby some of our elders that are
not able to fish, widowers, foster children that are
used to eating king salmon, we're beginning to be --
and the outlook right now is confusing from all
different sides, Kuskokwim Fishing Managing Working
Group, I don't -- it used to be where that board
allowed a little bit of commercial fishing and
protecting subsistence but today's it's during policies
and State of Alaska recently got incorporated -- our
tribe was recognized by Secretary of Interior 1939 and
our tribal councils work with those original
secretaries in all matters that affect the Native
community members and we worked together, they allowed
us to live our life but today it's getting so complex
and we're getting desperate. It's the fish that we --
it's why I'm here, otherwise I wouldn't be.

We add what we can around -- but this
statement before you, Akiak Native Community signed
onto this collective statement and I'm not going to
read all of it but I'm going to make some general
comments to it.

We'd like to consult with Secretary of
Interior directly basically to let him know of our --
as was done in the past to do consultation with him,
directly with him because that was how our
organization, Akiak Native Community was a business
corporation, but Akiak IRA Council have a constitution
bylaws with the Secretary of Interior approved for us.
And the majority -- the main agreement is to work with
-- to do all things for the common good, which we have
done, or have the right to do in the past and to guard
and foster Native life, art and positions, and Native
customs.

And as I stated, we have little -- it's
called subsistence now but it's our way of life. I
don't know what to call it, but it's our way of life
where we get food for ourself. And it's -- they're
very conservative elders, make sure we don't waste any
part of the fish whatsoever, or throw it away or do
anything with it. We're dependent on it culturally, traditionally and our body is addicted to it, it's the health food that keeps us healthy, especially our children and grandchildren who are now addicted to -- no fault of their own, but by tradition. And our people believe that these resources were created by God and they believe, and control that resources as much as they can without any waste.

Some of these comments here are that we are sovereign tribes and have worked with Secretary of Interior, US Government in the past and I understand there's an Article 25 of the Universal Declaration of Human Rights, Section 1, everyone has a right to a standard of living adequate for the health and well being of himself and his family, including food. And the UN Declaration says indigenous people have the right to maintain and give up their political economic and social system and institution to be secure in their enjoyment of their own means of subsistence and development and to engage freely in all of their traditional and other economic activities.

And we should not be deprived of a food resource that keeps us alive.

And also recognizing the Katie John case, which is the law of the land, be fully implemented on the Kuskokwim River. And understanding what Myron Naneng spoke to, those fishermen that were cited, that the State of Alaska recognized that the Inupiaq have a spiritual connection and relationship with the chinook salmon, State of Alaska versus Felix Flynn.

Our tribes would like to begin to work with Secretary of Interior, be allowed to conduct subsistence activity for chinook salmon, despite the restrictions imposed by US Fish and Wildlife Service or the Alaska Department of Fish and Game, and have been in the past -- our activities have been forever in the past. And if any of our people are cited, we would like to -- we will try them in the local tribal courts under our jurisdiction of any citations. And the tribes would nullify like fish weir agreements that were made with US Fish and Wildlife Service, including science camp in other tributaries of the Kuskokwim River, more specifically located at Kwethluk and Tuluksak Rivers and close any activities on these rivers that produce salmon and try to protect them from
rafting, sportfishing on these rivers.

And the US Fish and Wildlife Service and ADF&G, including any and all entities must ask for permission to enter the traditional subsistence hunting, fishing and gathering sites of the tribes, including private land and we will conduct test fisheries of the chinook to collect data closest to the communities to determine the strength of the runs and timing to insure optimal escapement and harvesting for present and future generations. And they're proclaiming to direct the Secretary of Interior and Agriculture and State to implement the government to government relationship based on Presidential Administrative Order on the consultation with tribes and ANCSA Corporations, including the requirement of US Fish and Wildlife to consult with tribes, Secretary support the tribes by implementing the trust responsibility when members are cited during the restrictive period of closure on salmon. And the Secretaries direct US Fish and Wildlife to support and work with the tribes to conduct test fisheries for chinook salmon closer to communities. And the Secretaries work with tribes to direct the North Pacific Fisheries Management Council to have a moratorium on high seas for a period of time in order for the salmon species to increase.

We will do everything we can to try and protect the salmon as its our livelihood. Without it we are going to be in hard bad times as far as diets, spirituality and who we are. And I'm presenting this as the Chief of Akiak Native Community and other villages can speak for themselves through this document as they are separate other sovereign tribes to make those comments for themselves.

But it's been a confusing, very confusing, unsure future for our fishing. And we take -- traditionally what we take and the drying season is the one that keeps us, does not -- prevents spoilage of fish with bad weather and maggots and stuff, we'd like to fish early and put it away.

That's my comments for the record. And we will forward this -- I believe they're working now administratively to forward this to the Secretary of Interior and ask for tribal consultation.

We're unsure if we're going to eat
salmon, we're told that there's no fish. We're part of
the environment and our cultures have all the knowledge
necessary to keep the chinook salmon healthy and up to
numbers. They've done that for many years. They've
taught us and we're learning.

I thank you very much for this
opportunity to speak to you. Our interest is keeping
the salmon alive and well so that our younger children,
grandchildren enjoy it in the next coming years. We'd
like to protect it now and also use it at the same time
as we have done for so many years.

Thank you, very much.

CHAIRMAN TOWARAK: Thank you, Mr. Ivan.
Are there any questions of Mr. Ivan, from the Board.
(No comments)

MR. IVAN: I believe your Staff passed
this along. I hope there's enough copies, otherwise
we'll try to make more. But this is a message that my
village and tribe asked me to deliver.

That's all I have to say, thank you.

CHAIRMAN TOWARAK: Thank you, very
much. And we have enough copies for the Board members,
I think, and we will insert that into the record.

MR. IVAN: Thank you. If there's
questions I will try to answer them.
(No comments)

CHAIRMAN TOWARAK: Thank you, Mr. Ivan.
Go ahead, Mr. Andrew.

MR. ANDREW: Thank you, Mr. Chairman
and members of the Federal Subsistence Board. RAC
Chairs. Guests. Staff.

For the record my name is Timothy
Andrew. I'm the director of Natural Resources for
AVCP. And I'd just like to continue on and elaborate
further the concerns that Myron had about the .804
process.
There are other situations that exist beyond salmon that the .804 process is not being initiated on Federal conservation units. Like, for example, within the AVCP area we have several units, we have the Bureau of Land Management lands, we have the Yukon Delta National Wildlife Refuge, we have the Togiak National Wildlife Refuge. And the Yukon Delta National Wildlife Refuge alone consists of 19 million acres of land, it's a pretty good size area versus the Calista Corporation lands, which is about 13 million acres. So we're surrounded by a lot of Federal land. And we have a lot of our lives -- our gathering, our hunting and fishing is affected by Federal policies.

We have situations where we have shortages of game resources, like, for example, the caribou. The Mulchatna Caribou Herd. Back in, I believe it was 1996, that that population was up to 220,000 animals that were roaming, largely between the Kuskokwim River and parts of Game Management Unit 9 in the bay area. And 17 and 13, I believe, 19 and parts of 21 area, Game Management Units. But within a short -- short 12 year period that game population crashed down to about 30,000 animals or maybe even less today. And we had come to the Board through a special action request, I believe it was the summer of 2012, to initiate an .804 closure, to make sure the closure -- or the hunting opportunity be limited to Federally-qualified users in the Yukon Delta National Wildlife Refuge. But we were subsequently denied. Because the Federal management system had given deference to the State management system and the State's data, indicating that subpopulations of the Mulchatna Caribou Herd were on the increase, while the Western part was not doing very well. But nonetheless there is a significant decrease in population. Genetic diversity is of concern. And people's ability to feed their families is a big concern as well.

And we also have a situation in the Kanektok River that are surrounded by the Yukon Delta National Wildlife Refuge to the north and also with the Togiak National Wildlife Refuge. They have a limited moose population in the area and that area is primarily made up of village corporation and also Federal conservation -- Federal conservation units and they'd like to participate in the hunt. But whenever you have a hunt that when you take into consideration the State hunt, it has to be open to everybody, all across the State of Alaska. And while Federal conservation units
are a different story, I mean you can take it to where
-- where people that have closest proximity to the
resource and also rural -- rural people are able to
participate in that hunt, in fact, I believe Mr. Lohse
-- and I'm sorry if I've.....

MR. LOHSE: I've heard worse than that.

(Laughter)

MR. ANDREW: Lohse had indicated,
that it is the Federally-qualified users that have that
priority and they reside in close proximity to the
resource and they have to have access to that first.

On the lower Kuskokwim side we have the
former moose moratorium area. We have -- each year 100
permits are being issued, there's 1,200 or more permits
that -- I mean people apply for. And I'm not sure how
many of that consists of outside the area but there,
there's a limited resource with an extremely high
demand, not only from the local people but perhaps also
people from outside the area so it -- you know, this
.804 situation does not exist only in salmon, it exists
in other resources that we have out there and it likely
exists now and likely in the future.

And I just beg that the Federal
Subsistence Management System really takes a look at
those situations and look at them quite seriously for
people -- how it impacts the local people that reside
in close proximity.

Thank you, Mr. Chair. That concludes
my testimony.

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

(No comments)

CHAIRMAN TOWARAK: Thank you. I'm
going to add one more lower Yukon/Kuskokwim executive,
Mr. -- the -- Mr. Guy, is the President CEO for
Calista.

MR. GUY: Thank you, Mr. Chairman and
members of the Board and Staff of the Fish and Wildlife
Service.
I wasn't expecting to speak at this time but having been apprised or notified of the opportunity I couldn't pass up the time.

Calista Corporation currently does not have an official stand on the matters -- subsistence matters that are facing this Board. But historically the Calista Board has been very supportive of our Title VIII and the rural subsistence priority that's in place right now and you have to operate under. But having said that, the Calista Board has recently approved a regional committee that is working on this issue right now. This regional committee has the participation of -- invited participation of all the 56 tribal entities of the Calista AVCP region, all the village corporations in the Calista AVCP region, the major non-profits serving those villages and the inhabitants of those communities, AVCP, AVCP Housing Authority and YKHC, including Calista Corporation.

That regional committee met in February and directed the formation of a smaller committee to work towards coming at a reserve position on this very -- this matter that's facing you, rural subsistence. So we'll be doing that process this year and coming back with a unified position in November.

Having said that, there are items that have come from that meeting, my own experience, and we do a lot of -- Calista Corporation has a committee that travels out to the region, about 15 communities per year and we've been doing that for the last 10, 12 years. And in all that time we've gotten a lot of comments concerning subsistence and ANCSA and I'd like to make some general comments regarding that.

Historically nobody in our region that I've talked to agreed with Section 4(b) of ANCSA that reported to do away with our hunting and fishing rights. Nobody that I've ever asked or talked to acknowledged that they agreed with that provision of ANCSA because subsistence, when you look at it, it's hard -- it's how you provided for your family, how a person made a living and nobody can take that away from anybody and that was the case in my region. When I was a little boy I was told that nobody from Washington could come and take away our hunting and fishing rights.

The first item -- or the first effort
to do away with our hunting and fishing rights was the
spring bird hunting. I was a little boy but I heard
stories about people shooting at planes that tried to
interfere with that food gathering, you know, the birds
were the very first items that -- a resource that came
after a long and hard winter before fishing happened,
so that was a very important food source for us. And
when I was a little kid those men would come back and
tell stories about shooting shotguns at planes that
tried to prevent them from getting that food source.
Subsistence is very important, you know, us Native we
cannot tell non-Natives not to to farm, not to seek a
career in work, in any kind of work situation, and
that's how we see subsistence, you know, it's a way for
us to provide for our families and to be productive
human beings.

I'm a Yup'ik or I grew up knowing that
I was a Inupiaq, while being taught that I was a
Inupiaq, and in our system we don't become that -- that
translates into a real human being, we don't become a
real human being just by being born, we have to work at
it, and one of the ways of working at it is to lead a
very productive life, subsistence being part of that.

So beyond providing for your family,
subsistence activities really goes to the heart of our
being, that process of becoming a real human being.
And that was the -- I guess you could say the spiritual
part of our activities to subsist from the land, not
only from the land but from the rivers and oceans. So
in our way it's a very direct attack on the core of our
being when we're told that we cannot engage in
activities that make us who we are.

Something has to be done. In the last
40-plus years that we've been living under ANCSA, our
people have seen major mismanagement, not only from the
State but from the Federal side. A comment earlier a
lot of what -- that what I -- that I heard a lot from
the villages, you know, generally in our system we see
a whole, we don't see this as dissected. And this
gentlemen made a comment that we have Federal agencies
that aren't part of what should be your discussion.
Subsistence is not only this Board, but subsistence is
also being handled in the marine mammal, the North
Pacific Fisheries and other Acts that touch upon our
way of life and it should not be dissected, it's got to
be a whole. So one thing I guess I could ask for you
is to request that all the Federal agencies that touch
upon subsistence come together and start acting as a whole because that's the only way that you can effectively manage the fisheries and the animals and whatever's under your jurisdiction and that goes to the State too. We cannot continue in this vein. Because our people see major mismanagement having been contin -- continue to occur to the -- so that it's in danger, not only our livelihood but our way of becoming that real human being.

Thank you for your -- thank you for the opportunity to make some comments today.

CHAIRMAN TOWARAK: Thank you, Mr. Guy. Does anyone have any questions for Mr. Guy. Go ahead, Tim.

MR. SMITH: Does Calista have a uniform position on chum salmon bycatch in the Federally-managed groundfish fisheries?

MR. GUY: In the sense that it should be managed as a whole, yes, we do. It cannot be managed separately on its own without impacting the river system or any other habitat or the lifecycle that the salmon goes through. It should be managed in conjunction with the impact it has on everywhere the salmon goes, not only at the headwaters, not only at the feeding grounds, but the in between, those areas too; that's the only way that it can be managed correctly, appropriately.

CHAIRMAN TOWARAK: Mr. Lohse.

MR. GUY: This item is very important, not only to Calista, but probably to every other Native Corporation. You know, ANCSA had four parties to it, the State of Alaska, the Federal government, the oil companies and the Natives. In terms of subsistence the State and the Federal government promised us, you know, we did not voluntarily give up our subsistence hunting and fishing rights, it was forced upon our people. But upon that force, the State and Federal governments promised us that they would pass these rural subsistence priority laws. The State broke its promise right away, obviously. The Federal government has been slow to come to protect that right. And it's still not doing it effectively. It's time that they should step up to the plate and do it effectively and the only way
that it can do it effectively is to combine it, not
only managing it out at the ocean but also on the river
collectively.

MR. SMITH: Just one followup. Did you
plan to propose a specific number limiting chum salmon
bycatch to the North Pacific Fishery Management
Council. That decision is coming up fairly soon, is
Calista going to come up with a specific number for
them.

MR. GUY: That one, we'd have to talk
with AVCP about -- the AVCPs the one that's been active
in participating in that process. So if it came up
from the Calista region, we would probably come up
through the AVCP organization, with our support.

CHAIRMAN TOWARAK: Mr. Lohse, you had a
question.

MR. LOHSE: Yeah, I have a question.
At our last meeting that we had joint with
Southeastern, we got a presentation about a pretty big
mining operation that they're talking about putting
right in the middle of the Kuskokwim right there with a
lot of barge traffic and roads and everything else,
which looked to me like it could have a pretty big
impact on salmon resources, or just on subsistence
resources in the area. Do you have any -- do you, as a
group, have any strong feelings one way or the other as
to how that's going to affect subsistence in your area.

MR. GUY: Our operator has had a very
active study of that resource in the Crooked Creek
drainage. The project site is about 12, 14 miles off
of the Kuskokwim River behind the village of Crooked
Creek, in the Crooked Creek tributary, they've done a
very good -- I'm not fully apprised of all the data but
they have -- but I know that they have a very good
study and data toward that, and I don't think that --
from what I've heard, the impact would be detrimental.

MR. LOHSE: I had that feeling about
the mine itself, the impact from the mine itself
wouldn't be so bad, but I was wondering about the -- I
mean daily barge traffic up and down the river that --
that that's basically the life source of the area and
then roads that actually open up part of the area. I
feel like they can probably control their mine loss but
I know that something like that really has an impact on
the lifestyle of the people that surround it.

Which brings me back to the first question that I was going to ask, and that was, you know, what is the reaction to no resource being available. You're talking about king salmon particularly and there is no resource available at this point in time, I mean things can be done to change it in the future but there is no resource available at this point in time, so what is the alternative for the local people.

MR. GUY: Yeah, well, the alternative has to do with the Act itself, too, ANCSA. One of the things that our people embraced about ANCSA was its promise for enabling us to continue to lead productive lives through jobs. And even that promise was basically broken by the other three parties to that Act, the State, the Federal government and the oil companies. First the oil companies basically promised the Natives that they would hire 20 percent Natives in the Alyeska. They never reached 20 percent in the whole -- up to the State -- State of Alaska got a -- a lot of oil revenue opened up, Prudhoe Bay, got title to 103 million (ph) acres, and Federal government got title to the rest of the acreage in Alaska, a lot of acreage. Now, the part of the Federal and State promises were that there would be an economy or an infrastructure in place for all the village corporations and regional corporations to operate effectively and competitively. A corporation can only operate effectively and competitively and grow and in jobs if there's an infrastructure in place, otherwise no business can really compete and grow in that jobs if it's not in -- if it doesn't have that environment, and that environment has never been put in place in rural Alaska. You know, businesses benefit from and grow and add jobs in rural -- in rural Alaska. And basically through the largest of State government putting in the infrastructure, whether it be major road projects or other -- other projects that make it easier -- not easier, but to lower the cost of doing business. You know, urban businesses benefit from that, rural businesses are left out.

That's why we have so many of our people shopping in urban businesses or, you know, ordering their goods and services through the mail order catalogs or the phone because they find it cheaper to do that. But when you do that you're not
putting money into your own local economy, you're not
allowing your village corporations to get the benefit
of that income and without the benefit of that income,
because they don't have the cost -- because they have
such a high cost of doing business, they cannot grow
and thereby add jobs. But that's the problems of ANCSA
that we embraced. It would allow our people to have
jobs and also subsist.

I think that's the general feel that we
have out there now.

In our travels throughout the region a
lot of people recognize that they need both, that they
need a balance of both, subsistence activities and
jobs.

CHAIRMAN TOWARAK: Thank you very much
for your presentation, Mr. Guy. And we're digressing a
little bit from our subsistence topic, but it's related
and I agreed. Because of the volume of work that we
have to do, I think we're going to try to proceed with
some of the other issues that we have facing us in the
next couple of days so.....

MR. GUY: Thank you for this
opportunity, Mr. Chair.

CHAIRMAN TOWARAK: Thank you for your
time.

We have -- I bended the rules a little
listening to some of the people that weren't here this
morning and I know there's one person that we didn't
recognize and we'd like to give her an opportunity to
give us any information from the State, Jennifer, any
information that you would like to exchange with the
Board at this point.

After she is done, I would like to take
a 10 minute break and then we're going to jump into the
rural process preview.

MS. YUHAS: Thank you, Mr. Chairman.
For the record my name is Jennifer Yuhas and I am the
State's Federal subsistence liaison team leader, and I
have with me Mr. Doug Vincent-Land, who is our active
liaison seat, which would be the non-voting Board
member seat at the meeting. We realize the room's a
little cramped and we just want to make sure that Mr.
Vincent-Lang has a chance to do the information sharing and opening comments that we usually do. So I'll be standing down until it's time to comment on other issues.

Mr. Chairman.

MR. VINCENT-LANG: Good afternoon. And let me begin by thanking you for the opportunity to address you today. Again, for the record, my name is Doug Vincent-Lang and I'm the director for the Division of Wildlife Conservation for the Alaska Department of Fish and Game.

I'm here today, all today and off and on through the rest of the course of the meeting due to other commitments, but, both Jennifer and Drew will be here and handle most of the wildlife proposals, with one exception, I'll come back and address the Red Creek proposal, something that we have some deep concerns about and I hope that we'll be able to reach a mutual accommodation on as we discuss it.

Also present we have Lisa Olson and Hiroko Ikuta from our Subsistence Division and they'll be here to answer questions if you may have throughout the course of your meeting.

With your indulgence, I'd like to just provide a few opening remarks and a couple of things the State is working on.

First, I think it's really important to remember that the State has an active -- it has a real seat -- a non-voting member of this Board. That's often forgotten. And, you know, although we're at the back table today, you know, we are a member of this Board and that was established in the original EIS that -- that founded the Federal Subsistence Board. And this seat really allows us an opportunity to address the Board on a wide variety of issues, from conservation to sustainability to allocation and to uses. While we may not always agree on a specific outcome, I think it's really important that we spend the time to listen and hear each other's concerns. Along this line we have OSM representation at all of our Board of Game and Board of Fish meetings, you know, we have them sitting at the front table and they get involved in a lot of the discussions and deliberations and we often ask them questions. And we seek their...
input and value their input as we reach decisions. We also offer Federal agencies the opportunity to address our Boards during Staff reports, and, again, that informs our discussions. We hope that you'll listen to us as we come forward to the Board through our presentations with the goal of understanding and, hopefully, reaching mutual accommodations. I know that's sometimes difficult but, you know, that should be a good goal for all of us.

Second, the State has been busy working hard to respond to the needs of our subsistence users across our state by creating harvest opportunity across our great state.

And let me give you a few examples.

The Alaska Board of Fish recently authorized new gear types in the Kuskokwim and Yukon to improve the opportunity to harvest salmon in spite of some of the reduced chinook salmon abundances we have.

The Department has initiated a chinook initiative using State general fund dollars on the order of millions of dollars to better understand and respond to the low chinook abundance numbers. Information on this initiative can be found on our Department website and I'd encourage you to take a look at it and peruse it, there's a lot of information on the good work that we're doing across the state.

The Alaska Board of Game recently authorized increased opportunities for moose, bears, wolves and furbearers all at the request of users. And I've been involved in these discussions as we've moved across the Kuskokwim and Interior Alaska and last year across the Interior, Unit 13, and we've -- I can say we have significantly expanded harvest opportunities for those species as we've moved across the state.

The Board of Game also recently approved expanded use of snowmachines to hunt caribou, wolves and wolverines in Western Alaska. This was in direct response to local users that requested that their traditional practices of using snowmachines to harvest these animals be accommodated through the Board process and the Board heard them loud and clear, deliberated and approved that and that approval occurs now in Western Alaska, both on State and Federal lands across Western Alaska.
And we also have seen -- we've also initiated a lot of new and expanded survey work for wildlife, which is really yielding a lot more data to inform our Board decisions and, hopefully, your decisions as we move forward.

We've also seen some real and concrete successes in our intensive management program. I think one of them that you've seized the opportunity on is the South Alaska Peninsula Herd. Based on these successes we plan to continue and, where, appropriate, expand our intensive management efforts. Given the allocation of benefits of these programs, the Federally-qualified and their reliance on actively managed populations for meeting subsistence needs, I urge you to reconsider your decision to not partner with the State on active management programs. Speaking of active management, as I said, the State remains committed to an active management approach, including habitat manipulation and predator control. We do not support the so-called passive management strategy that's being employed by the US Fish and Wildlife Service and National Park Service on their lands. We feel that, in our opinion, this fails subsistence users by failing to actively manage to meet their needs. We view this as an abrogation of your responsibility to provide for subsistence first and foremost.

We're thankful to the Chair for raising this issue but disappointed in the Board's ultimate action. The Board's decision to not endorse active management, we feel, was contrived based on a flawed Staff analysis. We also note that the decision was without the benefit of an EIS that should have been conducted, given the public interest that was at stake and the controversy that was present. It is our opinion that the Board does have the authority to endorse active management if you so wish, and we note that many users and RACs desperately want active management on Federal land.

Also the Federal Subsistence Board needs to fully recognize that not all allowed opportunity for the State authorized take of predators constitutes predator management as is often relayed. Much subsistence harvest of wolves, coyote and bears occurs under State general hunting permits and is in response to harvestable surpluses based on users request. We do also note that the quality of fur is best determined by the subsistence user. Many
handicrafts and trims are made from hides that may not be used for other items but are still very important to the user. Simply put, it is not for the Board to project Federal agency values on the subsistence user.

On a related note we understand that both the National Park Service and the US Fish and Wildlife Service are considering instituting independent regulatory programs that'll allow them to supersede valid State hunting regulations that provide for subsistence based solely on value considerations. We are opposed to this and urge you to not restrict valid State regulations for reasons not founded or based in conservation.

On another note we understand that budgets are tight and we are very concerned with the unfair targeted reductions to the State program. Given what the State brings to this Board, we urge you to reconsider these reductions. For everyone's benefit, you made a decision last year to cut all department liaison funding, even though the State is a Board member, as I said, and our data is critical in the decisions facing this Board. Without our data and associated analysis, in many cases you would have no data to make informed decisions. This loss of funding coupled with recent issues related to data confidentiality is impacting our ability to share critical data to inform your decisions. It is compromising our ability to operate under our Joint MOU. As a result of your funding decisions, the Department Staff involvement in your process has and will continue to be reduced and remaining effort will be targeted strategically based on our priorities, not yours.

This said, perhaps even more disturbing, this year we just got word that important funds granted to the State for monitoring the South Alaska Peninsula Caribou Herd will be cut this upcoming year. Just recall for a second. We, the State, not you, took the necessary actions through an intensive management program, to rebuild this population. Once a harvestable surplus was identified, you took this surplus and provided a more liberal hunt than even the State recommended. Now, you cut the funding to the Department necessary to monitor this very population. Bluntly put, we consider this irresponsible and quite frankly disappointing.
Let me end by saying the State will continue to manage populations for sustainability including employing an active -- adaptive, active ecosystem management approach that recognizes humans as a part of the ecosystem. We will continue to provide opportunity for subsistence users, we'll continue to recognize subsistence harvest opportunities even when this body does not, for instance, the use of artificial lights to take bears out of dens, up in the Yukon, and despite the unfair cuts to our program, we will do our best to represent the users and conservation before this body with the resources we are able to allocate to a process that does not fully recognize the status afforded to us under ANILCA and the creation of this Board.

As I said, Staff time will be afforded where it can be -- most effectively meet our mission, and our obligations will continue to lie first with sustainability and harvest opportunity, including that for subsistence users.

Again, thank you very much for the opportunity to comment and good luck in your meeting and deliberations and we look forward to working with you.

CHAIRMAN TOWARAK: Thank you. Are there any questions or comments regarding the topics on the table.

MR. HASKETT: Don't look at me.

(Laughter)

CHAIRMAN TOWARAK: Go ahead.

MR. ADAMS: Thank you, Mr. Chairman. And, Mr. Lang, Jennifer was going to introduce you to me a little bit earlier but we never got around to it.

I really believe that -- I'm going to act like a broken record here again, but I've repeated this over and over again and for your benefit, since you're kind of new to the process, I'll let you know where I stand. ANILCA mandates that the State, in its original intent is to manage the subsistence resources in the state of Alaska. However, you know, the State came out of compliance because of Constitutional issues and, you know, the resources, they really belong to
everyone. And so because of coming out of compliance with ANILCA the Federal government had to take over, you know, the subsistence issues on public lands. And I've always proclaimed that, you know, if the State wants to, you know, really take over honestly, you know, the management of the subsistence issues or resources in the state of Alaska they need to come in compliance. And I know that a lot of people, you know, are not too happy with the State, and, you know, a lot of people aren't too happy with the Feds, a lot of complaints about the way that we manage things. But, anyhow, I believe, you know, there is a place for every government entity that we are familiar with, local, tribal, regional, State, Federal, you know, they all play a part. When you leave one of them out of the system then bad things happen. And one of the most important things that we have to deal with, you know, every day, and I see this happening in my region, is this dual management issue. The State thinks that they have the best management team in the country and the Feds believe that they do. And I know in our Regional Advisory Council we try our best to try not to confuse, you know, the subsistence users because they are the ones who are being affected by every action that we make from this level, and from your level. And there needs to be, you know, better cooperation between the State and the Federal -- that MOU I thought was great but, you know, there was some issues that both sides had about it and I understand now that, you know, they ironed that out.

But I really think, you know, that if we want our governmental systems to really work and cooperate with one another that they all take their proper role. And my comment is that the State can have it. You can come in compliance with ANILCA.

MR. VINCENT-LANG: Well, first off, I've been around for a long time. I think I've been around at the State agency now for 34 years so -- and I have a long history of going back on subsistence issues so I do hear what you're saying.

But I do note that we are out of compliance with ANILCA but that doesn't mean the State doesn't take its subsistence responsibilities that we have for providing subsistence for all our users very seriously, you know, we actively manage our populations to provide for, not only opportunity, but a reasonable opportunity to actually harvest animals out on that
landscape. And if we're meeting our subsistence needs for everyone, by default, rural people are largely meeting their needs.

I will also add that I was very happy to hear Mr. -- Mr. Guy, from the Calista Corporation realizing that the quality of life in rural Alaska is not only dependent upon subsistence but it's also dependant upon quality of life in those villages. I've spent this last year, more time in villages talking about economic development opportunities, realizing that even though you have animals out there that may be harvested, without some kind of economic base, including the ability to develop resources, people are leaving the villages. So it's a larger picture than just subsistence and harvest opportunity. And that includes things like our Governor is trying to propose with Roads to Resources and a variety of other things. Assuring that there's an opportunity for people to stay in those villages and then harvest animals.

So -- we -- we remain committed, I assure you, to providing for subsistence uses for everyone.

MR. ADAMS: Followup. I'll keep it short.

CHAIRMAN TOWARAK: Okay, if we could. I'd like to move the meeting on before we get too close to 5:00 o'clock.

MR. ADAMS: I just want to make a final comment here for Mr. Land. I'm glad that you're on board. And I think one of the things that really changed our relationship with the State is this little redhead right here.

(Laughter)

MR. ADAMS: She's fantastic. And it's been great, you know, working with her, not only on a regional level but in this atmosphere and so I need to put that on record and say that.

Thank you.

MR. VINCENT-LANG: Well, recognizing that, you know, we just -- the Wildlife Division just contributed money to keep her on board on this program
even though you guys cut the funding.

(Laughter)

CHAIRMAN TOWARAK: Go ahead.

MS. MORRIS LYON: Thank you, Mr. Chairman. I just have to say because a lot of what you mentioned here today has to do with Bristol Bay and it has to do with a caribou herd that we have struggled long and hard to bring back so that we can use it once again for subsistence, much less anything else.

And I also just want to go on record, in addition to what you've said, we have really appreciated the predator control that you have initiated out there, it has made a difference, we have seen it already. And we encourage others to continue to beat the bush because it's worth the effort.

The other part is that we have struggled now for several years with getting the information we need at the RAC level in order to make informed decisions, because surveys on animal populations, be it moose or caribou or whatever have not been readily available to us or current. In some cases we're using information that's three and four years old, so if we're having further cuts from my area for that information, I would like it to be known that we are not going to be happy about it, we are not probably going to be willing to sit still for it because we're already behind in our information needs and I hope that other avenues, in order to afford us this information, are being made readily available at this same time.

CHAIRMAN TOWARAK: My understanding is that there still is the MOU process that is -- and it -- it's been set aside, I think, but I don't think we've completed a full cycle of wanting to put together or at least have the Board consider an MOU between the State and the Federal Subsistence process. I think we realize the importance of the information that you and your biologists, and all of your Staff present, and we use a lot of your information to make our decisions and if we didn't have that information it would be a detriment to our process, I think. So I'm -- I'm hoping that we'll still be able to work something out and -- and I hear the message from the RACs that, you know, we don't have current information to help make
educated decisions. So I'm in support of all of that.

With that, I'd like to take a five minute break before we get right into the rural determination process.

(Off record)

(On record)

CHAIRMAN TOWARAK: I'd like to reconvene the meeting if we could.

(Pause)

CHAIRMAN TOWARAK: Okay. I'm going to call the meeting back to order, we've got all of our Board members in the room so in the interest of time -- Jack, did you have a comment.

MR. REAKOFF: Mr. Chair. The Council's down this side of the table didn't get to speak.

So I will reiterate a pressing issue is this appointment problem and the remedy that may have been developed is not in consultation with the Councils. And so one thing that I feel that this Board needs to do is we have the Department of Interior position that Pat Pourchot has, I feel that that should be the appointing voice for the Federal Subsistence Regional Council members. This Board could make recommendations, that office should make that appointment and DC should be cut completely out of the loop.

(Laughter)

MR. REAKOFF: They've proven that they cannot.....

MS. ENTSMINGER: A solution.

MR. REAKOFF: .....they do not have the ability to make these appointments in a timely manner.

The Councils have a meaningful role in subsistence management. It's extremely stressful to have your application in and you're waiting to see if you're even going to a meeting. When we went to a meeting we had open seats, this can't keep going on.
And so I feel that this Board needs to make a formal recommendation to the Secretary of Interior to delegate that appointing authority to the DOI office, it won't be in your court, it'll be in that court, and that will fix this problem, and then those appointments can be made on time, on December 3rd.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: But that's just like the tail wagging the dog.

MR. REAKOFF: Mr. Chair. I think that the Secretary of Interior -- if this Board approaches the Secretary of Interior and Agriculture with a remedy to resolve this issue they will listen to this Board.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Okay. I had asked the Staff that they first need to go to the RACs with the plan and then the final decision will be made by this Board on whether or not those changes are made.

Okay. We will get back with our agenda here.

We had completed the public comment on a lot of non-agenda items that included some agenda items and we're going to try to keep from doing that again. And for a matter of control we will stick with the agenda.

The next item, No. 6, is the rural process review. And we're going to go through Item A and get a summary of the comments received following the Federal Register Notice of 12/31/2012 and then we'll have the presentation of the ISC options and then I would like to insert public comments after that. We've got three people from Kodiak that would like to be heard with regard to this issue since they're catching a flight tonight, I'd like to accommodate them at the beginning of those public comments. And then I had told the community of Saxman that they would have other opportunities to also make comments as we go through this process.

So if we could start the rural process review with the summary of comments.
clarify the sequence. The way that we had outlined it
was that I was going to provide you an overview and
then as part of that overview we would provide the
Regional Advisory Councils -- each of the Chairs could
tell you what their Councils thought about the rural
review process, after which we would provide a
tribal/ANCSA Corporation review of how they responded
to your request for information and then the larger
public review, which Jeff Brooks would do.

So I would start off and then the
Council Chairs would provide us information and then
Jack Lorrigan would come in and talk about Tribal and
ANCSA Corporations and then Jeff Brooks would get to
the public comment period, and then finally we would
end up with Steve Kessler and Dan Sharp presenting the
variety of alternatives that have come out of this
public process to the Board.

And that's how we had set it up and you
said it a little differently and I'd like to follow
your lead.

CHAIRMAN TOWARAK: I said the same
thing.

(Laughter)

DR. JENKINS: Okay. I'm glad we
cleared that up.

(Laughter)

DR. JENKINS: My name's David Jenkins.
I'm the policy coordinator for the Office of
Subsistence Management. And in your supplemental
materials, the first tab is the rural -- is the
briefing for this Board. And I'm not going to read it,
I'm just going to highlight a few areas.

And let me point out that initially,
the Alaska National Interests Lands Conservation Act
asserts that the purpose of this title, Title VIII, is
to provide the opportunity for rural residents to
engage in a subsistence way of life, to do so. In
drafting ANILCA, Congress failed to define the term,
rural. This is why we are where we are now.

We do have a Senate Report from 1980
which comments on Title VIII and provides examples of cities that are excluded from rural status and these are Ketchikan, Juneau and Anchorage and Fairbanks. And the report provides examples of communities that are rural, such as Dillingham, Bethel, Nome, Kotzebue and Barrow. The Senate Report indicates the dynamic nature of rural communities and the inevitability of change but change is not necessarily from rural to non-rural, it may be the other way around from non-rural to rural.

I should point out that the Senate Report didn't specify which characteristics, if any, Congress used to distinguish between non-rural cities and rural communities and these characteristics -- nor such characteristics specified in ANILCA. Again, this is why we are where we are. We're trying to figure out what rural means.

In 2009 the Secretary of Interior initiated a Subsistence Program Review, and the review concluded that the Federal Board should review the process for rural determinations with input from RACs and then the Board should make recommendations to the Secretary of Interior and Agriculture for any changes to the process of making rural determinations if this Board felt it was necessary to make those sort of recommendations.

Now, if you'll recall at your 2012 public meeting this Board elected to conduct a global review of the rural/non-rural determination process starting with input from Regional Advisory Councils, comments from the public and consultations with tribes and ANCSA Corporations. So with the review underway the Board stayed the 2007 final rule in which rural determinations would have otherwise come into effect in May 2012. Now, remember, this 2007 final rule was on the 2000 10 year review. So it took us seven years to make a final rule on the 2000 review, the every 10 year review. So the Board stayed that rule and the effect of staying that rule on 2000 was that the 1990/91 rural determinations would stay in effect. So the rural determinations that we're operating under right now were made in 1990 and 1991.

In the Federal Register notice this Board asked for public comment on a number of questions and you'll hear about these. I'm not going to go through them in any detail.
Questions had to do with population thresholds 2,500; 7,000 are the key figures here.

Rural characteristics, such as use of fish and wildlife, development and diversity of the economy, community infrastructure, transportation and educational institutions.

Whether and how communities should be aggregated together in order to come up with population figures.

Timelines will come up, should we have a 10 year review, should there be a 20 year review, should there be no review.

What sort of information sources do we use. For the 1991 and the 2000 reviews we used predominately the US Census and we used information from the long form on the US Census, but the US Census no longer uses the long form so some of the information that we relied on is no longer easily accessible to us. There is now what's called the American Community Survey which gathers that same sort of information in one and three and five year increments. So we no longer have a 10 year snapshot available to us for some of the information from the US Census.

So these are the sorts of issues that the Board was interested in getting public and RAC and tribal responses to. So there was almost a year long public period for comment. Councils were briefed, meetings were held at Regional Advisory Councils. We held public meetings in Barrow, Ketchikan, Sitka, Kodiak, Bethel, Anchorage, Fairbanks, Kotzebue, Nome and Dillingham. We received well over 500 comments. You conducted government to government consultations on this issue. So we've been spending a great deal of time trying to summarize the comments from all of these diverse sources and this is where we are now.

So at this point I would like to, if we could, Mr. Chair, ask each of the Council Chairs their Council's opinions on the rural review and how they perceive this process should be improved.

CHAIRMAN TOWARAK: Okay. Let's go ahead and start with Sealaska [sic] and then go around the table and -- pardon, Southeast.
(Laughter)

MR. ADAMS: Sealaska.

(Laughter)

CHAIRMAN TOWARAK: You just got moved.

MR. ADAMS: If you were at one of our ANB meetings you would be fined $25 for making a mistake like that.

(Laughter)

MR. ADAMS: Thank you, Mr. Chairman.

Mr. Jenkins.

The Southeast Regional Advisory Council has a few bullet points here in regards to rural determination.

One of the things that we have been disturbed about in the past is that the Board has not given Councils deference, you know, in regards to communities that are rural. And we really would encourage, you know, or demand that the Board, this Board give deference to Councils when it comes to rural determination. You know, they do all of the work. They know what's going on. I've always said that, you know, good government is local, it starts with the local and it works its way up, so that's where it starts, you know, with your local people.

The Councils are the most appropriate groups to determine the characteristics of a rural community in their own region and then evaluate the rural status criteria for all communities in their region.

So as I said earlier, you know, we better, you know, what's happening in our communities than anyone else.

Our statement is very strong as far as Saxman is concerned. It is a rural community. The intent of ANILCA, Title VIII, was to continue a way of life that existed before ANILCA was written. The community of Saxman existed before ANILCA was written. The residents of Saxman maintain a subsistence way of life that existed before ANILCA was written and their
rights under the law must be recognized and retained.

Reliance on subsistence resources, history of use and cultural ties to the resources are critical to fulfilling the traditional values of a rural subsistence lifestyle. The criteria must include consideration of social and cultural characteristics that allow the Board to determine that communities like Saxman remain rural. We believe that if you look at the characteristics of a community, if they have all of the elements of being a rural community then they should be recognized as such.

So the presumed rural determination population threshold is not necessary or appropriate for our region, okay. We have seen where population, you know, has played an important part as to whether a community should be rural or not and I believe that there is strong evidence that even Ketchikan is a rural community. They carry the same characteristics of being, you know, bona fide subsistence users and, yet, you know, they're considered non-rural.

The aggregation or grouping of communities is arbitrary. It does not lead itself to an object, objective or rational rural determination process. Communities can be in close geographic community -- or proximity and it can still remain separate and distinct characteristics. And I think that's pretty much the case for Ketchikan and Saxman. Even though they are close together and the communicate one with another, the have roads that connect one another, you know, but we believe that, Saxman, is, indeed, a rural community and my personal opinion is that Ketchikan is as well.

There should be no review or a change to a community's rural status unless there is a significant change to the characteristics of a community. The review process can result in unnecessary financial hardships to a community.

So, Mr. Chairman, these are the issues that my Council, you know, talked about and they came out with these bullet points that identifies our position on the rural determination review.

Thank you, very much.

MR. ROCZICKA: Thank you, Mr. Chairman.
The YK Council kind of fell along with a lot of what we're hearing.

Population, an arbitrary population number and the threshold that you currently have in place is really unrealistic for Bush Alaska, as a whole.

It should be more based on something, if it's a primary way of life within the community in question and it should essentially be done away with, in population, it's not something to be considered, certainly for the Bush.

And that although you have all these good criteria in place, you know, for your economic development, diversity and infrastructure and transportation and so forth they really do not apply to -- and I think were probably developed for counties in the Lower 48 and maybe a new structure needs to be developed for -- that's specific to Alaska and deals with the Alaska realities.

The main concern, of course, that was brought out in public comment to the Council is this aggregation of communities. That put just a great sense of fear in our surrounding villages, with Bethel. I mean we're sitting 6,000 right now and if a couple of the close by communities get added in there and then we're over this presumptive 7,000 number that, you know, it just -- for this issue in the public eye it put a huge sense of fear in the people. Again, that was related by the fellow from Southeast, I guess the same thing would basically apply, that each are their distinct own community, separately recognized tribes, separately recognized government, that that aggregation of communities just does not fit. I mean it doesn't fit on the Kuskokwim and we've heard it doesn't fit in Southeast either.

And with the timeline, of course, the 10 year review, that should essentially be done away with. And do not make any changes unless there are significant developments within the community. Say if a large mine came in or something of that nature but even in that sense, you know, reflecting on it, that would not change the local people and the longterm residents of the area still having that reliance, dependence and practicing that way of life, it's been there for thousands of generations. So even in that...
sense that criteria really does not fit Bush Alaska and
the purpose for which a subsistence preference was
created.

So that's -- they have the other one in
here, although I'm really not recalling the
cornerstone but I see it written down, that it says
using the US Census could be used to consider other
rural characteristics and data such as percentage of
the population that is dependent on the subsistence
resources that are in the area and the use of the fish
and wildlife resources for subsistence.

And some of the major hub communities
actually do not have that information. Bethel,
fortunately for our region, although it had been a
priority for Subsistence Division for many, many years
to try to get some baseline data and get that
quantified they were never successful in getting the
funding from anywhere and we're actually very fortunate
that we were able to get a Legislative appropriation to
have that done in Bethel just last year so we did have
that information just in time for this one as well as a
proposal in front of the State Board to make us a non-
subsistence use area, and it was -- it was extremely
valuable in making it a slam dunk that Bethel is
obviously still -- should not be a non-subsistence use
area as well as maintaining its rural status and the
dependence that people have, 95 percent of the
households participate in subsistence activities where
up in the close to 200s as far as pounds per capita and
it's up in the 400, 500 when you're dealing with
household, so all of that is there but I don't know if,
say Dillingham has had one done, I believe Nome,
Kotzebue, Barrow, I don't -- there may be some studies
through other economic activities that have taken place
around there but as far as getting some solid baseline data that's comparative to other Division of
Subsistence studies, those might not be there.

So that's an outstanding need. I mean
it's a good measure if it's there.

So that's kind of a summary of our
comment.

CHAIRMAN TOWARAK: If there's questions
from Board members throughout this process, feel free
to just jump in and ask the question of individual
Chairs.
Mr. Lohse.

MR. LOHSE: Thank you, Mr. Chairman.
You took my by surprise twice on this one. One, I
didn't see it on the agenda that I was going to have to
make comments and number 2, I just took for granted
you'd go clockwise and so I could get almost last.

(Laughter)

MR. LOHSE: So I'm going to have to
to kind of give it to you off the top of my head and a lot
of things that have been said we also go along with.

We do believe every community needs to
be evaluated on its merits. What does it, as a
community, actually live. How does it live. What does
it use. Is it using the stuff from the land.

We also believe that the Councils being
actively involved with the communities and knowing the
people and everything else should be given deference
when it comes to deciding whether a community is rural
or non-rural.

We don't even like to consider the idea
of aggregation especially around education. Because as
our communities grow up and change and the schools get
smaller and the courses get different, we're getting
more and more bussing, we're getting more and more
communities connected together by education but that
does not mean that they are -- you know, they're
sharing the basketball team and they're sharing the
hockey team because they don't have enough kids for
their own hockey team but that doesn't mean that
they're the same community. If we were going to kick
out something, we'd say road connected. If you're in
Southcentral Alaska, most of our communities are road
connected. The fact that they're road connected does
not make them one community. The fact that they have
roads that go to large urban centers where they can go
to Costco or Walmart or McDonalds, as we heard today,
does not take away their rural status.

The other thing is we've dealt with in
our area in the past is boom and bust. Oil. You know
a gas pipeline, an oil pipeline or something like that.
That changes -- or let's say even military, that
changes a community temporarily but it doesn't change
the characteristics in that community and it didn't
happen because of that community wanting to change.

We don't think a 10 year cycle, or we
don't think any cycle is actually a good cycle for
reviewing rural determination. We think that, like has
been expressed by a couple of other people, that there
should be a major change that calls for a
determination. And the first people that are going to
see that that major change is there and see that maybe
something has to be done is going to be the RAC. I
mean if a community grows or develops a non-subsistence
lifestyle the first people that are going to notice it
are going to be the RAC, the people who live in the
area. And if anybody -- actually if -- this didn't
come up in our meeting but this would be my own
personal opinion, is that, the entity that should call
for an examination on rural would be the RAC. If the
RAC didn't see enough of a change to ask for rural
determination I don't think rural determination needs
to be made. And, again, that's my own personal take on
what we've said but the Council did not make that
direct statement.

What is this Donald, I'm sorry, I got
to put my -- oh, this is from our fall meeting. Okay.
So I'll see if I missed anything.

Population threshold.

We didn't come up with anything on
population threshold. We basically said it shouldn't
be used because we can see where in our area a
community could grow despite the fact that it didn't
have anything to do with it, or hasn't changed its
characteristics so it needs to be analyzed if you're
going to basically do that.

The other thing is we said that the
current US Census is not working.

So all in all we decided that a
subsistence priority can be taken away rather than a
criteria of who can have a subsistence priority. In
other words, look and see if something has changed that
big.

And we don't think that we should have
to defend ourselves either.
So with that, I think I pretty well covered the bases. Like I said, I got taken a little bit by surprise because I didn't see it on the agenda, but I think that with our joint meeting that we had with Southeastern we found we shared a lot of things in common and that's where we would come in on the Saxman. None of us could see why Saxman should be non-rural when we were discussing it.

MR. SMITH: I see from the record that we probably should have done a better job of establishing a record when we discussed this. There was a lot more discussion about this issue than is incorporated in this summary that we have here.

Primarily the RAC thought that we should be inclusive. They didn't really feel very comfortable about excluding people from subsistence opportunities. And, you know, we assume it's not going to affect our area because the only community that's the largest community on the Seward Peninsula is Nome which has a population of about 4,000 and it's growing, if anything it's losing population. But, and, then again history tells us in 1900 they discovered gold, the population shot to at least 20,000 maybe more, you know, depending on who you -- they didn't have good counts. But in 1914 that was all gone, people left. And what would have happened if Nome was ruled, or the area was ruled non-subsistence then. So we were really uncomfortable with excluding anybody and, you know, that's a problem with the way subsistence is defined by both the State and the Federal government. It doesn't really -- the one pattern doesn't fit very well to anybody. Subsistence is kind of an individual thing rather than a group thing.

So what we voted to do was to increase the threshold to 20,000 which would incorporate Kodiak, that seemed to be the community that was most likely to be subject to a non-rural determination and to oppose a 10 year review. Have no review. And I guess we would echo what's been said previously, that the only time it needs to be considered is if there's an issue. If gold goes to $5,000, which it certainly could do, Nome will have another boom and we don't want to be locked out of subsistence. If that happens, the same people that are subsisting today will still be subsisting through the whole new gold rush and it just doesn't make sense to exclude those.
And so we're not really keen on excluding anybody from subsistence, or hunting and fishing.

CHAIRMAN TOWARAK: When you state that, you say you don't want to exclude anyone that's currently determined to be rural.

MR. SMITH: Well, what the members of the RAC talked about is just, you know, the idea of telling somebody that they can't go out and get food. They can't go out and hunt and fish for food is just not something that they feel comfortable with, and it doesn't really matter who they are. If they need food, they would not probably tell them they couldn't do it.

CHAIRMAN TOWARAK: That's basically what the State's doing right now, right.

MR. SMITH: Yes. And so are the Feds. If you're not a rural resident you're not eligible for subsistence hunting and fishing on Federal lands where it's restricted.

CHAIRMAN TOWARAK: Okay.

MR. REAKOFF: Mr. Chair.

CHAIRMAN TOWARAK: Okay, go ahead.

MR. REAKOFF: The Western Interior Council discussed this at our February 25 and 26 meeting in Aniak.

The Western Interior probably has some of the smaller communities of all the regions. Most of the communities are 500 or less. But the Council feels that there needs to be clarification in regards to threshold needs and baselines, you know, aggregating communities is, I feel very bad about that, you know, the Saxman issue, I feel aggregating communities that have rural characteristics with other larger bodies of -- especially with road access, if a road is built between a rural community and it's had longstanding rural subsistence use and then they're connected to a new mine and a larger population base, they should not be thrown together with those communities. And so aggregation -- in fact, I've said it before to the Federal Board many years ago, that aggregation is, I feel, inappropriate to determine rural subsistence use
and eligibility.

Use of fish and wildlife should be the primary criteria. It's the most important criteria for determining rural subsistence use and whether that community's remaining a rural subsistence users.

There's a need that, you know, a fairly large percentage of the community needs to rely on fish and wildlife and so like Bethel's 95 percent, most rural communities, if they're truly subsistence they either are harvesting or sharing and so their use has a wide base.

And so diversity of the economy and infrastructure should not preclude rural status. For example, Galena is an educational hub, and that should not be treated as -- that should be treated as an enhancement to the region, not a detrimental factor and that goes along with some other very eloquent descriptions of aggregating for various economics of the current state for education.

The eight factors used in determining customary and traditional use provide a good base to determine whether a community is relying on fish and wildlife for subsistence. The eight criteria delineates longstanding use, handing down of knowledge and all those kind of things.

The Council didn't have a problem with evaluating communities on a timeframe of 10 years with the caveat that the Council can initiate a review if it feels it's appropriate, but that goes along with what Ralph is saying is that the Regional Councils are going to be the first ones to know if there's a problem. If we have like a huge mine built in the region and we basically might be very concerned about those users recreating and taking away the subsistence use of -- they got one near Aniak that's possible and that could be a real impact to already a Federal drawing permit for moose and various allocation problems that we already have between subsistence users, fish, chinook salmon on the Kuskokwim River, this could -- the Council should be able to initiate a review at any time.

So, thank you, Mr. Chairman.

CHAIRMAN TOWARAK: We skipped someone
over here so we're going to go back to our counter clockwise process.

(Laughter)

MR. SHIEDT: It's okay with me, the more I listen, the more I learn.

Enoch here. This is the highlight of Northwest Alaska bullet points.

Our Council recommended that a presumptive rural threshold be increased. For while they didn't want to come out with a number but the number they came out with was 11,000.

The community that connected to the main road system, aggregation should not -- it should only occur with community that connects to the main road. Population increase as a result of external development should not be counted against existing communities and this is coming from -- there's a mine that's coming in upper Kobuk and if it's a real large mine the numbers might increase, real high numbers, we don't know and they don't want to be affected because of a mine, like connected -- like example, is Kodiak. What they were saying is the community of Kodiak, the Coast Guard, if Congress say, okay, that's enough, we're going to close it down and they'll completely turn on that that's what will happen -- that's why they wanted this one here for the mine, in case it increased.

Rural -- if there is no connection to the main system to the State then a community should be automatically be rural upon -- emphasis on spiritual and cultural importance of fish and wildlife, as well as traditional practices for each community area.

Availability of local employment median or income of communities. And when we read this discussions after this meeting, community is Kotzebue -- when our villages -- youngsters want to work in our communities, really increasing in high numbers in a hurry and that's why these are -- that they come up with.

The Council approved the current process of relying on the census data, eliminating the 10 year review.
And last of all, in rural communities there is a limited opportunity for local employment, that makes it difficult for families to survive and many are forced to spend large amounts of times in more urban areas of the state to make a living. The Northwest Arctic Subsistence Regional Advisory Council firmly believe that our regional people should live in urban villages -- areas, sorry, and the same priorities of the resources, if they live in the village yearround. If they are registered with the local IRA then they should be able to go back to their communities to harvest as a Federal qualified subsistence user. Because they feel that a lot of our youngsters are moving to Anchorage, other places, just to work and they're getting their education and they can go back, you know, to go work in the village, that's why they have to stay in places like Anchorage but they still want to live off the land and they are connected to the land and they are connected to the resources out there.

And personally -- my personally, I always say this in a meeting and I'm going to say it here again, I don't like to use the word, subsistence, because it barely make -- I'd rather use harvest, because we harvest resource -- for food on the table, we don't hunt.

Thank you.

CHAIRMAN TOWARAK: Okay, go ahead.

MR. SIMEONOFF: Thank you, Mr. Chairman.

The Kodiak/Aleutians have submitted a letter to the Federal Subsistence Board dated April 1st. I don't think it's in any of your binders and if you'll indulge me I'll read it and if you have any comments you can -- I believe there's a binder on the table with all the paperwork that was submitted to the Federal Subsistence Board.

But our letter from the Kodiak/Aleutians is dated April 1st.

The Kodiak/Aleutians Subsistence Regional Advisory Council met in Kodiak September 25th and 26th of 2013 to,
among other things received a presentation on Federal Subsistence Board's rural determination review process and provide feedback on that review.

Additionally, members of the Council attended a public meeting on the public review where over 80 people attended and nearly 20 individuals from the greater Kodiak community testified.

The Council submits this letter to the Board as a comment on the rural determination review process.

Before discussing the different components on which the Board sought input it is worth noting a few things about what the Alaska Native Interests Land Conservation Act says and does not say about this rural determination process.

Title VIII of ANILCA does not contain any of the following terms: US Census, decade, urban, non-rural determination or community. Rather, it stresses the rural status of individuals and residents. It mandates the continuation of opportunity of a subsistence way of life by residents of rural Alaska and the utilization of public lands in Alaska in a manner that causes the least adverse impact possible on rural residents.

At its September 2013 meeting the Council voted to incorporate all public comments received at the Council meeting and the roundtable determination public hearing as its own comments. The following is a summary of those comments which include issues identified by the Kodiak Rural Roundtable. The Council also incorporates by reference any summary of any public comments at Kodiak rural determination hearing that may be prepared by the Office of Subsistence
Management.

Aggregation.

Aggregating communities together for the purpose of counting population is not appropriate and should only apply in relation to urban areas. The current criteria comes from efforts to subclassify rural communities into types based on administrative units, not to geography or land use. These criteria are not used to define urbanized areas, social and communal integration among communities is part of the subsistence way of life. To use that to count populations and thus deem an area non-rural punishes the communities for living a traditional way of life. Aggregation of communities should be completely eliminated for areas that have been previously deemed rural.

Population thresholds.

Populations should not be a primary factor in the Board's consideration. Transient workers should not be included in the community population count. But are considered, if included in the population data sources, i.e., counting military personnel or transient fishermen during consensus. The current population thresholds are arbitrary and too low in many instances. The presumed non-rural populations should be set at no less than 25,000 if including transients.

Rural characteristics.

The rural characteristic factors should be given more weight than population. The criterias need to be consistent and not subject to Staff interpretive biases. Dictionary definitions are imprecise and vary with editions. Geographic remoteness should be a
primary factor in determining the rural characteristic of a community.

Island and archipelago communities, as well as most Bush communities are incredibly remote by their very nature and should be deemed automatically rural because of difficulties of access to urban centers, transportation and centuries of reliance on subsistence resources. The five criteria currently utilized by the Board is identifying -- in identifying a rural nature of a community is not adequate in that they are demographic only in nature and do not fully incorporate the culture and unique characteristics of a community. They do not adequately capture what constitutes a rural community. For specific guidance on this issue the Board should examine the Frontier standards recently adopted by the US Department of Health and Human Services, see this 77 FR 214, the term frontier is used to describe a territory that is characterized by low population size and density and high geographic remoteness. The area determined to be frontier or remote for purposes of receiving Federal services should be determined urban or non-rural by the Board.

It is also worth noting that the US Census Bureau which provided the primary data relied upon by the Board in making a rural determination employs a land use concept that defines urban areas based on population density. Under this approach census bureau urbanized areas are defined by populations of 50,000 or more people with a core population of at least 2,500 people and a density of 1,000 people per square mile. At least 1,500 core residents must reside outside the institutional group quarters like military barracks or university dormitories. With this approach all populations outside the urban areas are
deemed rural.

Other characteristics the Board should consider in identifying rural communities should include impact of weather on transportation to and from the community, length of time the community has existed, i.e., the thousands of years versus only a few decades, how supplies are delivered to the communities, barges versus road systems. Cost of living. Median income of the community. The reason why people chose to live there. External development forces that bring extra infrastructure and transient personnel into the community. Proximity to fish and wildlife resources. Use of subsistence resources, fish and wildlife inter-tidal species as well as access to those resources. Percentage of sharing of subsistence resources among community members.

It was also noted that the Board should examine the 12 criteria currently used by the State of Alaska in determining rural status. These criteria do not only incorporate demographic data in the decisionmaking, but also include examination of the percentage of users and extent of sharing. One example can be found in criteria no. 6, which discusses the variety of fish and game used by people in the community.

Kodiak has a substantial availability of resources and is within close proximity to those who use those resources.

These resources have sustained the residents of Kodiak for over 7,000 years. This factor is far more important than identifying the rural nature of a community than the number of people who live there.

Timing of review.
Title VIII of ANILCA does not require the Board to conduct a decennial review, it only requires that there should be a review.

Once a community is determined rural it should remain rural unless a significant change in population warrants review. A significant change should be defined as a 25 percent increase in population from the last rural determination. The population of Kodiak has increased only 4 percent since the inception of the Federal Subsistence Management Program.

Reviewing the rural status of a community every 10 years causes a lot of frustration, pain, confusion, turmoil and anxiety for the community undergoing the review.

Information resources.
The Permanent Fund Dividend Database could be utilized in counting residents of communities as it would provide a more accurate picture of the number of longterm residents. Additionally the Board should utilize tribal and Native association population database where available. It was also suggested that because this is a Federal action, only Federal data sources should be utilized such as the US Census Bureau, US Department of Agriculture, and US Department of Health and Human Services where rural definitions are already provided.

Other issues.

Outside of these criteria currently used by the Board there were other issues raised in the public meeting that warrant consideration. In many instances people have moved away from their village in order to seek work but still own homes in their villages and return there to engage in subsistence
activities. People should not be punished with losing their status as Federally-qualified subsistence users simply because they had to make a difficult choice to earn more income for their families.

In closing the Council and the public could not express enough how important subsistence is to the way of life for the Kodiak community. People have grown up a subsistence way of life, it is part of their culture. They chose to live there because it provides them access to resources that allow them to maintain that way of life. The Kodiak Archipelago has and always will be rural because of its remote isolated location.

In conclusion the Council thanks the Board for the opportunity to provide comments on the review of the rural determination process. This is a matter of utmost importance to the Council and is crucial in insuring that residents of this region continue to enjoy rural subsistence priority promised in Title VIII of ANILCA.

If you have questions please contact me through Carl Johnson.

(Laughter)

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

(No comments)

CHAIRMAN TOWARAK: Thank you. Go ahead, Sue.

(Chair Microphone interruption)

MS. ENTSMINGER: You don't like me, uh.

(Laughter)

MS. ENTSMINGER: Our Council met in
November and we took this up and we went down them one at a time.

For the population threshold, we voted to get rid of the 10 year process and go to an initial assessment and then on an as needed basis, if triggered by some unusual event, extenuating circumstances such as longterm population trends, up or down, spike in population, and then we agree that the population assessment should be measured using a five year running average to avoid evaluating a community on a temporary population. Kind of like what you guys have been talking about here today, such as pipelines or road developments. And this would avoid a determination being made on something that's temporary, like the boom and bust thing.

The rural characteristics. The Council -- we did this by consensus. We wanted to remove education institutions from the list of currently considered rural characteristics, noting that whether it be a local school, boarding school or university satellite campus, that the staffing of these educational institutions is usually made up of transient people.

We also agreed that some infrastructure is for temporary use, such as mining, development, or example the dew line site and should be evaluated carefully.

The Council also was in consensus to add subsistence related activities, such as gardening, gathering and canning of foods to put away for the family and community for the year was indicative to rural characteristics.

We also talked about the Subsistence Resource Commissions for the National Parks and had resident zone communities and we felt that they should also be rural characteristics because of the Parks that were created and a longterm history of lots of meetings to create these resident zone communities, and we don't think that should be taken away.

On the aggregation we ditto everybody else for all the same reasons.

And, again, this timeline, we think you should just do something initial and then just wait for
something that's eventuating.

Information sources. I think I covered that about some of the things that -- local government, school attendance numbers, property ownership taxes, Permanent Fund, harvest data for all these sources of information to determine the population and residence.

That's the short version.

CHAIRMAN TOWARAK: Thank you. Bristol Bay.

MS. MORRIS LYON: Thank you, Mr. Chairman.

Our RAC met on October 29th and 30th and I say that to preface my first overall comment that we had for the Board and that was that, due to the shutdown of the Federal government it cost a pretty good public process delay for comments in our area, we just happen to hit our timing in coincidence with that and the RAC recommended that the comment period be extended in our area.

The Federal Subsistence Board, one of the next overall comments the Board had is the Federal Subsistence Board should have criteria for determining why a subsistence priority can be taken away rather than criteria of who can have subsistence priority. Again, kind of alluding to what some of the others have said, why should we, as subsistence users, feel like we have to defend what we're doing instead of the other way, why don't you show us reason why you should be able to take that away from us.

And the RACs should be the first to be in control of -- we know our areas better, I mean, again, this is all things you've heard but I just want it on record that Bristol Bay was also in concurrence that the RACs should have a bigger say in who should and should not be users of the resource, in our areas anyway. We also alluded to the fact that regional evaluations would be important because we looked at areas such as Kodiak and Southeast, with the aggregation issue, which we did not specifically address, something that did not relate to us and it was something we didn't feel -- I mean why waste the time on it in our area.
Timelines, again, we felt, we wondered why it was necessary to conduct a review every 10 years, decisions can be made concerning rural and non-rural and should be left in place unless there are significant changes to a community's status that warrants consideration by the Council and Board, again, something that I've heard many times already this afternoon.

Population thresholds. The 2,500 population thresholds should still be used, we felt that as a RAC. And without question those communities should be considered rural. Communities that were between the 2,500 and 7,000 threshold we felt was too much of a grey area and it should be clarified and raised. Also as far as a population limit would be taken into consideration.

Information sources. We didn't feel like the census was at all working for the Bristol Bay region. We felt like information was coming too much from outside influences but should be coming from grassroots sources such as Native tribes, Native organizations, villages and that type of information which would be much more accurate. Just as I had mentioned before, you know, depending on what time of year the census bureau is there, you know, you don't know whether you have the school kids home in Egegik, or because now that that school's been closed down, if they show up there at a different time, you know, you don't have a proper evaluation of what that community census really should be when you're using somebody that's not familiar with the area anyway. And you also -- as was pointed out many times, the local people in our area, and I don't know that we're alone in this, don't appreciate outsiders coming in and questioning us and a lot of times they don't get the information they really need when that happens. So when you have, say, BBNA or one of our local organizations bringing their people in, we feel much more comfortable talking to them and giving them accurate information.

We did put all of this in a form of a motion to present to the Board at our October meeting and it was agreed upon unanimously. That's all I have for you.

CHAIRMAN TOWARAK: Go ahead.

MR. H. BROWER: Thank you, Mr. Chair,
for the opportunity to provide the comments from the
North Slope Regional Advisory Council.

The Council met on February 19 and 20, 2014.

With regard to the population threshold. The discussion on rural characteristics that defined a village should be considered over population size or infrastructure.

Rural characteristics.

The Council questioned the rural criteria used for regions that were established as industrial complex, such as Prudhoe Bay, in communities that are established to serve an industrial complex are not true communities but are built to support infrastructure of an oil and gas industry.

The Council expressed concerns about increasing industrial development on NPR-A, which may change rural status based on roads, ports or other infrastructure and increased populations of people moving to the region to work on the oil and gas industry.

The Council spoke to the challenges of how ANILCA is defined by rural and does not identify Native subsistence priority but yet may feel that traditional cultural aspect of their way of life are what define their relationship with subsistence and thus define the rural characteristics.

And the other, the Council spoke of concerns about lack of clarity or transparency in how Federal Subsistence Board makes its final rule on rural status and we would like more information on that process.

It is of concern in Barrow and subject of heated conversations in Barrow, in particular, because population size is growing. The Council asks how much weight the population is given over other rural characteristics that are currently considered.

The Council referenced comments that they would like considered that were articulated by Senator Murkowski addressed at the fall 2013 Alaska Federal of Natives meeting that the importance of
subsistence include cultural and family, education aspects and morale values, self reliance and food security. Rural should be determined by the traditional characteristics of place rather than population size.

That's all that the North Slope Regional Advisory Council provided, Mr. Chair, and thank you.

DR. JENKINS: What's next is Jack Lorrigan coming up here and giving us a summary of the tribal and ANCSA consultations that were held. Yes, you wanted to.....

CHAIRMAN TOWARAK: Mr. Chair. I have a general question for the RAC Chairs. I heard a number of them bringing up the point of a review should not happen unless there are significant changes and there were a couple examples I noted, one was a 25 percent increase in population for a community could be a significant change after its initial is rural. I don't recall very many more and I wanted to know if there was further -- if the RAC Chairs could let us know if they had further discussion about what significant changes look like.

Thank you.

CHAIRMAN TOWARAK: Go ahead.

MR. REAKOFF: Mr. Chair. As I stated, Western Interior region has very small populations and my community has 13 people, a 25 percent.....

(Laughter)

MR. REAKOFF: .....is not a significant number.

(Laughter)

MR. REAKOFF: So I'd caution the Board on putting a percentage of increase, especially for small communities.
Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.

MR. LOHSE: Mr. Chair. I think what I tried to express was -- when I was talking about the Council -- giving the Council deference, I don't think it's something that can be measured, I think it's more something that can be felt. I think your RAC would feel that a community has changed more than be able to give you a measurement as to what changed in a community and that's why I really feel like the call for reexamining a community should be done by the RAC in the area that's there, because they would know if the community doesn't fit within what they consider rural status anymore.

And that would be my opinion.

And I think that would be the opinion of most of the people on my Council.

CHAIRMAN TOWARAK: Go ahead.

MS. MORRIS LYON: Thank you, Mr. Chair.

I was going to make the same comment that we heard Jack make and I was going to ditto, you know, what Ralph said. You know, we know, our subsistence is valuable to us. We're going to be the first to know if it's being shared inequitably and we're going to be the first to bring it to you. I think it takes a lot of time and these precious funds that we hear about away from things that we could actually put them towards, such as a moose count in my area.

(Laughter)

MS. MORRIS LYON: And, you know, I would just propose that it's only sensible to recognize the value that we have and recognize that we're going to be first to be able to bring to the Board concerns.

CHAIRMAN TOWARAK: Well, go ahead.

MR. ROCZICKA: Well, I'm not going to echo too loudly but.....

(Laughter)
MR. ROCZICKA: ....actually where we have a much greater concern and where you better spend your time is like the issue that's been brought forward by the YK RAC and actually was made a point of specific RFPs, request for proposals, where we see people that are quote/unquote Federally-qualified users because they happen to live in a community but yet we get reports of vast numbers of fish being sent out, boxes, boxes and boxes during chum and, you know, later on in the season, not too much, but for some for kings as well which were a concern, going out of Bethel, Aniak, McGrath airports. That you can -- we can't prove it but it's quite likely that they're ending up in some restaurant someplace or some market someplace and possibly a market in a foreign country someplace. So that's -- those are concerns that we had as far as concerns about use that are coming from the Regional Council. That's where you need to focus some effort if you want to address a major problem with subsistence management under the Federal.

CHAIRMAN TOWARAK: Sue.

MS. ENTSMINGER: Yeah, well, I want to ditto what Ralph and a bunch of them have said here. When you -- I don't think people like being put in a box and if someone said 25 percent that's putting them in a box and the public doesn't like boxes, period. Stay away from boxes. My recommendation is to stay away from that because it just creates an unnecessary regulation.

And, ditto, I mean well said, that's where you will find, you know in your area if there's a problem.

CHAIRMAN TOWARAK: Go ahead.

MR. H. BROWER: Thank you. The North Slope Regional RAC has had a lot of discussion over that question as well in terms of ours -- use Barrow as a community as an example. We're riding that borderline, you know, in terms of how the numbers have been derived within the previous program in determining the rural characteristics. Being at 7,000. If we'd be at that 7,000 and that's the limiting number that is being used or subjected, but then the population increased by 25 and now we're over that and we're going to be -- I mean taking scenarios into play we would be considered non-rural if that was the criteria that was
being used. But then a couple years, or several years
pass by, a major accident happens, our population went
down again, or people move out, and we're back to 6,999
so does that mean we're going to have to ask the
Federal Subsistence Board to consider that our
community be rural again because of the numbers that
we're dealing with now. Are these the kind of numbers
that we should be looking to be working with or is
there a different method that could be implemented as
to what's been stated here.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. And --
well, go ahead -- Simeon [sic] had his hand up earlier,
then you Bert.

MR. SIMEONOFF: Kodiak is in kind of a
unique situation because we have a transient
population, you know, a Coast Guard base, and it's very
important that we have it there and everybody's very
appreciative of having a Coast Guard base, one of the
largest in the nation, but it's a transient population
that increases the population of Kodiak village itself.

You know, we were talking earlier about
not denying a non-Native person the right to subsist if
he lives in a non-rural area, but by the same token, we
have a transient population that increases our
population and if that's the case then we have a
situation where numbers come into play where our
population will increase to a size where Kodiak would
be considered non-rural. If we did not use the
transient population, and if using the numbers, Kodiak
would be a rural community and it should be, just the
simple fact that Kodiak is an island, and the cost of
freight to Kodiak is astronomical, no matter which
cargo carrier you use, the people of Kodiak are going
to pay an arm and a leg to get their stuff there.

It's a beautiful place to live because
it's, you know, abundance of food, abundance of
subsistence.

But on the other hand we have the
Buskin River system right there that both Kodiak, the
Coast Guard base, Chiniak, Pasagshak and Antone Larsen,
you know, all the people that come into Kodiak, if they
have an opportunity, will use that river system for
subsistence fishing. It's a hard hit area. It's the
hardest hit river system on Kodiak Island. If we -- I used the number 25 percent population growth, you know, I would think that the transient population of the Coast Guard raises the Kodiak population significantly and 25 percent might be high, it might put us in a box, but -- but when we talk about the availability of subsistence for our people and, you know, given the fact that we do not want to deny everybody, but Federally recognized people are seeing their system depleted and if it depletes far enough it'll be taken away and, you know, everybody suffers when that happens. And in order to prevent that from happening, you know, we might consider the fact that you're not a Federally-qualified user, we got to make compromises somewhere and we got to try to accommodate everybody but we don't want to prejudice ourselves or prejudice somebody else for the sake of subsistence.

You know, common ground, compromises, you know, we got to look for those.

I certainly would -- you know we have a situation in south Kodiak, you know, we have river systems that get hit pretty hard and that's not from subsistence use, it's not from -- it's a commercial operation that depletes the resource. You know if you look at any culture, the way of life has never been the cause of depletion of a resource, but, you know, just -- I'd just like to say that having a transient population makes it difficult to use the numbers.

Thank you.

CHAIRMAN TOWARAK: Okay. I'm going to -- how long are we allowed -- or are we -- do we have any restrictions on time for tonight.

MR. PELTOLA: You're the Chair.

(Laughter)

CHAIRMAN TOWARAK: Can we go until midnight.

(Laughter)

CHAIRMAN TOWARAK: I've been doing this all day, we've been trying to accommodate people that have come into Anchorage from out of town, and we have three people from Kodiak that would like to address
rural determination and I'd like to give them the floor
for a few minutes before they have to leave.

(Chair nods affirmatively)

CHAIRMAN TOWARAK: Brenda Schwantes.

MS. SCHWANTES: Good night.

(Laughter)

MS. SCHWANTES: Good afternoon, my name
is Brenda Schwantes. I would like, first of all, to
thank the Federal Subsistence Board for the opportunity
to participate in redefining rural determination.

I've been a resident of Kodiak since
1979, prior to that I lived in Ketchikan, Wrangell,
Naknek, and then started my life in Kodiak.

In each of these communities my family
and I practiced the customary and traditional use
subsisting on moose, caribou, deer, elk, goat,
ptarmigan, all salmon species, various rock fish,
including red snapper, black cod, sole, flounder, and
various other fish. Our family has gathered abalone,
clams, mussels, snails, gumboots, scallops and so
forth. We also enjoy huckleberries, salmonberries, low
bush cranberries, high bush cranberries, black or
crowberries, lingonberries, wild rosehips and various
indigenous grains, like fiddlehead ferns, although I
know those aren't at subject here. I'm just trying to
paint a picture of a way of life.

In addition, we garden and cultivate
rutabagas, turnips, radishes, cabbage, broccoli,
cauliflower, potatoes, kale, swiss chard, peas,
cucumbers, tomatoes, squash, garlic and various herbs.

Needless to say my pantry and freezers
are filled with the many natural resources that we're
accustomed to eating.

The Federal Subsistence Board's task of
making recommendations to the Secretary of Interior is
an opportunity, although sometimes I'm sure it feels
like a burden, but it's an opportunity for the Board
and the RAC to advocate for people in Alaska who have
traditionally practiced harvesting subsistence or a way
of life.
My recommendations, and this is what I think the Federal Subsistence Board is looking for, and I heard it from most of the RAC tonight and I'm glad that they are all supportive of these ideas, are: making it a system, a better system, rather than what's currently in place. And first, at the top of the priority would be looking at community characteristics. You can add four, five, six, seven, eight, nine, whatever and we heard them all tonight, with transportation, geographical location, community infrastructure that can all make strength of the community, you can put anything in there, the community characteristics that the Board would like, that would define what you think a rural community should look like. Some of those could be health services available or how far the community is from a larger hub.

So, second -- so the first one would be the community characteristics.

Second. Population threshold. Could be a secondary measure. The current population threshold, though, and the aggregation should be removed from a population count. I'm from Kodiak, did I say that, oh, yeah.

(Laughter)

MS. SCHWANTES: So, yeah, you know, boy, when the Navy was in Kodiak years and years ago there was a lot of people and same with Saxman and Ketchikan and so forth. Population should not be aggregated, I strongly feel that way, like a lot of people here do. So the population threshold could be a secondary consideration. That should be increased to probably 15 or 20,000.

And last once a community is determined rural it should not have to be reviewed. For example, Kodiak's population right now is actually decreasing if you look at the numbers. So unless you know you have to define some significant change, I don't think that a community should have to be evaluated every 10 years and we have to defend our rights to do what we've been doing before the Federal Subsistence Board came along.

And that is all I have to say and I'd like to thank you for your time and your patience.

CHAIRMAN TOWARAK: Thank you for your
patience.

MS. SCHWANTES: Thank you.

CHAIRMAN TOWARAK: Is Pat Holmes here.

MR. HOLMES: Mr. Chair. I don't have
to go back until tomorrow so if one of the other ladies
would like to speak that would be fine.

CHAIRMAN TOWARAK: Okay. How about
Rebecca Skinner.

MS. SKINNER: My name is Rebecca
Skinner. I was born and raised in Kodiak. And I'll
keep my comments brief.

As has already been stated today,
subsistence is a way of life and I think it's very
difficult to capture that in a bullet point list or in
boxes.

I think that the population threshold
should be dropped.

I think that rural characteristics
should be given more weight.

I'd like to see a geographic component
added. Kodiak is a remote community and I think that
needs to be considered.

I think the aggregation criteria should
be dropped.

And for the review timeline I don't
think that communities should be reviewed every 10
years. I think if a community feels it should be
reviewed because things have changed it should request
the review, that can either come through the RAC, as
has been requested, or at the very least vetted through
the RAC, because I think the RAC is going to be most
familiar with what's happening in that community.

That is all I have, thank you.
(No comments)

CHAIRMAN TOWARAK: Thank you. Let's go ahead with Mr. Pat Holmes.

MR. ADAMS: Thank you, Mr. Chair -- oh, are you on.

MR. HOLMES: I don't know.

CHAIRMAN TOWARAK: Yeah, Mr. Holmes.

MR. ADAMS: I thought you said Adams.

(Laughter)

MR. ADAMS: I can't hear very well.

(Laughter)

MR. HOLMES: Turn the light on, okay, anyway, neither Bert nor I can hear very well and I was all set to let Bert go.

I am heartened by the similarity and context in the opinions among the RAC members, you know, their comments to you and that their parallels with Kodiak, I think, are so similar.

I'm also thrilled that this Board is taking such a proactive approach through Pat Pourchot's encouragement to determine what is rural for Alaskans, and it's nice to be finally asked that question. And it was really nice -- and I have a terrible memory as well as bad hearing -- but when Bud came down for our hearing and Tom Kron, who I've known for years and, of course, Glenn Chen, my favorite Minnesotan, because he certainly understands rural and BIA, and I will make some comments that are basically political because I think the previous review that was conducted by the previous Board back started in '97, I believe, '96, and went on, I really feel and it's only a supposition so this is not a liable statement, but I really feel that that whole process was driven by the Alaska Outdoor Council and by the so-called sportsmen that came up with the pipeline boom and they wanted to have what they felt was equitable allocation of resources and didn't want to see local folks, if there wasn't enough moose or caribou or bears, to go around, that everyone should have equal access to fly out and shoot the last
I have spent most of my life in Alaska and I feel a little bit contrary that those who were here first, if we came down to one deer left on Kodiak I'd rather Mitch have it, or him give it to one of the widows down the street than just to see it go -- somebody who just wanted to shoot one for its horns.

And so that whole process was very sticky and you could see it through the entire thing, you could read it on the Alaska Outdoor Council website. And I think that they had undue pressure on then the coordinator, Drue Pearce, and she did on the Board. And all the folks that went to that hearing that went on for a day and a half on the last time on Kodiak, and my good friend Bertrand was arguing about the inalienable rights of subsistence in Alaska, and my -- you know my heart went out to him and the Southeast RAC in what he was trying to say because most of the Board members were not listening, they had already made up their mind, they had already made up their mind about Sitka and Kodiak, and Kodiak, if we ever have to do this again, I was told by some of the OSM Staff that we contributed the largest volume of materials and poundage of anyone in the state and we feel very heartfelt about subsistence.

And if you think about it, our community has been there and I think if you're looking at rural, you need to look at how long that population has been in that are. Most places in Alaska, be it Sitka, Akhiok, Quinhagak, thousands of years, Kodiak -- in the town of Kodiak, folks have been there, they found artifacts 7,000 years back. It was the first European community, modern community, whatever that is, in Alaska, Sitka was second, we're sister cities, very similar.

But in that process, that hearing we commented and commented and commented and Heather Parker -- yeah, Heather Reft-Parker one of our ladies and the mother of two gave such a passionate discussion at our hearing that we had back in '98, we filled our auditorium, it was never down on the Federal record but we had 487 people in that auditorium and something like 47 or -- I don't know 40 to 80 that spoke. But we are so passionate about that.

But the Sun'aq Tribe and the other
tribal sources told people to come to that hearing. We had Father Piasis from St. Innocence, talk about somebody that could really keep you laughing the whole time, and we really had a good discussion, but it wasn't until the morning of the second day, about 10:00 o'clock, you could tell, all of you are professionals, and you've been to meetings, and you can tell the pulse of how a meeting's going and it was consistently, on the Kodiak discussion and the Sitka one you could feel that it was not going our way. And around 10:00 o'clock after they already had one break for coffee, the Chairman broke for coffee, had a little -- they had flip phones then, a little buzz, and they went back and had another meeting, off to the side, would never be allowed now, and then they came back and the folks that were saying, gee, Kodiak, it's just, there's no way it's just urban, there's too many people, you got to consider all the aviation and stuff, well, by golly said, well, you know, we've been listening and we really think -- we really think that you guys are rural and they went around the table, everyone that had talked for hours and commented that we were not rural were saying that we were rural, bingo, all over, done, out and we popped over, discussed Sitka and then we went to Saxman and I just about cried because it obviously was decided somewhere else how the decision was going to be made and I'm so heartened that you folks have gone through this process to ask about what criteria -- you're asking people that live in the Bush and rural Alaska, what do they think is rural, because that's the key phrase.

And it's not just the question of -- you folks are well intended and subsistence has been assigned to you with your new job but please look at depths, at the notes from the hearings, you've heard our intensive letter that Mitch read, and I'm secretary so I helped Carl Johnson write it and we spent a lot of time, and I'm here not only talking about the RAC but our community and for that last effort in the '90s and culminating in 2000 and then also this year I was co-Chair of what's called Kodiak Rural Roundtable. And in Kodiak we have a very unique model and Mitch has been part of that. And when we have a subsistence problem or resource problem, we sit down as a community, regardless -- plug your ears Carl, wherever you are, but regardless of what Federal statutes are on people talking to other people if you're a RAC member, it's only four, can't get more than, you know, we talk to the Fish and Game Advisory Committee.
members are members of those Advisory Committees and we say, well, Mitch, what's your bottom line and Bert, what's yours and we figure out a solution. And if you want to go back and look at your records, the mountain goat solution that we came up to I think should make the Outdoor Council quite happy because we provided a continuation of the sporthunt on mountain goats when we could have had two-thirds of the island removed for totally -- just for subsistence but we chose, because it was important to our community, we came up with a pretty unique answer, and that was coming up with a differential registration, the State helped us solve that one, on other things the Feds have helped us. And right now we're doing really well. And sometimes things don't work and sometimes we bicker a lot. But I think you can go to the universities and wildlife management and see that they talk about the Kodiak model and people sit down and try to find answers. And I'm really appreciating what you folks are trying to do.

And I've left out most of my talk so let me give you one joke from Iver. He sends his greetings, Tim. And I'm sure if he would come he would probably regale you with hours of stories.

But one of Iver's comments on the importance of geographic remoteness is that -- he had at our hearing -- Carl missed that one, but he got the essence -- and it was during the war the Japs tried to bomb us two or three times and they couldn't find us in the fog.

(Laughter)

MR. HOLMES: And, you know, then one of my favorites, I've been collecting these for years and I'll try to find my whole list and send it to you, and I think you'll all agree; is, if it smells rural, it is rural.

(Laughter)

MR. HOLMES: You know if it sinks a little bit and you smell the fish, the tide's going out, wow, that's good. And I've seen tourists come up and go, (makes sound) but it smells rural and it is rural. I mean that's just a really fine criteria.

And, you know, if you want to have a
bureaucratic cone then I think you should maybe look at
another criteria that I mentioned in my letter and
that's a rural subsistence hub community, and I've
heard it from several of your Council members and from
some of the Board. And we have an interesting dynamic
in Alaska, it's always been there, people go out in the
summer to fish camp, they go out in the fall to hunt
and fish, to their hunting and trapping places, and
then they come back to the home village, or the home
community. And we see even more of that nowadays
because we've had the rationalization, the limited
entry in halibut, and we calculated close to the loss
of 1,000 jobs because of those things, and so we have a
lot of highliners that benefitted from it and packed up
and moved back to Malibu or Phoenix or whatever, but
all those little places in town in our community are
filled with people that have moved in. I was shocked
to hear the village of Akhiok probably has 20 percent
of the population that it used to have when I used to
work there as a fishery biologist, and those folks have
either baled out completely or they've moved into
Kodiak as the closest community hub, just like you have
in Bristol Bay and Nome, Kotzebue, Dillingham, Bethel,
I mean folks go to the closest place where they've got
relatives, where they can spend the winter, and then
they go back to their villages or their fish camps.
And so that's a big consideration, so if numbers are up
or threshold numbers, all of the comments that you have
from our RAC's letter are absolutely valid. Because
I've talked to several base skippers and also having
worked in commercial fisheries, I know 40 percent of
our population is transient, there is no way they
qualify for subsistence and so choosing absolute
numbers, which might work really good for you if you've
transferred up here from Malibu or Phoenix or from some
other regional Federal hub, kind of a different thing
than a subsistence hub.

And so at the end of that what I'm
going to do is leave you with a question or a bit of an
Iver'ism and that is -- gosh, I sure hope I didn't lose
it.

(Pause)

MR. HOLMES: Just one moment, please,
I've been working some really long days.

Okay. If there is another apocalypse,
which does happen in Alaska every now and then, we have
volcanos like Katmai blow up, completely stops all boat traffic, all air traffic and we could very easily have multiple volcanos, I mean they've been going off in the Aleutians all year, we could have another little big bump like we had in '64 -- my first trip -- first time I lived in Kodiak was '63 and I went out to Shemya and nothing happened there, but it sure as hell happened in Anchorage and Prince William Sound and Kodiak, what if we had all those things at once, and we no longer have transportation, we no longer have roads to the State, we have no planes, we have no boats for weeks or months, what is going to happen and what defines rural and urban and that point because I know folks in Bristol Bay or Yakutat, they're going to get by, and Kodiak will get by because we know what to eat. I can go five minutes from my house and be down getting bidarkas and limpets and stuff off the rocks and catching rats at my neighbors house or whatever it takes to eat and, you know, we'll make out, we know what to eat and we know what to get, but I'd leave you with this one question, from those of you who live in Anchorage, what would you eat. What is the most numerous mammal, what's available to eat here in Anchorage, and I think that's what separates us from urban and rural.

And so I'll leave all my other little notes I've been taking at that point and I surely hope that you take the comments from our RAC and the other RACs because there's been hundreds and hundreds of hours gone into this discussion. And I think people throughout rural Bush Alaska thank you for being interested enough to ask.

Thank you, so much.

And I'd be glad to answer any other questions.

CHAIRMAN TOWARAK: Thank you, Mr. Holmes. Are there any questions.

(No comments)

CHAIRMAN TOWARAK: Before I go any further I'd kind of like to get a sense of where we're at with our agenda and we were scheduled, I think, for all day tomorrow and we also are scheduled through Thursday, so I'm assuming and let me get a sense from the Staff that we should have time in the next two days...
to go through the rest of our agenda.

(Laughter)

DR. JENKINS: Mr. Chair. Are you asking that of me?

(Laughter)

CHAIRMAN TOWARAK: I am.

(Laughter)

CHAIRMAN TOWARAK: I'm looking at you or Chuck or -- I don't have a feel for it.

DR. JENKINS: I have every confidence that you'll get through your agenda.

(Laughter)

CHAIRMAN TOWARAK: Okay. So there's not a need for us to go very late tonight. We've had, I think, a plenty enough long day as it is right now. I'd like to -- if the guys from Saxman are going to be here tomorrow I'd like to hear from them and get their feel for what should be criteria for our -- and our recommendations to the Secretary before we get into the final deliberation process -- or the -- I guess it is a deliberation process of ISC alternatives.

DR. JENKINS: Yes, Mr. Chair, we have about a five minute summary of the ANCSA and tribal consultations and then maybe 10 minutes of the general public -- 500 comments that we got from the public if the Board would like to hear those before adjourning for tonight or start in the morning with those; that's up to you.

CHAIRMAN TOWARAK: I think if we come in fresh in the morning that that'd be a good time to start with that and then we would get to the Saxman comments and then into our deliberations.

So if there's any -- if there's no objections I'm going to adjourn this meeting to 8:30 tomorrow morning.

VARIOUS VOICES: Recess.
MR. CHRISTIANSON: Motion to recess.

MR. C. BROWER: Second.

CHAIRMAN TOWARAK: Okay. Recess until 8:30 tomorrow morning.

(Off record)

(PROCEEDINGS TO BE CONTINUED)
CERTIFICATE

UNITED STATES OF AMERICA )
) ss.
STATE OF ALASKA )

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

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DATED at Anchorage, Alaska, this 27th day of April 2014.

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Salena A. Hile
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