

1 NORTH SLOPE FEDERAL SUBSISTENCE REGIONAL
2
3 ADVISORY COUNCIL MEETING
4
5 PUBLIC MEETING
6

7
8 North Slope Borough Assembly Chambers
9 Barrow, Alaska
10 August 14, 2012
11 9:00 a.m.
12

13
14 COUNCIL MEMBERS PRESENT:

- 15
16 Harry Brower, Chair
17 Rosemary Ahtuanguaruak
18 Gordon Brower
19 Lloyd Leavitt
20 James Nageak
21 Roy Nageak
22 Robert Shears

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27 Regional Council Coordinator, Eva Patton
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P R O C E E D I N G S

(Barrow, Alaska - 8/14/2012)

(On record)

CHAIRMAN BROWER: It's 9:00 o'clock now in the morning. I'd like to call the North Slope Regional Advisory Council meeting to order at this time.

Before we go any further on the agenda I'd like to just right into the invocation and I'd ask James to give us an invocation this morning and if we could also stand please.

MR. J. NAGEAK: (Invocation)

CHAIRMAN BROWER: Thank you, James. In regards to our invocation, it's something that's been passed on to us and we continue to share that at the start of our meetings. I'm not sure how that's different from other meetings but that's how it's been passed on to us and so we'll continue that, beginning with a prayer.

Thank you, James, for the invocation.

At this time we'll do the roll call and establish a quorum. It's supposed to be the secretary, right. If you're the Secretary, Lloyd, right.

MR. LEAVITT: Rosemary's the secretary right. Yeah, I read it this morning.

CHAIRMAN BROWER: Does the secretary do the roll.

MS. AHTUANGARUAK: Lee is the secretary but he's not here.

MS. PATTON: Lee's the secretary, I thought it was Lloyd Leavitt. I can do roll call for you.

CHAIRMAN BROWER: Thank you.

MS. PATTON: Gordon Brower.

MR. G. BROWER: Here.

1 MS. PATTON: Robert Shears.
2
3 MR. SHEARS: Here.
4
5 MS. PATTON: Roy Nageak.
6
7 MR. R. NAGEAK: Here.
8
9 MS. PATTON: Lloyd Leavitt.
10
11 MR. LEAVITT: Here.
12
13 MS. PATTON: Harry Brower.
14
15 CHAIRMAN BROWER: Here.
16
17 MS. PATTON: James Nageak.
18
19 MR. J. NAGEAK: Here.
20
21 MS. PATTON: Lee Kayotuk.
22
23 (No response)
24
25 MS. PATTON: Lee, he contacted me, he
26 is doing fisheries work, his work as an RIT out on the
27 coast. And, Rosemary.
28
29 MS. AHTUANGARUAK: Here.
30
31 MR. R. NAGEAK: I was waiting for her
32 to say your last name.
33
34 (Laughter)
35
36 MS. PATTON: I was about to.
37
38 (Laughter)
39
40 MR. R. NAGEAK: You can't start until
41 you correctly pronounce it.
42
43 (Laughter)
44
45 MS. PATTON: And please correct me.
46 Ahtuanguaruak.
47
48 (Laughter)
49
50 MS. PATTON: Okay, good morning

1 everyone.

2

3 CHAIRMAN BROWER: Thank you. We do
4 have a quorum with members present. So we'll continue
5 with our next agenda item, welcome and introductions.

6

7 Good morning everyone, and welcome to
8 Barrow, I hope you all had safe travels coming in, all
9 the Staff, welcome to Barrow. If it's your first trip,
10 or if it's not your first trip, enjoy the time here in
11 Barrow. I guess I came in just in the nick of time
12 yesterday, the evening weather seems to be very nice.
13 So it's a little bit of change in the weather here but
14 it doesn't last that long this time of the year. I can
15 see the weather's been changing very drastically around
16 here, in 20 minutes it might be good sun shine weather
17 and the next 10 hours could be a gloomy day, gloomy and
18 rain, cloudy. Anyway I welcome you all to Barrow and
19 hope you have safe travels home.

20

21 With regards to introductions maybe
22 we'll start from our right and go down and introduce
23 ourselves.

24

25 Bob.

26

27 MR. SHEARS: Well, good morning
28 everybody. Bob Shears. Robert Shears from Wainwright.

29

30 MR. G. BROWER: Good morning. Gordon
31 Brower from Barrow.

32

33 Yeah, Mr. Chair.

34

35 CHAIRMAN BROWER: Yes, Gordon.

36

37 MR. G. BROWER: Is there going to be a
38 period of time that we're going to be able to talk
39 about our encounters and stuff, is that somewhere along
40 the agenda?

41

42 CHAIRMAN BROWER: Yeah, I think so.

43

44 MR. G. BROWER: Because I'd also like
45 to hear introductions from who's present from any of
46 our major Federal lands from around.....

47

48 CHAIRMAN BROWER: So along that line,
49 Gordon, we'll have some interaction with regards to
50 some of the comments that the Council members would

1 like to share in regards to proposals or any other
2 concerns in regards -- related to all the agencies, so
3 we'll have that opportunity, then along with
4 introductions we'll identify which agencies are
5 represented here.

6

7 MR. G. BROWER: Thank you, Mr. Chair.
8 And also one other item. I'd also like to -- I see
9 that we have a few vacant spots and would like to know
10 which villages are not represented that needs to be in
11 there. Sometimes I would like to make a call to the
12 village mayor and talk about nominating somebody from
13 that village.

14

15 CHAIRMAN BROWER: All right, thank you,
16 Gordon. Lloyd.

17

18 MR. LEAVITT: Good morning. Lloyd
19 Leavitt, Barrow.

20

21 CHAIRMAN BROWER: Good morning. My
22 name's Harry Brower, Jr., I reside here in Barrow and
23 I'm the Chair of the North Slope Regional Advisory
24 Council.

25

26 MS. PATTON: Eva Patton, Council
27 coordinator.

28

29 MS. AHTUANGARUAK: Good morning.
30 Rosemary Ahtuanguak, Barrow.

31

32 MR. R. NAGEAK: Roy Nageak, Sr., from
33 Barrow.

34

35 MR. J. NAGEAK: James Nageak, Anaktuvuk
36 Pass.

37

38 MS. PETRIVELLI: I'm Pat Petrivelli
39 with Bureau of Indian Affairs.

40

41 MR. G. BROWER: Do we need to come to
42 the mic down here?

43

44 CHAIRMAN BROWER: Tina, they could just
45 probably.....

46

47 MR. G. BROWER: They could pass it
48 around.

49

50 CHAIRMAN BROWER: Yeah, thank you,

1 Tina.

2

3 MS. PATTON: That one isn't mic'd, the
4 long skinny one is.

5

6 MR. G. BROWER: The detached mic that
7 they use -- there you go, they got it.

8

9 CHAIRMAN BROWER: Thank you, Tina.
10 Ernest, we can start with you. Ernest.

11

12 MR. E. NAGEAK: Ernest Nageak, U.S.
13 Fish and Wildlife Service out of Barrow.

14

15 MR. CARROLL: Geoff Carroll, Alaska
16 Department of Fish and Game, Barrow. Good morning.

17

18 DR. YOKEL: Good morning, Mr. Chairman.
19 Dave Yokel with the Bureau of Land Management's Arctic
20 Field Office in Fairbanks.

21

22 MR. MATHEWS: I'm Vince Mathews with
23 Arctic, Kanuti and Yukon Flats Refuges out of
24 Fairbanks.

25

26 CHAIRMAN BROWER: If we can introduce
27 our guests as well -- okay, go ahead.

28

29 MR. JOHNSON: Carl Johnson, Office of
30 Subsistence Management. I'm the Council coordination
31 division chief so I supervise the Council coordinators.

32

33 CHAIRMAN BROWER: Thank you, Carl.

34

35 MR. G. BROWER: There's two guys in the
36 back.

37

38 MR. HOPSON: John Hopson, Jr.,
39 Wainwright.

40

41 MR. OLEMAUN: Thomas Olemaun, Native
42 Village of Barrow.

43

44 CHAIRMAN BROWER: Thank you. What
45 about the other person in the purple up there in the
46 third row.

47

48 MR. R. NAGEAK: Who is that guy?

49

50 CHAIRMAN BROWER: Yeah, we better get

1 him on the record.

2

3 (Laughter)

4

5 MR. BROWER: Good morning everyone,
6 welcome to Barrow. Charles Brower, Federal Subsistence
7 Board. Thank you.

8

9 CHAIRMAN BROWER: Thank you.

10

11 MR. R. NAGEAK: What is that red stuff
12 around your neck, sunburn or what?

13

14 (Laughter)

15

16 CHAIRMAN BROWER: We also have our
17 pastor from our Presbyterian church in the audience,
18 I'd like to recognize him, and make sure we don't miss
19 you for some of the folks that don't know you, thank
20 you for being here.

21

22 And with that, the introductions, we'll
23 continue on to our next agenda item. We usually have a
24 review of the agenda and the minutes, but it's a little
25 bit different in regards to the previous agenda, so we
26 have the government agency employees that were supposed
27 to be working with the North Slope Regional Advisory
28 Council, is that right, Eva, in regards to what's
29 identified here, under the government agency employees,
30 Donald Mike, Fish and Wildlife Service in Anchorage,
31 Office of Subsistence Management, Helen Armstrong,
32 again, with U.S. Fish and Wildlife Service, Office of
33 Subsistence Management, Dave Yokel with Bureau of Land
34 Management, Fairbanks Office, Dan Sharp, BLM, Bureau of
35 Land Management, Anchorage, Ernest Nageak, U.S. Fish
36 and Wildlife Service, Barrow Office, Glenn Chen, Bureau
37 of Indian Affairs working out of the Anchorage Office,
38 George Pappas, Alaska Department of Fish and Game.

39

40 MS. PATTON: Mr. Chair. This is the
41 meetings from the last -- the last meeting's minutes.

42

43 CHAIRMAN BROWER: Uh-huh.

44

45 MS. PATTON: And then if the Council
46 had an opportunity to review the minutes and make sure
47 they were accurate.

48

49 CHAIRMAN BROWER: I must be looking at
50 something different, it says February 16, 2012; I'm

1 sorry.

2

3 MS. PATTON: Right.

4

5 CHAIRMAN BROWER: I just flip the page
6 one more over, thank you for the -- somebody should
7 have caught.....

8

9 MS. PATTON: Yeah, sorry, it's the --
10 the past meeting minutes to review, uh-huh.

11

12 CHAIRMAN BROWER: I started reading
13 farther on down. Lloyd.

14

15 MR. LEAVITT: I'll make a motion to
16 adopt the agenda.

17

18 MR. G. BROWER: Second.

19

20 CHAIRMAN BROWER: Motion on the floor
21 and seconded to adopt the agenda as presented.

22

23 Discussion.

24

25 We have a couple of items that -- we
26 probably need to have a working agenda, we have some
27 Barrow -- some people in travel -- item 10 under old
28 business, there's one of those items that Sandy
29 Rabinowitch is still on travel route so he's -- if we
30 do get down to that item we can defer his subject until
31 after his arrival which will be on this morning's
32 flight. And then under new business under Item 11, we
33 have folks that are going to be with us through the
34 teleconferencing system for some of the items
35 identified under new business.

36

37 (Setting up NSB teleconference system)

38

39 CHAIRMAN BROWER: Tina, should we
40 break.

41

42 REPORTER: (Nods affirmatively)

43

44 CHAIRMAN BROWER: Okay, two minute
45 break for Tina to set up the North Slope Borough
46 teleconference.

47

48 (Off record)

49

50 (On record)

1 CHAIRMAN BROWER: Okay, Tina.
2
3 REPORTER: (Nods affirmatively)
4
5 CHAIRMAN BROWER: Thank you, Tina,
6 Tina, our recorder.
7
8 MR. R. NAGEAK: Mr. Chair, are they
9 working on the sound system.
10
11 CHAIRMAN BROWER: I think the
12 recording.
13
14 MR. R. NAGEAK: What about the
15 intercom, or, because I forgot my hearing aide and she
16 always has one for me.
17
18 (Laughter)
19
20 MR. R. NAGEAK: I thought there was a
21 speaker system.
22
23 REPORTER: It's on.
24
25 MR. R. NAGEAK: Can you make it louder
26 because when our secretary is talking I can't
27 understand her.
28
29 MS. PATTON: I'll talk closer into the
30 microphone.
31
32 MR. R. NAGEAK: Oh, yeah, that's a
33 whole lot better.
34
35 REPORTER: Is that okay?
36
37 MR. R. NAGEAK: Yeah, better, thank
38 you.
39
40 CHAIRMAN BROWER: Okay, thank you.
41 Tina, I'm not sure if we were able to cover the action
42 -- did you get the actions we just considered regarding
43 the review and adoption of the agenda.
44
45 REPORTER: I got it.
46
47 CHAIRMAN BROWER: You got it, okay.
48
49 REPORTER: Yeah, just continue on.
50

1 CHAIRMAN BROWER: So we just continue?

2

3 REPORTER: Yep.

4

5 CHAIRMAN BROWER: Thank you, Tina. We
6 had a motion and it's been seconded and we're under
7 discussion of review of the agenda.....

8

9 MR. R. NAGEAK: Mr. Chair.

10

11 CHAIRMAN BROWER:there was a
12 couple of items I just identified that need to be
13 deferred until after the flight arrives this morning.
14 The other one is on Item 11, which is another person
15 presenting through the teleconferencing so that will
16 happen this morning. And there's additional
17 information provided in the blue folder for the items
18 that we'll be discussing and identified under the
19 subjects.

20

21 MR. R. NAGEAK: Mr. Chair.

22

23 CHAIRMAN BROWER: Roy.

24

25 MR. R. NAGEAK: I agree with Gordon, is
26 there a noted time for members of the Regional Advisory
27 Council for comments.

28

29 CHAIRMAN BROWER: We have agenda item
30 under No. 14, Roy, is closing comments, we could
31 interject comments as you see fit around the subjects
32 that are covered items to our agenda and during agency
33 reports and number 7 under reports we have Council
34 members reports as well. So there's different
35 opportunities in terms of the concerns you would like
36 to voice to get recorded and voice at this Council
37 meeting.

38

39 MR. G. BROWER: Mr. Chair, under
40 discussion.

41

42 CHAIRMAN BROWER: Yes, Gordon.

43

44 MR. G. BROWER: Old business (In
45 Inupiat) probably about 10:30.

46

47 CHAIRMAN BROWER: I made a mention to
48 defer that if we do get to that item before the
49 aircraft lands this morning, we could defer that item
50 until after lunch, would that be okay.

1 MR. G. BROWER: (In Inupiat)
2
3 CHAIRMAN BROWER: They should be here
4 at that time.
5
6 MR. G. BROWER: That would be my input
7 under discussion is to move Item 10 until later on.
8
9 CHAIRMAN BROWER: Okay.
10
11 MR. G. BROWER: Since the presenter is
12 on route.
13
14 CHAIRMAN BROWER: Thank you, Gordon.
15 Any other discussion from the Council members.
16
17 MR. LEAVITT: Question called for.
18
19 CHAIRMAN BROWER: The question has been
20 called on the motion to approve the agenda with slight
21 modifications.
22
23 All in favor of the motion signify by
24 saying aye.
25
26 IN UNISON: Aye.
27
28 CHAIRMAN BROWER: Thank you. We have
29 an agenda before us.
30
31 Number 6, review and approve previous
32 meeting minutes, Page 5.
33
34 MS. AHTUANGARUAK: Motion to approve
35 minutes from February 16, 2012.
36
37 CHAIRMAN BROWER: Motion on the floor
38 to approve the meeting minutes of February 16, 2012.
39
40 MR. LEAVITT: Second.
41
42 CHAIRMAN BROWER: Seconded by Lloyd.
43
44 Discussion.
45
46 MS. AHTUANGARUAK: There is a
47 typographical error on spelling of my name, it's U-A,
48 on the first, U-A.
49
50 CHAIRMAN BROWER: Spelling correction

1 for Ms. Ahtuanguaruak needs to be corrected.

2

3 Any others noted in regards to the
4 contents of the minutes.

5

6 MR. LEAVITT: Mr. Chair.

7

8 CHAIRMAN BROWER: Lloyd.

9

10 MR. LEAVITT: Up here at Page 7 my
11 comment, third paragraph; the concerns of some
12 radioactive here in Barrow since a lot of our seals and
13 bearded seals and walrus have been found to be sick, I
14 would encourage the Council to push to have fish
15 studies done and vertebras and invertabras alike in our
16 ocean. First of all I would like to make, at this
17 time, to further, not just to seals, whatever they're
18 feeding out there, the seals eat the fish and see how
19 much of our fish is contaminated with radioactive
20 fallout from the nuclear fallouts a little over a year
21 ago. That's the only concern I would have.

22

23 CHAIRMAN BROWER: Thank you, Lloyd.

24

25 MR. LEAVITT: Just due to the history
26 that we have a lot of sick seals, bearded seals and
27 walruses.

28

29 CHAIRMAN BROWER: Thank you for that
30 concern Lloyd. I think we need to be cognizant of our
31 charge for -- the Regional Advisory Council is dealing
32 with terrestrial animals but the concerns can be voiced
33 to the appropriate agency and ask them to provide us a
34 report in regards to your concern, so we'll note that,
35 Lloyd, and then continue with that.

36

37 MR. LEAVITT: Thank you.

38

39 CHAIRMAN BROWER: Any other comments or
40 discussion on the contents of the minutes of February
41 16, 2012.

42

43 I think they noted in the report, I
44 wasn't present at the meeting -- during this winter
45 meeting due to other commitments at that time. Just a
46 short reasoning for it, in regards to that timeframe I
47 had overlapping meeting dates on that February 16, we
48 also had our Alaska Eskimo Whaling Commission meeting
49 convention and bilateral agreement along with a
50 conflict avoidance agreement meeting at that time so I

1 couldn't be at this Regional Advisory Council meeting
2 at that time.

3

4 MR. G. BROWER: Mr. Chair.

5

6 CHAIRMAN BROWER: Yes, Gordon.

7

8 MR. G. BROWER: I'd like to also
9 mention that I was here in Barrow but during that time
10 we had a blowout with the Repsol drilling operation and
11 my other commitments and workload that deal with oil
12 and gas operations on a day to day basis could not let
13 me attend this meeting as well due to the emergency.

14

15 CHAIRMAN BROWER: Thank you, Gordon.
16 Any further discussion in regards to the contents of
17 the minutes of February 16th.

18

19 MR. LEAVITT: Question called for.

20

21 CHAIRMAN BROWER: The question has been
22 called on the motion to approve the minutes of February
23 16, 2012, all in favor signify by saying aye.

24

25 IN UNISON: Aye.

26

27 CHAIRMAN BROWER: Opposed say nay.

28

29 (No opposing votes)

30

31 CHAIRMAN BROWER: None noted, thank
32 you.

33

34 Our next agenda item is No. 7, report,
35 Council members. We'll start from, James, any reports
36 you would like to share with our Council and the public
37 at this time.

38

39 MR. J. NAGEAK: Yeah. Thank you for an
40 opportunity to say a few words.

41

42 (In Inupiat)

43

44 One of the concerns we have for the
45 Anaktuvuk Pass area since we're right in the midst of
46 the Gates of the Arctic National Park, the activities
47 that are happening outside of our area. There's a
48 letter to the Governor from the Commission and it's
49 attached in your folder here so that's the kind of
50 stuff that we try to generate, you know, it's something

1 called a hunting plan for that -- that the Governor
2 wasn't very enthused about and so, therefore, the Chair
3 -- we have a Chair from Allakaket, he's Pollock Simon
4 and the co-Chair is from Wiseman, Jack Reakoff, and
5 Jack is our -- I want to say expert in the nuances, the
6 language that is used to convince that the government
7 agencies like to use all these big words and he's the
8 one that could counter some of those big words in their
9 own language so we usually use him as a person to put
10 together the concerns that we have as the Subsistence
11 Resource Commission for the National Park Service. And
12 I didn't see the letter -- I should have gotten it --
13 Marcy Okada is our person of contact that keeps our
14 records straight, she's -- they have an office there in
15 Fairbanks, and we have a letter from Jack Reakoff also
16 concerning the road to Umiat, that is one of the
17 concerns that we have in our area, is that the east to
18 west road system would be very detrimental to the
19 migration of the caribou that we hunt, especially when
20 the Central Herd, Teshekpuk Herd, that group of animals
21 that we use as a resource, and he has a really good
22 letter to the people that are working on the
23 environmental impact statement that is being put
24 together for the road to Umiat, and their office is in
25 Fairbanks -- the Department -- the Corps of Engineers
26 office in Fairbanks, that's the agency that is putting
27 together the information about the concerns that we
28 have. And Jack has written a really good one
29 concerning the -- they call it the food health issue,
30 and I'd like for us to get a hold of that letter so
31 that we can begin to be a part of the conversation that
32 is going on with the Department of Transportation that
33 has proposed a road to Umiat. And then there is
34 another road that is going through, maybe from Tulik
35 (ph) going -- and then there's another road that is
36 coming right -- east to west to Umiat and -- and then
37 there is a route that is more -- I don't know how to
38 say it, you know, the Anaktuvuk Pass people are very
39 resistant, we are adamant about the Department of
40 Transportation to drop the project, no road, no
41 problem. But if there is going to be a road to Umiat
42 there is a road that goes to meltdown, I don't know why
43 they call it meltdown.....

44

MS. AHTUANGARUAK: Melt water route.

46

47 MR. J. NAGEAK:melt water route,
48 yeah. I don't know why they call it melt water, it's
49 just the middle of nowhere, I guess, but that is the
50 route that the city of Anaktuvuk Pass has reluctantly

1 maybe would support a road to Umiat from that
2 direction. It would be a -- not a very big east to
3 west road but kind of north to south to the Umiat area.
4 So that's -- so because of the concern of Anaktuvuk
5 people, the community of Anaktuvuk, they hadn't even
6 considered doing an environmental impact statement for
7 that area, now I think that they are doing some work so
8 that we can be made better customers or I don't know
9 what the term is, make us feel better, that they have
10 done an environmental impact study for that route.

11

12 So that is our concern.

13

14 We have other concerns that happened
15 one time, you remember the National Park people trying
16 to -- I don't know what they -- harassed the hunters in
17 that area, you can't -- and so those are the types of
18 things that the Subsistence Resource Commission tries
19 to work with the National Park Service to alleviate
20 some of the problems that are created because we are
21 living in an area that is being monitored by the
22 Department of Interior and so if you have any questions
23 you could email Marcy Okada in the Fairbanks office for
24 the National Park Service. She is the one that
25 collates our information and tries to give us an
26 understanding of what's going on throughout the
27 National Park system. We have -- our members of this,
28 kind of diverse. We have people from Northwest, Levi
29 Cleveland and your cousin, the one that you met in the
30 middle of the road looking for his family, remember.
31 Remember you were walking, I'm looking for my
32 relatives.....

33

34 MR. R. NAGEAK: Oh, yeah.

35

36 MR. J. NAGEAK:from.....

37

38 MR. R. NAGEAK: Komack.

39

40 MR. J. NAGEAK:yeah, Komack.

41 Leroy, I think it is, he's in that Commission. Myself
42 an Rachel Riley is also on the Commission from
43 Anaktuvuk Pass, we have two members from our village.
44 You have made it possible for me to be a part of --
45 this Regional Advisory Council is my sponsor, to be a
46 part of that and my term is up so in the agenda it's an
47 action item for me to be reappointed from Anaktuvuk
48 Pass on the Subsistence Resource Commission.

49

50 Thank you.

1 CHAIRMAN BROWER: Okay. Thank you,
2 James. I think you covered some community concerns as
3 well in regard to some of the other items under the
4 Gates of the Arctic Subsistence Resource Commission,
5 you provided an update on the concerns that we voiced
6 regarding the proposed road to Umiat. The road to
7 resources is something is something that was generated
8 by the state of Alaska and they've done some research
9 in terms of proposed routes and I think those are the
10 areas that your community is concerned about. You also
11 mentioned a preferred route to the resources rather
12 than what's been proposed by the Department of
13 Transportation on their proposal. So I hear you and I
14 took some notes down. I'm not clear if you're wanting
15 some kind of response from one of the Federal agency
16 groups that deal with the land management in those
17 proposed routes. Is that something we could ask of,
18 either.....

19
20 MS. PATTON: Mr. Chair, if I may.

21
22 CHAIRMAN BROWER: Eva.

23
24 MS. PATTON: So we do have a -- Melissa
25 Riordan is scheduled to come in the winter meeting, she
26 couldn't be here today, but under agency reports I have
27 some updates that she was able to tell me about. And
28 also she wanted the Council to be aware that the
29 Council has an opportunity to write a letter to request
30 information, to make comment, or express concerns about
31 the proposed road. That letter can be drafted to the
32 Board of Fish, Board of Game and the Federal
33 Subsistence Board, and if Army Corps of Engineers is
34 cc'd on that letter then that becomes a part of their
35 public record and will be considered prior to the EIS,
36 when that -- that is scheduled for fall of 2013. So
37 there very much is an opportunity for this Council to
38 request information, make comment and express concern.
39 And I can provide a little bit more information when we
40 come to those agency reports.

41
42 CHAIRMAN BROWER: Thank you, Eva.

43
44 MR. G. BROWER: Mr. Chair.

45
46 CHAIRMAN BROWER: Yes, Gordon.

47
48 MR. G. BROWER: The question's for Eva
49 and also for James, you mentioned an opportunity to
50 provide comments from this body here.

1 MS. PATTON: Uh-huh.

2

3 MR. G. BROWER: Then what kind of
4 weight that would carry in terms of our concerns with
5 various different EIS' on the North Slope, in
6 particular, for NPR-A and the one that DOT led the way
7 with the Corps of Engineers for the road to Umiat, how
8 does -- how would we proceed, this body, to do that,
9 through a motion, to just direct talking and you'll
10 record it, or in a formal letter to the appropriate
11 entity that needs to review these?

12

13 MS. PATTON: Sure, Mr. Chair, if I may.
14 The Council can make a motion and make a motion in
15 terms of you want to draft a letter stating the
16 Council's concerns, or the Council's interest to whom
17 you would like to draft that letter. So the Council
18 needs to make that as a motion in the meeting to make
19 it official. Then there is time I can work with all of
20 the Council members both to provide further
21 information, to get your input and, you know, then we
22 have until the following meeting or if there's a
23 comment deadline to draft that letter together, and
24 that would be again a formal letter that would be
25 signed by the Chair after the Council had an
26 opportunity to review it and approve that letter. But
27 a motion does need to be made at this meeting or at
28 other subsequent meetings to approve a letter.

29

30 MR. G. BROWER: Mr. Chair.

31

32 CHAIRMAN BROWER: Thank you, Eva.
33 Continue Gordon.

34

35 MR. G. BROWER: Yeah, just a follow up
36 then. I really appreciate that. Because I think we
37 need to know as a body, to be able to be heard
38 correctly in how we express ourselves, because it can
39 be easily skewed if we don't do it in a formal way or
40 you're just recording it.

41

42 The other thing is, is it's been a long
43 time since I've been at a meeting because it's either
44 conflicting with meetings, it would be very good, I
45 think, to do a little bit of pre-meeting set up, you
46 know, being notified early so that we can get feedback
47 on timing and stuff.

48

49 And the other concern I had was I
50 remember drafting comments, I think I made them on my

1 own when this initiative with strengthening the
2 Regional Advisory Council and its role to the Federal
3 Subsistence Board and how that interaction plays. I'd
4 like to get some feedback, not now maybe but if it's
5 that easy, how much more weight the Regional Advisory
6 Council now has than the previous 10 years I've been on
7 the board, off and on, you know, for 10 or 13 years
8 now. But it would be -- because I've had so many other
9 commitments, it's always been one of my concerns is
10 where are we now in terms of our, in action, and our
11 ability to influence a little bit more.

12

13 MS. PATTON: Mr. Chair, if I may.

14

15 CHAIRMAN BROWER: Yes, go ahead, Eva.

16

17 MS. PATTON: Carl Johnson may want to
18 speak too, to some of the developments at OSM. So this
19 Council does have additional authorities and as an
20 appointed body, and so formal letters that are written,
21 and, again, it needs to be made as a motion and then,
22 you know, the final letters agreed upon by all members
23 of the Council to be forwarded as a letter from the
24 Council. But there also has been, and maybe what
25 you're referring to, is some of the new tribal
26 consultation developments that have been happening, and
27 we will have somebody, actually Pat will speaking to
28 that later this afternoon so there is quite a bit of
29 weight that the Council carries and opportunity to
30 provide those letters throughout the process to the
31 Board of Game, Board of Fish, or the Federal management
32 agencies such as Army Corps of Engineers, you see in
33 the EIS process.

34

35 CHAIRMAN BROWER: So before we continue
36 I think I'll just remind you all that we're under the
37 Council members report, and the concern that Gordon
38 brought is valid and Carl will give you -- it's one of
39 the items that maybe we're going to discuss the similar
40 issue, if you could jot that note down in terms of
41 bringing that concern forward would be appropriate,
42 Gordon, if you would like to. So your concern, we'll
43 carry that forward, beginning with James and his
44 community voicing the issue and we also have concerns
45 we'd like to voice as well in support of each other in
46 concerns. So I'd like to keep moving along in regards
47 to our agenda items.

48

49 Gordon.

50

1 MR. G. BROWER: To James (In Inupiat)
2 on his role with the Subsistence Resource Commission.

3
4 MR. J. NAGEAK: Yeah.

5
6 MR. G. BROWER: I think it's an
7 appropriate time to address that since he is acting on
8 that.

9
10 CHAIRMAN BROWER: Yes.

11
12 MR. J. NAGEAK: 11B.

13
14 MR. G. BROWER: (In Inupiat)

15
16 CHAIRMAN BROWER: Gordon, if I could
17 just respond since we're being recorded, I think that
18 we'll have that agenda item identified as an action
19 item we'll get there accordingly and then we'll follow
20 up with the concern that you and James have brought up
21 in regards to the membership to the Gates of the Arctic
22 Subsistence Resource Commission.

23
24 MR. G. BROWER: Quyana, thank you.

25
26 CHAIRMAN BROWER: Thank you.

27
28 MS. AHTUANGARUAK: Mr. Chair.

29
30 CHAIRMAN BROWER: Yes, Rosemary.

31
32 MS. AHTUANGARUAK: I also wanted to
33 recognize that these concerns also cross over to
34 Nuiqsut with other communities nearby, there are also
35 roots for AKP and for Atqasuk depending on what happens
36 and where the activities occur.

37
38 CHAIRMAN BROWER: Uh-huh.

39
40 MS. AHTUANGARUAK: This could have
41 really serious impacts to North Slope villages with the
42 migration of this herd and other herds that go through
43 this area. It's really important for -- it's a primary
44 concern for Anaktuvuk but it's a regional concern for
45 our area on the risks that are being posed. We've seen
46 changes to migratory route near Nuiqsut with previous
47 activities. There's always been a lot of concern with
48 the melt water route that impacted some of the
49 migration and failures to make corrections as well as
50 failures of mitigating measures to be effective and to

1 mitigate some of these impacts. So that's also very
2 important as we're looking at this process of what is
3 being posed as recommendations to answer these
4 concerns. We're very appreciative that these concerns
5 are being heard and are moving forward, but we also
6 need to make sure that we continue to have good
7 involvement as this process goes forward and be aware
8 of the changes that are being recommended and that
9 we're not seeing the results in a document later on
10 that we weren't prepared for.

11

Thank you.

12

13
14 CHAIRMAN BROWER: Thank you, Rosemary.
15 James, did you have any responses to provide?

16

17 MR. J. NAGEAK: Hum.

18

19 CHAIRMAN BROWER: Did you have any
20 responses that you want to provide to the questions or
21 comments?

22

23 MR. J. NAGEAK: (Shakes head
24 negatively)

25

26 CHAIRMAN BROWER: If not, we'll move
27 on.

28

29 Roy, we're under Regional Council
30 reports.

31

32 MR. R. NAGEAK: Some items, Mr. Chair,
33 and thank you for the opportunity.

34

35 It just so happened I was on a trip to
36 Atqasuk and for the life of me the oil companies, they
37 had a big camp and they were already studying the route
38 of the pipeline from the ocean and I'm going, wow, and
39 then what he's talking about, the route, proposed
40 routes east and west or whatever route apparently many
41 years before routes like these were already
42 predetermined by the powers to be, especially the
43 industry, and I'm going a day late and a dollar short
44 again. There's people that are already deciding routes
45 without adequate studies especially by the Federal
46 government, or whomever, there's always studies, that
47 somehow the people that are impacted and to me, they
48 seem more concerned about the impact of the animals
49 than the people that live off the land and off the
50 seas. Take the case of the polar bears and I'd like to

1 point that out, where all of a sudden they want to put
2 like a buffer period of like 25 miles or 100 miles off
3 shore so that the polar bears won't be impacted, but
4 for us that have lived for centuries on our lands, it's
5 like, what about our case, how being impacted, did
6 somebody put a buffer before Prudhoe Bay was born
7 impacted, did they put a buffer around us so that the
8 way that we live won't be impacted, that's always a day
9 late, dollar short. And that's my question, is, on
10 issues like these, where it was predetermined many
11 years before even the -- based off the off shore things
12 there's people that look forward 10, 15 years ahead,
13 the industry or whomever and now it's just coming up to
14 us, and with our biannual meetings and trying to
15 address those issues it's like we're five, six years
16 behind on somebody's timetable and I'm going who
17 decided on the route they're going to follow up there
18 in the foothills, go straight to Atqasuk and then
19 follow along the lower foothills towards the pipeline
20 and whether the coordination of the road could follow
21 that route or the State that's issuing the east and
22 west routes with concerns from impact of animals and
23 are those being coordinated by the industry or Federal
24 government that looks at the impacts under NPR-A, and
25 then the State's got their own minds on how they want
26 to do their thing, and the coordination, but always the
27 case like somebody has already predetermined what's
28 going to happen and then we're always the last ones to
29 hear about it and start asking the powers to be on
30 whether any impact or subsistence animals impact and
31 the studies that are starting to be so prevalent after
32 the area has been leased and after activities started
33 then all of a sudden all these Federal monies to do the
34 studies are made available and it's like a day late and
35 a dollar short.

36

37 Then the question that was given the
38 radio activity or what not, I saw a lady from a
39 university collecting water in the pump and they says I
40 want to see what kind of contaminants are already
41 coming in through the ocean and the Federal government
42 come up with a lot of studies and that was one of my
43 questions before and whether we could have a listing of
44 all the Federal studies that are being done in the
45 North Slope and whether those funds are being utilized
46 to make sure the impact in the region, the studies that
47 are being done, and there's so many because I know that
48 locally here, the oogrucks and the walrus that were
49 being studied for the past few years and they've got
50 the -- they got them each season and this one is by

1 (indiscernible), I think he works for the North Slope
2 Borough but a lot of these studies are done by
3 universities and whether they're owned by the
4 university or owned by the Federal government and our
5 access to them and what direction they want to take
6 with these studies that are being done, whether they'll
7 be available for us or whether somebody gets some birds
8 and say, see, what did we tell you, they're not being
9 impacted. On the health-wise issue, I could tell that
10 the oogruk and the walrus, the ones that we were
11 capturing this season are so fat because of the ice
12 that is close to shore and it's been close to shore for
13 the first time in 10 to 15 years, and with that we've
14 had a healthy stock of oogruk and walrus that are being
15 taken by subsistence hunters which is very good. I
16 mean within my family I see that and we're going,
17 Allah, we're being blessed by the ice being here.

18
19 But those studies that are being done
20 in -- and the routes that are predetermined, I mean
21 they said these routes were predetermined like 10, 15,
22 20 years ago by the industry that looks forward to how
23 they draw resources and now when I went to Atqasuk --
24 if I hadn't gone to Atqasuk I wouldn't have known, and
25 they're doing -- whatever, the helicopters that are
26 flying all over the place. And that's one of the
27 issues that our subsistence hunters are being impacted.
28 When I see like three black helicopters and I ask who's
29 helicopters are those and they say, the Army; oh, the
30 Seventh Calgary are already up here looking over us or
31 what. But the way that they fly around, and after they
32 fly around all of our oceans and our country, it's
33 like, right after that the caribou's gone. I mean
34 maybe it's because of the bugs or the way the wind
35 swats but right after that it's like some of my boys
36 went up inland yesterday and they went as far as --
37 went up inland and no caribou in sight. Maybe because
38 of the bugs that have moved on or wind, but to me
39 there's always been caribou from the beginning of
40 summer to the end of summer, September, October, right
41 around there in the Barrow area, but with the advent of
42 the Army that just want to test their helicopters, it's
43 like who controls them to come up here. Who permitted
44 them to come up here and just at a time when we need to
45 have subsistence resources. To me, personally, when I
46 see that it's like I just want to scream but they're
47 here already.

48
49 And the availability of the oogruk and
50 seal studies, that, like I say, they've done them for

1 so many years and I think they're owned by the North
2 Slope Borough or funded by the North Slope Borough to
3 do those studies and whether any reports will be given
4 to us on those -- and I've asked for how many studies
5 are being done by the Federal government or by the
6 State government in regards to the things that needed
7 to be done before any leasing or before any
8 predetermined route is being chosen or what not, so the
9 impact like my brother, James, said about the routes of
10 the caribou could be impacted and they're like -- like
11 I say especially with our biannual meeting that we hear
12 about these like way after. And somehow we need to get
13 into that loophole before somebody predetermined 10, 15
14 years ago on the routes that, like especially off
15 shore. And the studies being done by universities,
16 that are being done by universities, contracted by the
17 Federal government, and especially the ownership of the
18 studies if they're done by Federal government and the
19 availability of having our hands around those before
20 they're being interpreted as not being impacted.
21 Somebody determines and we always see this too that
22 somehow somebody -- the studies are looked at by other
23 people first and they say they're not being impacted by
24 their studies. That's a concern that I have.

25
26 And one of the questions that I've
27 always had and I think with the traffic that we see
28 just by the helicopters here and how our concerns of
29 guides not have to -- I had to ask that question on how
30 many guides are permitting or cabins made available by
31 guides that impact the caribou, especially moose and
32 caribou along the foot range and -- minimal -- but the
33 impact by individual fliers with float planes, with
34 wide tires that just go at their will anywhere they
35 want to go, the freedom that they have to do whatever
36 they want to because there's not enough people
37 spotchecking or whatever on the impact of what it does
38 to all the animals. One case in point was our last
39 meeting in Anchorage where the State had decided to
40 make available to the Interior and to the rest of the
41 state, five caribous a day along the Haul Road, and I
42 always remember the hearings that they used to have
43 before the route -- or the road to Prudhoe was made,
44 that this will not be open to the public, and for many
45 years it wasn't until now, after many years later it's
46 open. In the case where the east/west route and the
47 roads, where people say that it will not be open to the
48 public, but those are the issues that they say things
49 like this to make the road and after how many years,
50 the worst of the State people -- I mean there's -- like

1 I've always stated, there's enough animals to do -- to
2 catch what they need, but then when we start competing
3 and I see this on a statewide basis, too, when people
4 start competing with a limited resources then we see
5 tribal members nets and it's right in front of us on
6 TV, fish being cut away from nets because they didn't
7 abide by a season, subsistence users not abiding by
8 seasons because competition by commercial, competition
9 by sports fisheries and who goes first, and eventually
10 we could see that where we have the freedom to go with
11 the seasons that god has given us to hunt and what is
12 available and we have learned to live with the seasons
13 that god has given us but the seasons that are -- that
14 will be given to us like -- I don't want to take this
15 as being a negative or prejudice issue with the
16 buffalo, where it became available and it just got
17 wiped out by people coming in from the outside and as
18 it that the case when Prudhoe Bay opened with five a
19 day, you know, just so wide open that the Central
20 Arctic Caribou Herd will be decimated by people that
21 want to come up through the Haul Road and kill five
22 caribou a day and I'm going, wow, that's how the
23 Indians lost their buffalo. And now is the case that
24 they go, well, with the will of the people and the will
25 of the people and the majority of the people are out of
26 Southcentral and Fairbanks and they're the ones that
27 have more legislators and more of the law making body,
28 which is so many miles away from us. I just got back
29 from Juneau and when I hear the Governor speak about
30 spending a billion dollars for energy needs around
31 Anchorage and Fairbanks and then we see the rural needs
32 and I'm going, wow. And he had the guts to say that 90
33 percent of the State funding that runs the State, 90
34 percent of it comes from Prudhoe and our North Slope
35 area and the impact that it has, and like my colleague
36 here always like to state about the impact that it
37 always had with the -- and that's what I mean where
38 we're a day late, dollar short, always. And because
39 there's so many legislators are in Southcentral and we
40 go at the will of the laws that they create.

41

CHAIRMAN BROWER: Roy.

42

43

44

45

46

47

48

49

50

MR. R. NAGEAK: But it's the same
thing, it's the same concern.

CHAIRMAN BROWER: Thank you for voicing
those concerns and we need to have a little bit of time
to be able to react or to provide some additional
comments to your concerns that you voiced. What.....

1 MR. R. NAGEAK: You get -- that's the
2 point that I want to make with these biannual meetings,
3 only two meetings, the one in winter and the one in
4 summer. And the things that are happening are like how
5 many years, we're impacting to things that are being
6 done and being predetermined, like 10, 15 years ago and
7 like I say, in Atqasuk, they had already predetermined
8 how the offshore route was going to go and go along the
9 foothills all the way to Prudhoe and those are the
10 things that we need to hear about and where it would
11 impact our subsistence way of life. And these biannual
12 meetings, where we're finally trying to deal with
13 what's happening today rather we need to look forward
14 and start dealing with this that are predetermined,
15 whether those predetermined laws or predetermined
16 studies that need to be done, we need to start looking
17 forward rather than the daily.

18

19 Thank you.

20

21 CHAIRMAN BROWER: Thank you, Roy, for
22 voicing your concerns in regards to your observations
23 over timing. Again, I was trying to identify with the
24 concerns that you voiced in our agenda items. There's
25 several of them that we'll have some discussions on.

26

27 MR. R. NAGEAK: Okay.

28

29 CHAIRMAN BROWER: And at some point,
30 again, we'll have the opportunity to interact with the
31 agencies that will be presenting.

32

33 James.

34

35 MR. J. NAGEAK: I'd like to reconsider
36 my declaration awhile ago. I didn't hear real well
37 what you were asking me to do.

38

39 But there are some concerns that we
40 have other than the foothills, road to Umiat issue from
41 Anaktuvuk Pass. And I think in 2009 the Fish and Game
42 Board passed a resolution that affected the Anaktuvuk
43 people, it's the controlled use area, north of
44 Anaktuvuk Pass and it usually -- during the time that
45 the caribou are migrating, or going to migrate through
46 the area and so the Fish and Game Board made an action
47 that there will be a controlled use area north of
48 Anaktuvuk Pass, maybe from -- I think it's from
49 Chandalar Lake to (indiscernible), in that wide area
50 where supposedly there will be no air traffic in that

1 area from I think July 15th to October 1st, or
2 something like that. And that is one of the concerns
3 that we do have since it's the Fish and Game -- State
4 Fish and Game Board action, we see planes still going
5 over and there are no enforcement opportunities for the
6 State or, I don't know who would enforce a resolution
7 like that from the Fish and Game.

8

9 So that's another concern we have.

10

11 Having somebody to monitor the flight
12 of airplanes going from the south -- from south to
13 north because we have hunters coming in and we're
14 trying -- and that's another concern, that the guides
15 that we -- that are using the area for people from
16 Lower 48 or someplace and we're trying to educate them
17 the local customs of how we allow the caribou migrate.
18 If you don't disturb the first group of caribou that
19 are coming through, just let, you know, no action, no
20 hunting in the first group of caribou as they are
21 migrating, especially in the falltime, migrating south,
22 then the rest of the herd will follow the trail that
23 has been trodden on by the first group of caribou, and
24 we're trying to work with them. There needs to be an
25 opportunity to kind of educate the guides from that
26 perspective, that if the guides are not aware of the
27 local customs, and, oh, caribou are coming, bam, bam,
28 bam and that's the first group, and that diverts the
29 rest of the herd that is supposedly coming through that
30 area and they find another way because the leaders have
31 been disturbed already.

32

33 So that's a concern that we have.

34

35 Another one is that, you know, we've
36 been hunting caribou already. The other day my wife
37 and son went out and hunt caribou and one of them had
38 puss all over between the skin and the meat. What I --
39 what we want to do is to help those people that are
40 monitoring the health of our resources, walrus, seal,
41 oogruk and especially the caribou for us, that how do
42 we let the wildlife department here in North Slope, how
43 can they help us to get some samples from the sick, I
44 say -- I don't know what kind of sickness they have,
45 you know, I put emphasis on that sick word, how can
46 wildlife department help us in collecting samples from
47 those types of animals that we catch and so that's an
48 area in which we would like to be a part of the
49 research department of the subsistence resource, maybe
50 Carl will be able to help us in trying to put together

1 a kit of somekind to -- so that hunters, when they go
2 out and find an animal that is not -- that is something
3 that they going to leave behind, you know, we ask our
4 elders, what do you do with the sick ones, just leave
5 it, but we don't take samples out of it. So we want to
6 be a part of -- part of the equation where we try to
7 help to determine the health of our resources.

8

9 So that's another concern.

10

11 CHAIRMAN BROWER: So, James, if I could
12 -- I'm trying to accommodate some of the concerns
13 voiced by Roy in regards to the issues he voiced and --
14 but now we're overlapping your concerns and Roy's
15 concerns. If we could stop for a second and see if
16 there was any questions from the Council to Roy on the
17 concerns he voiced, to have a little bit of interaction
18 on those items, as to what he identified in regards to
19 concerns that he identified for us.

20

21 I don't mean to cut you off, James,
22 but.....

23

24 MR. J. NAGEAK: Oh, no, no, we have
25 another time to comment anyways.....

26

27 CHAIRMAN BROWER:to give some
28 time or opportunity for outside interactions between
29 the Council members and -- between -- so we can have
30 some kind of discussion, learning of ways to address
31 some -- maybe addressing at later time along with the
32 agenda items that we have but we need to -- at least I
33 need to be able to identify which concerns didn't get
34 addressed. So in that sense I'd like to have that fair
35 opportunity.

36

37 But for now I'm getting a message about
38 we need to take a short break so we could identify
39 who's on line. Eva, if we could.

40

41 MS. PATTON: Yeah, they're having
42 difficulty hearing on the teleconference line, so if we
43 can take a short break and reconnect the line so that
44 people can hear your testimony, too. So just a couple
45 minutes, I think, is what it'll take here.

46

47 CHAIRMAN BROWER: Just a second, before
48 you go on break, Lloyd.

49

50 MR. LEAVITT: I didn't mean to.....

1 CHAIRMAN BROWER: Oh, I seen your hand
2 so I was trying to figure out what kind of message you
3 were giving me.

4
5 (Laughter)

6
7 CHAIRMAN BROWER: Okay, we'll take a 10
8 minute recess.

9
10 (Off record)

11
12 (On record)

13
14 CHAIRMAN BROWER: I'd like to call the
15 North Slope Regional Advisory Council meeting back to
16 order after a brief recess. We're still under the
17 Council member reports. I was wanting to ask any of
18 the Council members if they had any questions to Roy to
19 discuss any further concerns or other issues that might
20 have jogged your mind about the concerns he voiced.
21 There's several that are written down and I may not
22 have gotten them all but at least there are some that I
23 did take notes on. But I'd ask the Council members
24 before going any further, if they may have any
25 questions to Roy over his concerns.

26
27 MR. R. NAGEAK: One comment, Mr.
28 Chairman.

29
30 CHAIRMAN BROWER: Roy.

31
32 MR. R. NAGEAK: One comment I wanted to
33 make, too, was that we need to be aware of the
34 statement that was made by Secretary of the Interior
35 Salazar on National Petroleum Reserve, and whether
36 that's a plus for us and the -- for the oil companies,
37 is, how they will coordinate which is environmentally
38 safe or the areas that they don't want to be impacted,
39 whether those are available now or whether we'll have
40 -- Ms. Wheeler e need to have some form of knowledge on
41 what the areas the Secretary Salazar don't want
42 impacted by the oil industries. That will be -- when I
43 heard that it was like, all right, somebody's got a
44 conscious in regards to how it will impact subsistence
45 resources that we have in National Petroleum. We need
46 to start moving forward or get ahead of what areas all
47 local people that are very familiar with the areas that
48 we consider are our subsistence resource areas.

49
50 Thank you.

1 CHAIRMAN BROWER: Thank you, Roy. Bob.

2

3 MR. SHEARS: Thank you, Mr. Chairman.

4 A question for James, if you could clarify, Anaktuvuk
5 Pass' subsistence activities in regards to dall sheep
6 and has there been any conflict with outfitters or
7 guide hunting in your area this year?

8

9 MR. J. NAGEAK: There's always a
10 conflict whenever a small -- airplanes are coming into
11 Anaktuvuk Pass and land there and usually hunters
12 taking off toward the area where the controlled use
13 area is, you know, they fly right over it. It is hard
14 for us. I married into the village so I am sometimes
15 am reluctant to say that this is my idea, it's their
16 idea, it's their concern, the people that have grown
17 up, that were born into that community and seeing the
18 decline as progress is going forward. I think that's
19 the thing, you know, we need to be aware that progress
20 goes forward but for subsistence uses and subsistence
21 hunters and gathers it becomes a decline. It becomes a
22 problem for us because we are not able to subsist, I
23 think is the term, from the resources that we have
24 because of outside progressive activities that are
25 happening.

26

27 I don't know if that answers your
28 question.

29

30 MR. SHEARS: Do you feel that the guide
31 and transport industry operating around Anaktuvuk Pass
32 is well regulated?

33

34 MR. J. NAGEAK: We usually ask that
35 question and there's so many agencies that have some
36 kind of restrictive enforcement abilities but we
37 finally have decided whose airplane is that, we've
38 decided that there will be somebody to take down the
39 numbers for the airplanes, you know, to see whether
40 those people are legally there because the North Slope
41 Borough and the BLM or somebody gave them the
42 permission to be a guide for that area -- for this
43 area. And so once we start having conversations with
44 those people that are giving permits to these guides
45 then I think that -- and there are some concerned
46 guides up there, too, people who are willing to work
47 with the community because we always ask, where's all
48 that good meat instead of the antlers that you are
49 taking out of our area. Where is all of that good meat
50 going. They try to appease our discomfort by, oh,

1 here's a couple shoulder blades for you, you know, we
2 still have that conversation with them, that you
3 shouldn't just give us the -- the best part of the meat
4 is the brisket and all of the meat, bone meat, you
5 know, not just the front quarters so there is -- there
6 is that problem.

7
8 MR. SHEARS: Thank you, James. Thank
9 you.

10
11 CHAIRMAN BROWER: Does that help with
12 your question, Bob?

13
14 MR. SHEARS: Uh-huh.

15
16 CHAIRMAN BROWER: Any questions to Roy
17 or James.

18
19 (No comments)

20
21 CHAIRMAN BROWER: Hearing none we'll
22 continue on with the Council member reports.

23
24 Gordon.

25
26 MR. G. BROWER: A question, maybe just
27 an observation in terms of Roy and James. Gordon
28 Brower, for the record.

29
30 Mentioned both the NPR-A, Salazar's
31 recent statements about the NPR-A EIS and looking at
32 the leasing. I'm just concerned that we're so now
33 reactive to development and a lot of our concerns
34 should be our resources and the regulations involving
35 our resource take and our -- and how well we're doing
36 but we're so, nowadays, inundated with having to say
37 something about resource development, lands, primarily
38 used for time and immemorial about subsistence use and
39 the availability of these resources from Galbraith to
40 Umiat and also NPR-A. And I would probably pose this
41 to the Council members, if you look at the EIS that --
42 the preferred alternative that the Administration of
43 the United States government has looked at to limit
44 leasing. I mean there's big areas identified that were
45 leased before and now identified as areas that would no
46 longer be available for leasing. And looking at
47 concerns about summer studies, about potential pipeline
48 right-of-way, you put those two together it almost
49 looks like the only way that the industry can do
50 something to build a pipeline is to go 50 miles, 60

1 miles south of Barrow and use that. And looking at
2 satellite information from past projects that I've
3 seen, radio collared caribou that are bordering
4 TransAlaska Pipeline, when you see thousands of little
5 dots and many interpretations about that -- some
6 biologists say that's the natural boundary of the herd
7 but when there is a pipeline in the road going on the
8 Alaska Dalton Highway and -- and I would beg to differ.
9 These caribous from observations of elders, like
10 reindeer herders and stuff they would say that the
11 caribou -- they would have to look out for reindeer and
12 caribou not to mix because it would be (In Inupiat) and
13 the caribou would mix, big herd would come and there
14 was not a big boundary like that. But looking at all
15 of these, I would pose the question to the Council
16 about this alternative that the United States
17 government is looking at. I would prefer that the
18 pipeline issues be way at the coast, at least the
19 caribou are able to come down and not be potentially
20 partitioned off 50 miles, 60 miles up inland as some of
21 the satellite radio information has kind of depicted
22 and interpreted many ways. I wouldn't want to
23 interpret it later on and say that pipeline would not
24 affect it way up there because we need those resources
25 to come to the coast. And looking at the preferred
26 alternative, I think there needs to be some sort of
27 message that the EIS itself, if you're looking at the
28 pro's and con's, it's -- I think there's issues related
29 to already disturbed areas formerly used defense sites
30 that we need those caribous to come along the
31 shoreline.

32

33 Those are my -- that would be my big
34 picture of looking at it rather than out of sight out
35 of mind mentality of putting a lot of space out of
36 reach of the industry.

37

38 (In Inupiat)

39

40 This from being a subsistence person
41 needing to harvest and suddenly come up with these
42 kinds of -- that was just my -- the only question I had
43 about this thing.

44

45 CHAIRMAN BROWER: Thank you, Gordon.
46 In regards to some of the discussions we have, I keep
47 looking back to what our charge is for in regards to
48 the North Slope Regional Advisory Council on
49 subsistence use resources and associated activity
50 within the lands is something that we're combining with

1 our comments and that's what we see, trying to -- one
2 of my observations in terms of trying to minimize the
3 impacts generated from these activities and the
4 concerns we're voicing are in relation to protecting
5 subsistence use areas and the animals that we depend on
6 for subsistence. Our charge is limited to discuss
7 regulations and issues of such that we try to address
8 the subsistence need for our communities. And when we
9 start compounding that I start thinking about what our
10 limitations are but there must be other avenues that we
11 could definitely utilize to generate our comments in
12 regards to environmental impact statements and things.
13 I'll stop there.

14

15 James.

16

17 MR. J. NAGEAK: I used a name in vain
18 this morning, and low and behold that name came here.
19 So I'd like to introduce you to Marcy Okada from the
20 Park Service. I told them you knew everything about
21 it.

22

23 (Laughter)

24

25 MR. J. NAGEAK: Marcy Okada.

26

27 CHAIRMAN BROWER: Thank you, James.
28 Thank you for identifying our other folks that have
29 just recently come in from the flight to Barrow so
30 maybe at this time I'd like to give them an opportunity
31 to introduce themselves and others as well. So, Marcy,
32 we'll start with you, just for the record if you could
33 state your name and who you're affiliated with.

34

35 MS. OKADA: I'm Marcy Okada, National
36 Park Service for Gates of the Arctic National Park and
37 Preserve and Yukon-Charley River National Preserve and
38 I'm based out of Fairbanks.

39

40 CHAIRMAN BROWER: Thank you. Sandy.

41

42 MR. G. BROWER: Were you guys able to
43 hear that on the teleconference?

44

45 REPORTER: No, we need to use the mic.

46

47 MS. HYER: No, I couldn't hear that.

48

49 CHAIRMAN BROWER: If you could come up
50 to the mic please. Sorry, thanks Gordon.

1 MS. OKADA: Marcy Okada, National Park
2 Service for Gates of the Arctic National Park and
3 Preserve and Yukon-Charley River National Preserve and
4 I'm based out of Fairbanks.

5
6 CHAIRMAN BROWER: Sandy.

7
8 MR. RABINOWITCH: Good morning
9 everyone. I'm Sandy Rabinowitch with the National Park
10 Service in Anchorage and I'm part of the Staff
11 Committee to the Federal Subsistence Board.

12
13 CHAIRMAN BROWER: Thank you. Is there
14 folks in the background, maybe just for introduction
15 purposes, if I could get you to introduce yourself --
16 there's a mic behind you. Tina's coming around so you
17 could use that.

18
19 MR. SAGE: Testing. All right, good
20 morning. My name is Joe Sage, Native Village of
21 Barrow, wildlife department.

22
23 CHAIRMAN BROWER: Thank you.

24
25 MS. RUTHERFORD: I'm Brittany
26 Rutherford, I work for Fish and Game, Division of
27 Subsistence based out of Fairbanks.

28
29 CHAIRMAN BROWER: Thank you.

30
31 MS. RODDY: Qinugan Roddy with ICAS,
32 natural resources.

33
34 CHAIRMAN BROWER: Thank you. ICAS is
35 Inupiat Community of the Arctic Slope, thank you.

36
37 Thank you, did we cover everyone Tina.

38
39 REPORTER: (Nods affirmatively)

40
41 MR. R. NAGEAK: If I could comment.

42
43 CHAIRMAN BROWER: Roy.

44
45 MR. R. NAGEAK: How we need to address
46 the advent of more people through the Pipeline corridor
47 and the Pipeline road, it concerns me that the national
48 security, the people on how they need to protect the
49 Pipeline and all the planes flying all over the country
50 of the North Slope, that somebody needs to monitor them

1 because the next thing you know, somebody's going to
2 sabotage the Pipeline, anybody picking up on that. We
3 could send that concern to national security that they
4 need to keep track of all those people that are coming
5 up with all their vehicles and all the planes that are
6 flying around on the North Slope, they'll be up to no
7 good. I think for national security somebody needs to
8 keep track of those and that's a place that we need to
9 start asking tough questions, who's taking care of the
10 Pipeline with all those people that are coming up with,
11 god knows that they've got inside their whatever
12 they're dragging with all their trucks and all the
13 airplanes that are flying around, who's keeping track
14 of them, for the sake of the Pipeline.

15

16 CHAIRMAN BROWER: Thank you, Roy. I'd
17 like to continue with our questioning from the Council
18 and if we could do that, any other questions posed by
19 the Council members to either Roy or James.

20

21 (No comments)

22

23 CHAIRMAN BROWER: If there are none
24 we'll continue with our agenda. Rosemary.

25

26 MS. AHTUANGARUAK: Hello, this is
27 Rosemary Ahtuanguaruak, I live in Barrow.

28

29 We had a good spring duck hunting and
30 geese hunting process, reported good hunting that
31 occurred. We've also had good season on caribou
32 hunting early on but now the efforts for our harvesting
33 caribou are more difficult near Barrow. There is a lot
34 of concern with many community members with the
35 increased activity around Barrow. There may be some
36 reactions that are already occurring. There's been a
37 lot of concerns discussed with me about the increased
38 helicopter activity that is really having a lot of
39 traffic, a lot of noise, a lot of activity around
40 Barrow and around the coast. We had good spring
41 whaling for us here in Barrow, a lot of celebrating
42 around that. The spring boating season, having the ice
43 near the coast we had a good (indiscernible - coughing)
44 and walrus hunting process that occurred. It was a
45 good process throughout. Many community meetings and a
46 lot of community activities of people sharing the joy
47 of having the ice near the coast and how it had been
48 many years since that had occurred. With the ice
49 moving out, it's changing their availability and those
50 concerns are reprocussing (ph) into this time period.

1 Hearing all of the concerns with the
2 previous commenters it gives us the reality of the
3 complexity of what we have to deal with. We're given a
4 small charge, this process, but we have generations of
5 impacts that we're bringing into the discussion here.
6 The strength of the discussion is coming from
7 generations of participation in various meetings and
8 watching changes that have occurred. The increased
9 activities near Nuiqsut and Anaktuvuk Pass are being
10 well heard here and there were a lot of concerns from
11 Nuiqsut with the Repsol blowout. There were many
12 community members that expressed concerns of illness.
13 I was able to go out there twice this summer and there
14 were a lot of concerns about lack of sampling done in a
15 timely fashion. A lot of concerns of the distribution
16 of what happened from that blowout and lack of clean
17 up. Allowing the permit to get approved without
18 getting a diverter in place is not something that we
19 should ever face again in the future. The impacts to
20 the village with their health is a reality of many
21 meetings and encouraging the agencies to get back out
22 to the community. There were promises given that they
23 would get back out there. That needs to happen.

24
25 One of the residents told me this year
26 that they're not going to hunt anymore caribou because
27 the last year, the last three caribou, all three were
28 sick. Those are very serious concerns when you have a
29 season hunter that is choosing not to hunt any more
30 near the village of Nuiqsut and lack of getting that
31 understanding into the level of where it needs to be,
32 to look at what are some of these concerns. We're
33 definitely causing increased stress to some of our
34 animals, we're showing with our harvesting that there
35 are sick animals that we're seeing but we're not
36 getting the information into an effective manner to
37 help with this concern. That also was repeated with
38 the concerns for the sick seals that happened and are
39 continuing to be seen out there. It was heard by me in
40 previous meetings for years prior to the study
41 happening, but getting it into the right process where
42 these concerns were elevated to help the process took
43 years to happen. We also are seeing a lot of concerns
44 because there are efforts to do research and monitoring
45 but the control of this research and monitoring is
46 being controlled by resource development and when
47 they're doing a research project with that process, it
48 is a process that does not look at the subsistence
49 issues in a strong way. We have to bring that process
50 into the table when we're having our meetings and if

1 we're not getting this information in a timely fashion,
2 we're not effective in bringing this discussion to the
3 table for us to address these subsistence impacts. And
4 we have to be looking at the data that's being
5 incorporated into this process. We are seeing
6 tremendous amount of changes to our hunting ranges with
7 many of our hunters, especially around Nuiqsut but also
8 in other villages now with the changes that are
9 happening in Barrow, there is so much activity that is
10 happening, you hear this all the time when you go to
11 the store or when you're at the post office, people
12 that are sharing concerns about the health of our
13 resources, changes that are happening.

14
15 There are also repercussions to changes
16 that are happening with climate change, the
17 understanding of that process is not well understood
18 and, yet, we're having to incorporate some of these
19 communications into our local community meeting
20 processes but, yet, you're tied at trying to understand
21 what are the real causes to these. Is it related to
22 all of the changes that are coming with increased
23 emissions or is it related to the new pipeline and pads
24 that are being put in that are causing impacts.

25
26 So we've seen a lot of changes with how
27 it's affecting our procedures, the way that we're
28 preparing our foods. We're seeing these concerns with
29 changes to the storage of our foods, with the ice
30 cellars and those changes. Some of our ice cellars are
31 damaged beyond use and those are real serious concerns,
32 especially as a whaling culture and the need for having
33 good ice cellars in these processes.

34
35 The convoluted process of the way that
36 the Department of Transportation issues have compounded
37 into this process is just another layer of trying to
38 understand what are all the impacts that we're facing
39 but also getting the enforcement of promises that were
40 given to us that they were going to put mitigating
41 measures forward in various efforts of developing and,
42 yet, not having any enforcement to those mitigating
43 measures that were put forward, it -- just with the
44 Alpine development unit. When we're fragmenting our
45 effectiveness in our process by the layering of all of
46 these administration processes, the State processes,
47 the industry processes, the effectiveness of us trying
48 to put forward a real solution to some of these
49 concerns have shown that we're failing in our state
50 with subsistence resource management. The compounding

1 with the meetings that we saw just this year, when you
2 listen to them, the more contacted areas have
3 devastation to multiple species. The further north you
4 go those decrease in severity but now we're rebounding
5 with severe impacts because of all the changes that are
6 being put forth.

7

8 So I hope that the processes move
9 forward in a better way because the fragmentation is
10 only facilitating our ineffectiveness.

11

12 We also had a lot of discussion related
13 to the legislative changes that are occurring.

14 Effectiveness in the changes of creating legislative
15 districts. We have only one person with three
16 different regions where many villages are being
17 impacted with one vote now and our foresight in
18 understanding that is not there because now with these
19 district changes it's really a severe problem for the
20 North Slope, the Northwest, and the Seward Penn area.
21 We're all lumped into one area. These are multiple
22 herds that we're dealing with. These are multiple
23 areas of waterways that we're dealing with. And to
24 lump them into one vote is a travesty for our people
25 and it gives me tremendous concern that we're at this
26 meeting and we're providing concerns and we have the
27 generations of our families in our villages upon our
28 shoulders that are hoping that we're going to put a
29 good forth face effort in this process but when it's
30 been gutted out by our state process to facilitate
31 their efforts and their agendas, it's a real travesty
32 of generations. We have a tradition and culture that
33 is highly viable without the impact. But we've heard
34 for generations on how land changes and water changes
35 can really impact us and, yet, the strength of these
36 processes are weakened by the fragmentation that's put
37 forward here and that's severely concerning to me
38 because we are already putting forward generations into
39 our process. Many people in my age group don't want to
40 participate in these meetings any more, it's very
41 difficult to get the public to participate when we're
42 showing the evidence of the changes on the maps that we
43 are putting forward with these processes, it's a
44 travesty that shouldn't be allowed to occur because
45 we're failing in so many ways. So I'm hoping that
46 being involved in this process, that our subsistence
47 uses are going to continue in the North Slope because
48 my mom's Native allotment, we don't have subsistence
49 hunting occurring on that near Fairbanks and we're not
50 going to get that back any time real soon, and I don't

1 want to see that happen to our Native allotments up
2 here. I don't want to see that happen to our villages
3 up here but we've already seen that. So I'm hoping
4 that we can put forward an effective process that we
5 are going to continue to have clean, healthy lands and
6 waters for the generations to come because that's why
7 we're still here.

8

9 We look in those new little eyes of
10 those babies that come into our families and into our
11 villages and we want them to stay strong and healthy
12 but if things happen to change the health of our lands
13 and waters it'll change the health of our foods and
14 we'll see it in those eyes that are to come, those new
15 little eyes. We have concerns that our health to our
16 little babies that are being affected right now with
17 existing changes. But getting that strength into this
18 process has been diluted severely and I hope that when
19 you see those little eyes that are having difficulty
20 breathing in your families, and in your villages, that
21 you'll help yourself, to become involved in this
22 process. When you have those grandchildren that don't
23 get to taste those special foods and those unique
24 tastes of the way that we prepare foods, that's a
25 devastation that shouldn't have happened, but we're
26 hearing this in many families and I don't want to see
27 it go throughout many villages.

28

29 Thank you.

30

31 CHAIRMAN BROWER: Thank you, Rosemary,
32 for your concerns. Any comments or questions from the
33 Council members to Rosemary.

34

35 MR. R. NAGEAK: Mr. Chair.

36

37 CHAIRMAN BROWER: Roy.

38

39 MR. R. NAGEAK: I concur with her
40 comments in regards to how legislatively and how the
41 votes that's coming up for the Coastal Zone Management
42 Plan and how we know for a fact that we are not the
43 majority. The people in the rural areas are the ones
44 that do most of the subsistence hunting, but rules and
45 regulations that control our limits, industry
46 activities are all decided by majority and that's how
47 it came about with the Coastal Zone Management Plan
48 that Governor Frank Murkowski had did away with, at
49 least we had some say-so, but when activities like that
50 where majority rules on a statewide basis, we're always

1 going to be at the losing end where Southcentral and
2 the urban areas have the majority of the vote, majority
3 of the law making legislation, legislators and it's not
4 a joke that most of them are controlled by the monies
5 that are given by the industry. It's so obvious on who
6 runs our state and the laws that are being made are
7 industry, and the users of the land and the ocean
8 always with the less say-so and that's what we're
9 fighting against. And when we look at our subsistence
10 resources, and like I stated, like with some of our
11 tribal members from around (indiscernible) where the
12 State comes in and starts tearing apart their fish nets
13 because they didn't comply with their season, the State
14 season for the take of subsistence and that's the stuff
15 that scares us. That even though we have plenty of
16 resources, how it gets wide open for use by other
17 people, and I'm really serious about what's going up
18 through the Pipeline corridor and what people are
19 packing behind their trucks in regards to the safety of
20 the Pipeline and the oil industry complex and I think
21 somebody really needs to seriously monitor what's
22 going up on the North Slope.

23

24 Thank you.

25

26 CHAIRMAN BROWER: Thank you, Roy.

27 Gordon.

28

29 MR. G. BROWER: Yeah, I would just also
30 support the comments that were being made.

31

32 I think if you look at what the Coastal
33 Management Program did in the past and what is being
34 proposed, I think it should be supported wholeheartedly
35 because it is a subsistence protection program as well,
36 if you look at coastal enforcement policies of the past
37 and it's a Federal program, a Federal program that is a
38 voluntarily -- it's voluntary by each state but we're
39 the only state in the union that has a coastal that
40 does not have a current plan, and also a State's rights
41 to affect Federal actions on Federal lands and also in
42 the OCS. I would hope that this body looks at ways to
43 immediately find a way to support this by a motion and
44 get it out in the public immediately and encourage our
45 coordinator to do that because I was in Anchorage
46 recently and there is a lot of miscommunication,
47 misnomers that are going around about the Coastal Zone
48 Management Program, and in the past it is a subsistence
49 -- very subsistence related issue so that we can voice
50 our concerns about subsistence to State and Federal

1 agencies of particular areas.

2

3 Thank you.

4

5 MR. R. NAGEAK: Mr. Chairman.

6

7 CHAIRMAN BROWER: Roy.

8

9 MR. R. NAGEAK: I agree with Gordon and
10 I think this body behooves to ask that question to our
11 Federal government on how they need to protect on
12 subsistence issues through ANILCA or say people that
13 are in the rural areas need to be protected by the
14 Federal government, either way, which way the vote
15 goes, somehow we need to get that authority back to the
16 Federal government in regards to what -- what, again,
17 what's happened to our subsistence way of life and make
18 sure that the Federal program do its share of
19 protecting what has been our right to do what as we
20 please.

21

22 Thank you.

23

24 CHAIRMAN BROWER: Thank you, Roy. In
25 regards to the conversations we need to be within the
26 parameters of our charge to the formation of this
27 Council. I think we have some limitations in terms of
28 how we can provide public -- in addressing public
29 issues. We probably need to look into the charter in
30 regards to generating letters and bringing them out
31 regarding true subsistence. Again, I don't have all
32 that information right before me and maybe at some
33 point in time, again, Gordon, if we could take that up
34 under an action item for consideration by this Council
35 would be appropriate. If you could bring that up again
36 at that time.

37

38 MR. G. BROWER: Yeah, Mr. Chair.

39

40 CHAIRMAN BROWER: Yes, Gordon.

41

42 MR. G. BROWER: Yeah, I would concur.
43 I think we should be racking up a list of proposed
44 motions that, regardless if we don't have the authority
45 or not to do so, just to make them and then I think the
46 attorneys for whoever governs this body can determine
47 whether or not they were appropriate or not. But I
48 think we had a lot of issues we covered in terms of
49 these kind of things.

50

1 CHAIRMAN BROWER: Thank you, Gordon.

2

3 Okay. Again, I've been reminded to
4 move within the agenda and we do have an agenda item
5 under Item 11, new business, Council charter review,
6 and we could probably learn a bit more about what our
7 limitations are and what the scope of this Council is.

8

9 MS. AHTUANGARUAK: There's a member of
10 the public that would like to comment.

11

12 CHAIRMAN BROWER: John, I'll give you
13 an opportunity to provide comments, come on down to the
14 mic please and state your name for Tina, and what day
15 you were born.

16

17 (Laughter)

18

19 MR. HOPSON: Mr. Chairman, John Hopson
20 for the record. Absentee voting has begun and on the
21 ballot is Ballot Measure 2 and that deals with the
22 Coastal Zone Management Plan.

23

24 CHAIRMAN BROWER: Uh-huh.

25

26 MR. HOPSON: I urge this body to go
27 ahead and make a motion to support Coastal Zone
28 Management Plan and put an ad out as soon as possible
29 so that people of Alaska will know what needs to be
30 done. We got to push to get past this. Anchorage is
31 putting a big campaign against the Coastal Zone
32 Management Plan with all their bologna that they're
33 putting out on TV, so the more support it can get from
34 bodies like this the better off we all are.

35

36 Thank you.

37

38 CHAIRMAN BROWER: Thank you for your
39 comments, John. We'll definitely look into your
40 concern as we get into our action items.

41

42 Any other questions or comments to
43 Rosemary.

44

45 (No comments)

46

47 CHAIRMAN BROWER: If not, thank you,
48 Rosemary.

49

50 Lloyd.

1
2 MR. LEAVITT: Good morning, Lloyd
3 Leavitt for the record. We're in a very unique
4 situation being above the PYK line, that's the
5 Porcupine Yukon Kuskokwim River. We were and are set
6 aside by the Federal government. The only thing
7 lacking in my eyes with all these concerns that we've
8 voiced out this morning is that the Federal government
9 is not assisting us with our needs, monitoring,
10 protecting anything that's above the PYK line.

11
12 And the other item that I've been
13 thinking about is that the tribal government, and ICAS
14 really needs to step up and work with the villages,
15 each of the villages on their concerns and bring them
16 forward to the Council here. They are consulting,
17 consulting, an agreement done by tribal governments to
18 each department under the Federal government.
19 Anaktuvuk Pass lands are all under the Federal
20 government and they're above the PYK, there shouldn't
21 be any hesitation by the Federal government to assist
22 their needs.

23
24 That's the bottom line of what I've got
25 to say other than opposing the Umiat Road. That who's
26 monitoring, who's cleaning up the sea, land studies,
27 all our animals and mammals out in the sea needs to be
28 studied, vis-a-vis nuclear fallout a year and a half or
29 so ago and I know for a fact that there has been a lot
30 of studies over the years here in Barrow and throughout
31 the villages. All the studies, all the biopsies that
32 have been taken by whoever, the wildlife department,
33 the Feds, they have not -- they have not been sent out
34 for further study. They are still sitting in our
35 freezers here in Barrow and that's where -- because of
36 lack of funding, this is what I know and this is where
37 the Federal government, in my eyes, really needs to
38 step up and assist the tribal government and the
39 Regional Council on our concerns and needs.

40
41 Thank you.

42
43 CHAIRMAN BROWER: Thank you, Lloyd.
44 Any questions or comments from the Council to Lloyd.

45
46 (No comments)

47
48 CHAIRMAN BROWER: If there are none,
49 again, thank you, Lloyd.

50

1 Gordon.

2

3 MR. G. BROWER: Yeah, thanks for the
4 opportunity to, you know, be here and I would encourage
5 all the agencies that need to be present here that can
6 make a difference in making sure that our voices are
7 heard better, you know, Fish and Wildlife Service, BLM,
8 ADF&G, ANWR, Gates of the Arctic, those folks that can
9 hear.

10

11 I'm also equally concerned about
12 representation for those that live in the villages. We
13 have a lot of Barrow folks here and limited village
14 voice. I know some of us has lived in some of the
15 other villages but have relocated, but having a wide
16 swath from Point Hope to Kaktovik really needs to -- we
17 need to encourage that more and we have open vacancies
18 and try to encourage people to be nominated.

19

20 Anyway, I think we heard a lot of
21 different things.

22

23 My concern in the past meetings that
24 I've attended for many, many years have always been
25 resource related on subsistence harvesting of our
26 resources, but over the last few years, because of so
27 much potential for resource development on the North
28 Slope, our focus has changed to impact, and that is
29 quite alarming to me as we are focusing on impacts all
30 the while how we need to express our harvesting, our
31 competing uses with guides, would Kaktovik worry today
32 about their ability to harvest moose, that was one of
33 the big, big issues we've had in the past, making sure
34 the resources are available to our residents. I'm sad
35 to say we have changed some major focus because of the
36 impacts that would potentially limit these -- further
37 limit these resources, not just from game guides and
38 competing hunting pressure but actual deflection,
39 availability of these resources are now a common theme,
40 a very big change. It's very, very concerning to me.

41

42 I've tried my best to do a lot of
43 hunting. I do have a whaling crew that was very
44 successful. We had lost of oogruks this year and I'm
45 glad, I think I'm going to (In Inupiat) for this year
46 because I've been painting my boat too many times now,
47 painting works but it's not like having a brand new
48 skin. But it was really nice to have programs -- I
49 think -- I don't know where wildlife department got
50 their funding and who they're associated with but I

1 think programs like providing, you know, like the
2 internal organs and the heads of suspected sick animals
3 or something like that in exchange for additional gas
4 was pretty awesome, I mean we were -- I think that was
5 a very good cooperation to influence like that and I
6 encourage that because it makes me part of the program,
7 in the same way that James has expressed from Anaktuvuk
8 Pass, they've got sick animals, there should be a
9 program in place that he can call and these types of
10 issues get investigated in the same way that seals are
11 being investigated.

12

13 Other than that I'm planning on
14 continuing my subsistence. I know caribou was
15 plentiful around here, but, you know, the prevailing
16 winds, you know how they move, when it's an east wind
17 they'll probably go to (In Inupiat) way over there and
18 if it's west wind they'll probably most likely go by
19 Wainwright or Point Lay or around coastal areas where
20 they can have good insect relief. So that's what I
21 know about caribou, they're not always available
22 immediately around here, they, yeah, just from
23 traditional knowledge wind is very much influential
24 about where these animals will go.

25

26 Last year my fishing was almost a
27 catastrophe, I probably made only 30 sacks maybe, I'm
28 usually making 60 or 70 sacks and it was just, I think
29 climate issues, I couldn't put the nets in the river at
30 all. It was -- the current was too swift, it was
31 slushy, any time you tried to put a net out it got torn
32 up and filled up with silt and snow and it had a very
33 hard time, ice formations along the river and I missed
34 the entire run. There's a very short window of these
35 resources, especially spawning season when they're most
36 desirable, I think.

37

38 (Laughter)

39

40 MR. G. BROWER: I love to have (In
41 Inupiat), that's what I go after.

42

43 (Laughter)

44

45 MR. G. BROWER: And I had the same
46 communication from down river, I think Chip 0 was my
47 closest partners last year and they -- I thought they
48 were doing good because they had nets under the ice, it
49 turned out they were dealing with slush and nets being
50 torn up as well so it was pretty difficult. So I'm

1 hoping this year, you know, normal window is about
2 September 25 it'll freeze and you can walk on the ice,
3 on top of the river around September 27 and you fish
4 until about October 8 and last year I had nets finally
5 under the ice October 11, and every fish I got was
6 already spawned out, good for making, you know, good
7 for piling up and making bait for your trapping season
8 at that point.

9

10 Other than that I think things went
11 pretty well just from my observations, they were maybe
12 climate related stuff.

13

14 I am very, very concerned about other
15 issues that everybody has made comments on and I tried
16 to ask appropriate questions and I think there's a lot
17 of concerns out here and I encourage -- you know it's
18 hard for me to come to a meeting sometime so I'm going
19 to emphasize from this standpoint that all resource
20 agencies got to be here because being able to connect
21 one on one is very difficult, and when we can commit to
22 a timeline and everybody be here is very important.
23 And I'm guilty of that because I wear so many different
24 hats and it's just -- I want to take some of them off
25 and focus on the ones that are really important to be
26 at.

27

28 Thank you.

29

30 CHAIRMAN BROWER: Thank you, for your
31 comments and concerns, Gordon.

32

33 Any questions to Gordon.

34

35 MR. R. NAGEAK: Mr. Chairman.

36

37 CHAIRMAN BROWER: Roy.

38

39 MR. R. NAGEAK: One area that he noted
40 was trap for foxes, and I think I know the Federal
41 government has a trapping program but it's at the wrong
42 time of year, it's in the summertime. To protect a
43 species that is from what I know that has always been
44 few is steller eiders and the spectacle eiders and I
45 know that they try to do it in the summertime -- or in
46 the wintertime, if they allow the local trappers, they
47 put a bounty on the -- the money that they spent, if
48 they put a bounty on the foxes, and I know in the
49 Barrow area they'll trap them up real quick, and not
50 wait for summertime when they're more evasive, it's

1 limited -- the amount of money -- maybe it's minute but
2 the system that they utilize for trapping in the
3 summertime is, I don't think it's working. The way
4 that I see it is like Federal monies, like a bridge to
5 nowhere or something.

6

7 MR. G. BROWER: Mr. Chair.

8

9 CHAIRMAN BROWER: Thank you, Roy.

10 Gordon.

11

12 MR. G. BROWER: Yeah, Roy, brought out
13 -- just a few things that was just squirreling around
14 and I failed to mention, too, there was a lot of
15 animals out there to trap. When you're doing good
16 hunting and you leave all your (In Inupiat) in a nice
17 big pile and the fish that nobody would really want to
18 eat, (In Inupiat) those are not desireables, I know I
19 try to make efforts to make sure trapping is part of my
20 activities and these resources are very, very able to
21 be impacted as well from these activities, when you can
22 have furbearing animals available.

23

24 One of the things that I failed to
25 mention and Maloney just kind of jogged my mind was
26 we've had lots of complaints including, as the North
27 Slope Borough representative and working in land
28 management of the Borough, concerns related to Fish and
29 Wildlife Service, USGS, all the Federal agencies
30 involved in studying on the North Slope and NPR-A and
31 area, why -- their activities are very secretive. Last
32 year we had a permit application from USGS to put in
33 several bear proof conexas for summer studies and then
34 they pulled their permit and we thought at the Borough
35 level that, oh, they decided to pull out, it turns out
36 they put them there anyway, and from my conversation
37 with USGS folks, their attorney said go ahead and do
38 it, we have Federal primacy laws in place that say we
39 don't need to look at local laws and I beg to differ
40 because we've worked with the Air Force on Cape
41 Lisburne cleanup and those issues came up and where the
42 law permits and to the extent that the laws apply they
43 should be coming to the local governing body to see if
44 they're are appropriate permits so that we can apply
45 the mitigation measures necessary to reduce the
46 conflicts and I bring that very strongly. And the
47 recent visit to Legacy Wells with Lisa Murkowski and
48 also associated visits with Salazar, these are being
49 expressed now; why is the Federal government this way
50 and the impacts being to the locals are not from the

1 industry they're from the Federal agencies, not wanting
2 to abide. When I went to go visit near PK13, you know
3 what those guys were doing, the USGS, the Fish and
4 Wildlife Service, they were collecting drums that my
5 father and other folks have put in place as markers in
6 the wintertime when it's featureless. You see a drum
7 and you know you put it on a certain hill, oh, I know
8 where I'm at and I keep right on going, those drums
9 were being removed, including antlers we put down for
10 trap tie-downs, they had a big stack of old antlers,
11 and they're picking those things up, those are cultural
12 resources. This is, I think, unacceptable and very
13 alarming. And these kinds of things need to be
14 discontinued and look at local laws on how you can
15 minimize these impacts and I expressed these, and the
16 highest regard of law to protect our right, our
17 indigenous right on this Federal public land to use
18 them in these ways.

19

20 Thank you.

21

22 CHAIRMAN BROWER: Thank you, Gordon.
23 Any questions or comments.

24

25 Yes, Lloyd.

26

27 MR. LEAVITT: Gordon was stating, I
28 don't know if I was understood by the rest of the
29 Council or not, the bottom line is the Federal
30 government is failing to work with us. The State of
31 Alaska has no authority above the PYK line, that's the
32 bottom line. We are set aside for our natural
33 resources and are considered by government -- and the
34 Federal government really needs to work with the
35 consultation, consultation agreement and the State --
36 they have no authority up here. The only authority
37 they have is 25 miles each way, that's it.

38

39 CHAIRMAN BROWER: Thank you, Lloyd.

40

41 MR. LEAVITT: Thank you.

42

43 CHAIRMAN BROWER: If there's no other
44 questions to Gordon, at this time, Bob.

45

46 MR. SHEARS: I agree with Gordon.
47 Working in Wainwright with the industry, strong levels
48 of coordination taking place with Shell, Conoco, but
49 it's the government agencies that come in and operate
50 like cowboys, the USGS, the Fish and Wildlife. In

1 regards to helicopter operations, and we spoke about
2 this earlier, you know, their idea of a public
3 announcement of their operation is to make a phone call
4 to the city office the day before they start flying.
5 There's no NEPA process that seems to be being
6 followed.

7
8 But getting to my discourse for the
9 Wainwright area in regards to subsistence issues for
10 the year 2012 since our last meeting. The area between
11 Icy Cape and Peard Bay and south into the Nutchakof
12 (ph) footlands to the Brooks Range, what can I say
13 about this year but (In Inupiat), the weather patterns,
14 although abnormal have been wonderful. The prevailing
15 lows keeping westerly and southerly winds gently
16 blowing, we haven't had the prevailing easterlies this
17 year, it's kept the ice close to shore, kept the bug
18 population down. We've had, though, less than normal
19 precipitation this winter, extremely cold temperatures
20 in January and February, we managed to endure.

21
22 We had a fairly strong economy even
23 though we were in a period of a recession that's
24 managed to keep the employment levels and the economy
25 levels that feed subsistence going in Wainwright.
26 We've even had people from Barrow coming down to
27 participate in our winter and spring season quite
28 successfully. And I got to say we -- Wainwright's
29 doors are open to other communities who want to join us
30 and share in our subsistence resources because we are
31 truly blessed.

32
33 The smelt fishing this winter was very
34 strong in spite of the recent mining activity in the
35 region where the smelt fishing takes place. No issues
36 with smelt fishing.

37
38 Going right into the fur trapping
39 season, wolverines, we had a strong wolverine harvest,
40 about 18 wolves. Wolves, the wolf population is strong
41 in the Wainwright region and the harvesting of wolves
42 was not very productive. It was a predators
43 environment out there this winter and only about five
44 or six wolves were taken.

45
46 But we had a strong population of
47 caribou that lived all winter there, that did not
48 migrate, which brings into question the population
49 count for the Western Arctic Caribou Herd has been
50 recorded as a slight decline this year, however, the

1 counting methodologies may need to be looked at again
2 because we're seeing a local population in the winters,
3 it's not migrating with the others and the caribou are
4 becoming more scattered. Also noted was that the large
5 breeding bulls, the (In Inupiat) are not as plentiful
6 as they used to be. You know it might have something
7 to do with the population decline that is being
8 observed. The large bulls are prime for harvesting,
9 are prime targets for harvesting and they're also under
10 a lot of pressure to breed a lot of females. With the
11 increased wolf population that we're observing I think
12 that the breeding bulls are being stressed beyond their
13 ability to defend themselves against the wolves in the
14 winter. Be aware of that. However, Wainwright
15 subsistence people do not feel that we need Federal or
16 State involvement in wolf control at this time.

17

18 Moving into the whaling season, we had
19 good ice conditions, good whaling season, landed four
20 whales.

21

22 Went right into the waterfowl hunting.
23 We had a good return of white-fronted geese. It was
24 difficult to hunt ducks, eiders, because of the wind
25 conditions, just did not bring them up along our hunt,
26 the flyways during the periods that we were hunting.
27 The most productive hunting for ducks was done from
28 boats, whaling boats.

29

30 But the westerly winds kept the shore
31 ice from blowing way out. We had a lot of loose and
32 shore fast ice floating in the Chukchi throughout the
33 month of June and early July which made for a very
34 strong and productive bearded seal and walrus hunting.

35

36 We kept a very attentive eye on the
37 beluga migration as Point Hope, Point Lay monitoring
38 them at Icy Cape and eventually when they reached to
39 Wainwright we -- cognizant that Point Lay had been
40 having difficulties with their beluga hunt, we
41 challenged ourselves to take more than we believe we
42 usually need. We typically, in our community, will
43 take 20 to 25, this year we took 31 believing that we
44 would be able to support Point Lay with theirs,
45 however, unaware that at the same day that we were
46 hunting our belugas they were finally into theirs, so
47 both Point Lay and Wainwright had a good beluga
48 harvest.

49

50 The ivac, the walrus went past us to

1 the north towards Barrow, then the wind blew them back
2 and they'd come back to us again and we started seeing
3 killer whales in the region. Boom. Instantly no more
4 walrus or bearded seals hanging out around Wainwright.
5 That put an end to it. But it's good to see killer
6 whales around. I understand that they're seeing a
7 record amount of grey whale calves in the Chukchi this
8 year. Perhaps might be an explanation for the number
9 of killer whales that we're seeing. Good for the
10 killer whales.

11
12 The caribou are still hanging around.
13 We got the caribou that are being harvested today are
14 showing, you know, good body fat content. The uplands,
15 the (indiscernible) uplands and areas farther inland
16 are extremely dry this summer. Not seeing the rainfall
17 that the coastal zones have been seeing here. So the
18 berry -- there's not as many berries, however there's a
19 lot of salmonberries located on the coastal zone, more
20 to make up for what is missing upland.

21
22 Alaska Fish and Game has been -- excuse
23 me, let me go back to other -- wildlife department did
24 a bearded seal tagging project unsuccessfully in
25 Wainwright for a couple weeks in early June. Did not
26 interfere at all with subsistence activities however it
27 did not produce one single satellite tagged seal and
28 hopefully they have better luck when they move to
29 Barrow to continue their tagging efforts up here.

30
31 Alaska Fish and Game came in and has
32 been setting nets on the upper rivers of the Kuk Inlet
33 and tagging everything that they get. And already just
34 last weekend we've been -- the fishermen up there have
35 been catching tagged fish, tagged grayling, which is
36 pretty neat to see. That's a good study. It's getting
37 very interesting for us to know where our fish go
38 before freeze-up.

39
40 I guess the issues and concerns that
41 have been raised here this morning, I share.

42
43 In regards to pipeline routes,
44 transporters and air traffic control of helicopters,
45 these are all issues, just because we're having a very
46 successful season, we're very satisfied with government
47 research and government representation and subsistence
48 activities that we're enjoying in general. There are
49 issues that we are ever vigilant of and aware of and
50 are concerned about and I think we've already hit on

1 those this morning, and I won't go into any further
2 than -- other than what I mentioned about the caribou
3 population and our concerns about what could possibly
4 be leading to the decline of the Western Herd.

5

6 That is all I have, Mr. Chairman.

7

8 CHAIRMAN BROWER: Thank you. Thank
9 you, Bob, for your comments and concerns you've shared.
10 I'd like to ask the Council if there are any questions
11 for Bob.

12

13 Roy.

14

15 MR. R. NAGEAK: I agree with Bob. We
16 need to educate our young people in regards to how they
17 hunt. This is a local issue in our subsistence
18 hunting. When I see -- when the caribou is close and
19 how it impacts them when we start hunting them and one
20 of the things that I see that when I go out hunting
21 it's during the time -- during the day, but then when
22 I'm getting home and I see the younger people than me
23 go out at nighttime and then when I look at the caribou
24 herd and I'm going we're not giving time for the
25 caribou herd to rest and then all of a sudden they're
26 gone and I'm telling these younger people, see, we're
27 not giving the time for the caribou to rest when we,
28 that love to hunt from 9:00 in the morning until 9:00
29 in the evening and then the younger generation that
30 wakes up at 3:00 o'clock in the afternoon or what not
31 and then they like to take off in the evening, and if
32 the caribou is stressed out, you're right, it's because
33 of what we do within ourselves locally, so we need to
34 look at ourselves especially in the Barrow area. And I
35 had talked to some other middle aged hunters that we
36 need to try to let the caribou rest and find some peace
37 and comfort when they get close to where they need to
38 be, when they're driven by the bugs, but when we hunt
39 within a 24 hour period, the caribou ain't going to
40 hang around in the Barrow area and that's the case
41 right now. That they're not along the coast no more,
42 they rather go some place where they're not being
43 stressed out by 24 hour hunting and I think Wainwright
44 really takes care of the (In Inupiat) -- when the
45 caribou is around you 24 hours -- they're doing their
46 hunting right, and they don't stress them out, but
47 they're trying to keep them and taking local control of
48 how we hunt, I think, is something that we need to do
49 within ourselves locally. One group goes during the
50 day then the one group goes during the night, which is

1 okay, but the caribou ain't going to hang around and
2 you're stressing them out 24 hour periods you don't
3 give them the time to rest. I just want to point that
4 out, if the local -- if do that as -- you know, that's
5 within ourselves and really we got no group to address
6 that issue and somebody brought up like the young
7 hunters program and I think that's one area where we
8 need to get stronger, elder led or older hunters lead
9 it, some form of control and giving the time for the
10 caribou to rest is something that we could do locally.

11
12 CHAIRMAN BROWER: Thank you, Roy.

13
14 MS. AHTUANGARUAK: Mr. Chair.

15
16 CHAIRMAN BROWER: Rosemary.

17
18 MS. AHTUANGARUAK: I also agree with
19 this line of discussion.

20
21 I'm very happy to see Native Village of
22 Barrow and ICAS represented here because there are
23 issues that, we, as tribal people should be bringing
24 into the discussion with our tribal meetings. Our
25 traditional and cultural activities are important to
26 support and continue to educate in a strong manner to
27 give us the strength of our local process in this
28 effort. Bringing these concerns into these meetings
29 are very appropriate, but we also need to get them back
30 into those meetings where they're very instrumental
31 into building a program that we can help to expand the
32 effectiveness of that process.

33
34 CHAIRMAN BROWER: Thank you, Rosemary.
35 Gordon.

36
37 MR. G. BROWER: I know Mr. Shears from
38 Wainwright expressed good duck hunting from boats and
39 stuff like that but this brings out to me a larger
40 issue about -- and I think it should be expressed
41 concerning spectacled and steller's eiders. I really
42 am convinced, a few years back, that Barrow was
43 targeted and sabotaged of stacking up spectacled eiders
44 and then Fish and Wildlife Service finding these birds
45 and then imposing all kinds of regulations in Barrow
46 about duck hunting. That really needs to be revisited.
47 And from traditional knowledge about spectacled and
48 steller's eiders, they were never in the numbers
49 envisioned in these areas, they were always a minor
50 species. They were good for -- they're always good for

1 hunting and food, but they were never in the numbers as
2 a critical nature, they're spread apart. You'll find
3 them in the flocks, that means they're not specifically
4 nesting only around Barrow and that really needs to be
5 revisited about ducks around here. I think subsistence
6 should not be in the same manner as the sports and
7 personal use because we depend on bringing this on the
8 table, I think that issue needs to be revisited. I
9 have people in my family that's shy to go duck hunting
10 because they're afraid. They're afraid of being cited
11 or something of that manner and I said, let me look
12 into to see if I can find some duck stamps, it's never
13 been like that in the past. This is, to me, a false
14 thing about these birds, that's made up about a
15 critical habitat in Barrow and traditional knowledge
16 says they were never in the numbers, ever, in the Slope
17 like that, especially around Barrow and they will never
18 be, they'll never be numbers that would be associated
19 with the common eiders and the king eiders around here.

20

21 Thank you.

22

23 CHAIRMAN BROWER: Thank you, Gordon.

24

25 Do any Council members have any

26 other.....

27

28 MR. R. NAGEAK: Just to follow up on

29 Gordon's comment.....

30

31 CHAIRMAN BROWER: Roy.

32

33 MR. R. NAGEAK:of spectacled
34 eider. We're within our own economic development
35 locally and how areas outside of Barrow or city limits
36 that need to be developed locally are limited by per se
37 spectacled and steller eiders nesting areas. When
38 things are being developed like gravel pits, the need
39 for a new gravel pit and the closest one that I see is
40 (indiscernible) Lake right above the (indiscernible)
41 Lake for the development of area being limited by per
42 se species, that was proposed almost extinct of
43 whatever, that limits development within our own area
44 and then when we see development being done and there's
45 no limits per se and then within our own local lands
46 then we're being told that's a steller spectacled eider
47 nesting area, we don't want no development in that
48 area; it goes both ways. Where especially development
49 in ANWR per se they allow us to select lands under the
50 Native Claims Settlement Act and then they come out

1 with all these Federal rules and regulations that stops
2 us from developing lands that we have held on to for
3 centuries and then they -- we're allowed to select
4 lands and they say we can't do nothing with it without
5 the consent of the Congress, it's like, wow, we're
6 selecting lands and we can't do nothing, it's like they
7 allow us to select lands that we can't do nothing with.
8 It's like we're, I don't know, the North Slope used to
9 be all ours but now the blowout really brings out a
10 sore point with me because it's a country outside of
11 the United States that came and they have a blowout.

12

13 CHAIRMAN BROWER: Thank you, Roy.

14

15 MR. R. NAGEAK: Thank you.

16

17 CHAIRMAN BROWER: Thank you all for
18 providing your comments and your concerns. At this
19 time, I see our next agenda item is in regard to a
20 little bit of public and tribal comments.

21

22 MR. G. BROWER: Public.

23

24 CHAIRMAN BROWER: I was just going to
25 get into that in regards to participation from our
26 audience having a presence here and you need to
27 identify what you've heard from this Council and maybe
28 you'd like to chime in or interject some of your
29 comments, starting with Tommy here, and Tommy is with
30 our Native Village of Barrow director and then Ernest
31 I'll follow up with you after Joseph continuing, time
32 permitting. We only have -- we're a few minutes away
33 from the lunch hour but, anyway, I'd like to give you
34 that opportunity to provide some comments if you'd
35 wish.

36

37 MR. OLEMAUN: Good morning, Council.
38 My name is Thomas Olemaun, executive director, tribal
39 council president Native Village of Barrow. It's nice
40 to attend the Federal Subsistence Advisory Board
41 meeting here. I've been reviewing all your packets and
42 your charter, I mean it's nice that we have all these
43 issues coming up on our lands and oceans and as a
44 tribal government, you know, we need to communicate and
45 work together as you all are appointed by the Interior
46 Secretary as a Federal government and with all these
47 lease sales happening and NPR-A on Federal lands, as
48 the Federal Advisory Board, it's nice to have ICAS,
49 Native Village and all the outlying villages, tribal
50 council together as one and according to your charter,

1 you know, having meetings twice a year is not enough as
2 a Board. I mean we're dealing with our marine mammals,
3 our land terrestrial mammals, our waterfowl, our
4 fisheries and you, as a Federal Advisory Board, review
5 the guidelines and issues we have, I mean there's a lot
6 of stuff happening up here across the North Slope, 40
7 plus years.

8
9 I mean we got all these universities
10 from the Lower 48 studying our marine mammals, our
11 fish, our tutu and, yet they don't give us reports. We
12 should be the first ones in line to receive that
13 information or the first ones in line to say, hey,
14 we're going to be in your area and we people up here,
15 we live up here, we have the traditional knowledge, we
16 don't want no freshman out of Texas A&M or wherever to
17 tell us that these are there. I mean your generation,
18 Roy's generation, Lloyd's generation, you know, you
19 inherit from your grandparents and great-grandparents
20 and your dads, you know, they -- it's been always true
21 to them and, yet, you tell people that comes up here
22 and dialogue our food, our way of life on paper and
23 pencil, which we already know, but, yet it's time to
24 work together as one, communicate more with the
25 Federally recognized tribes because we are all on the
26 same table as the Federal Advisory Board and the tribal
27 councils across the North Slope.

28
29 CHAIRMAN BROWER: Thank you, Tommy.
30 Before you go, Tommy, any Council members have any
31 comments. Lloyd.

32
33 MR. LEAVITT: Thank you to the Native
34 Village of Barrow for -- are there any consultations
35 being done by the wildlife department other than trying
36 to work with the North Slope Borough and duck
37 management and UIC, who has no authority only the
38 tribal government has that authority, has that.....

39
40 MR. OLEMAUN: Yes, we have a migratory
41 bird.....

42
43 MR. LEAVITT:consultation.....

44
45 MR. OLEMAUN:yes, we do.

46
47 MR. LEAVITT:Alaska Department of
48 Fish and Game.

49
50 MR. OLEMAUN: Yes.

1 MR. LEAVITT: And the enforcement
2 officers.

3
4 MR. OLEMAUN: Yes.

5
6 MR. LEAVITT: We are just as equal as
7 them in my eyes and, yet, we sit idle.

8
9 MR. OLEMAUN: Yeah, well, any time the
10 Federal government comes up here to talk about issues,
11 you know, according to Executive Order by our
12 President, that the government to government, the
13 Federal government, not the State, local, corporation
14 government, the Federal government has its own chapter
15 and its own ways to work with the Federal offices
16 across the state of Alaska. When they come up to
17 Barrow, you know, they're supposed to come and visit me
18 as a Federal agency, as a government according to
19 Executive Order and utilize that when I see Federal
20 employees in Barrow, coming up to Barrow having
21 meetings, that, we, as a tribal government has more
22 hierarchy than State and local government because we're
23 dealing with Federal laws with the MMPA, the U.S.
24 Migratory Bird Treaty Act and all these other laws we
25 do.

26
27 CHAIRMAN BROWER: Thank you, Tommy.

28
29 MR. G. BROWER: Mr. Chair.

30
31 CHAIRMAN BROWER: Gordon.

32
33 MR. G. BROWER: What, and I thank you
34 Mr. Olemaun for being here to talk with us, with the
35 Federal Subsistence Advisory Council.

36
37 What would be a limitation for both,
38 maybe ICAS -- this would also probably affect a
39 question towards ICAS and probably, you know, for
40 Native Village, what would limit the tribal
41 organization because you have an indigenous right to
42 subsist on animals. You have a customary determination
43 for tribal members on these resources to create
44 policies in the same regard that the North Slope
45 Borough has policies so that the -- because you
46 probably work government to government with Fish and
47 Wildlife Service, with ADF&G or with other Federal
48 agencies that seem to want to have primacy laws rule.
49 I think primacy laws are in place, if they want to put
50 a missile silo or a defense system on the North Slope

1 so that they can protect the privacy of doing something
2 like that, I don't think studying bird flu epidemic or
3 something like that shouldn't be -- they shouldn't use
4 the Federal primacy laws to do whatever you want with
5 disregard to impacts to everybody needing to harvest
6 and get along together. What would -- I mean has the
7 tribal organizations, wanting to develop enforceable
8 policies that would have the BLMs come to you, have the
9 Fish and Wildlife Service come to you in the same way
10 that the North Slope Borough government has policies
11 protecting availability of resources for harvesting
12 where they're normally found; these types of things and
13 to mitigate for impact.

14

15 Thank you.

16

17 MR. OLEMAUN: This is, you know, it's
18 just more proper communication with State and local
19 corporations. I mean you read on the paper that North
20 Slope Borough and ASRC does the polar bear issue, yet,
21 they need to communicate with all the Federally-
22 recognized tribes on the North Slope, not just Barrow,
23 the whole North Slope, because we all eat the same
24 marine mammals, the land mammals and the birds. I mean
25 it's just proper communication to work with the
26 Federally-recognized tribes when they're talking about
27 Federal laws on Marine Mammals Protection Act and the
28 Migratory Treaty Act because according to the Migratory
29 Bird Treaty Act, you know, duck stamps, I don't buy a
30 duck stamp because according to the Migratory Treaty
31 Act it's cultural values to me.

32

33 MR. LEAVITT: I've never bothered with
34 a license or bird license, never. I've never had one
35 but yet it's -- yeah.

36

37 MR. OLEMAUN: So thank you for the
38 opportunity for me to talk.

39

40 CHAIRMAN BROWER: Thank you. Any other
41 questions for Tommy.

42

43 MR. R. NAGEAK: Mr. Chairman.

44

45 CHAIRMAN BROWER: Roy.

46

47 MR. R. NAGEAK: I always remember my
48 father when they were going to create the North Slope
49 Borough and the comments that he made, why are we
50 creating another -- it was a State entity when we

1 already have our Federally-recognized government, the
2 ICAS and the Inupiat Community of the Arctic Slope, why
3 are we creating another form of government within our
4 region. I always remember that comment that he made.
5 And I think it behooves us that this Federal
6 Subsistence Regional Committee work with all the Native
7 tribes and like Lloyd says, that's where you get
8 community, or Arctic Slope that (indiscernible)
9 traditional laws are being written to protect our
10 subsistence way of life and it doesn't matter whether
11 any State laws comes or not, there's ways that we could
12 control hunters coming up through the Haul Road with
13 issues and to assert ourselves, that we are going to
14 take control of what's happening with our subsistence
15 way of life. I don't know if local use of Federal laws
16 are there assisting them, they're Federally-recognized
17 tribes and through that -- because I see in the past
18 there is so many different entities that's trying to
19 say we are Inupiat and the ASRC, a regional
20 corporation or corporations that was an experiment in
21 creating what rights that the tribal people have and
22 that's still how it worked out. They don't -- in a
23 form of way represent a subsistence way of life and the
24 North Slope Borough is -- it's a State recognized
25 entity and they got to comply with State laws and they
26 have their own fish and wildlife entity that they need
27 to comply with State laws but on a regional basis, ICAS
28 could put all the Federal -- Federally different groups
29 that my brother pointed out that when you try to deal
30 with an issue it's not a -- it's not (indiscernible),
31 controlled because it's the Gates of the Arctic and
32 then another it's not ours we don't deal with that,
33 we're Arctic National Wildlife Refuge, and then another
34 one, we can't deal with it, it's the National NPR-A
35 jurisdiction and all these different -- if we put them
36 under the umbrella of ICAS and set up like Lloyd say,
37 rules and regulations that will protect from a Native
38 perspective our way of life and then put it as policy
39 or put it as a statement, that if anybody's got a
40 problem with it, we need to contact our people that
41 represent us fairly and that's the Native rights and
42 the regional ICAS, that's where it should lay down and
43 that's how we should -- we need to coordinate what we
44 do with them and to assure that they come up to the
45 level that they need to come up and to assert and
46 really fully assert their rights within our region.

47

48 Thank you.

49

50 CHAIRMAN BROWER: Thank you, Roy.

1 Again, Tommy, thank you for your participation.

2

3 (In Inupiat)

4

5 MS. RODDY: I'm Qinugan Roddy. I work
6 with Inupiat Community of the Arctic Slope under the
7 natural resources.

8

9 Currently we are working on a
10 resolution to start a hunting and gathering
11 association, something similar to the AWBC and with
12 this association, or our mission that we will be able
13 to voice the tribal concerns like many of you guys have
14 called this morning. And we're hoping to get this
15 passed this next month at our board meeting so we're
16 hoping to start something so we can voice our concerns
17 through our Federally-recognized tribe.

18

19 (Phone ringing)

20

21 MR. R. NAGEAK: I think that's Obama
22 calling already.

23

24 (Laughter)

25

26 MR. R. NAGEAK: It's about time.

27

28 (Laughter)

29

30 CHAIRMAN BROWER: Any questions of
31 ICAS. Anyway, thank you for being here with us, you,
32 as well, Tommy, to hear the concerns of the Council
33 from different observations and information that they
34 generate of their hunting activities in association
35 with the communities. And I thank you all for being
36 here and hearing our concerns as well. We're wanting
37 to develop that relationship along with -- as stated by
38 others, and myself, at this time to continue, you know,
39 we have all the same common concerns that we continue
40 to voice but from the stance of our Federally-
41 recognized tribes that carries a lot of weight, I mean
42 provide any kind of unified position in which we need
43 to take on the management of our resources.

44

45 Thank you.

46

47 MR. G. BROWER: Mr. Chair.

48

49 CHAIRMAN BROWER: Yes, Gordon.

50

1 MR. G. BROWER: Yeah, I would encourage
2 ICAS and Native Village to look at policies, adopting
3 some sort of policies on issues related to customary
4 and traditional determination of those resources
5 because there's a determination made by the United
6 States government for our rights to harvest the
7 resources, using that as part of the way forward in
8 creating a policies in a way that you've just
9 mentioned, you're embarking on something very positive,
10 hunting and gathering association of some sort. I
11 think ICAS should explore these types of things of
12 creating policies that would be recognized by the
13 Federal government.

14

15 CHAIRMAN BROWER: Thank you, Gordon.

16

17 MR. J. NAGEAK: Mr. Chair.

18

19 MS. AHTUANGARUAK: Mr. Chair.

20

21 CHAIRMAN BROWER: We have a couple more
22 comments, I like I said you're in the hot seat now.

23

24 (Laughter)

25

26 CHAIRMAN BROWER: Rosemary, and then

27 James.

28

29 MS. AHTUANGARUAK: I also want to
30 recognize the work that you guys have been doing,
31 having your presence in that position is a big benefit
32 for ICAS in their process. It is really important to
33 look at the various ways that we can be most effective
34 in this process. There has been discussion about
35 creating policies in the past with ICAS but getting it
36 through to successful completion has been an avenue
37 that's been very difficult to complete. So I want to
38 recognize that the process that we put forward is the
39 strongest through the tribe and the regional tribal
40 councils and everything that we can do to create that
41 process and effectiveness you've got support from
42 people in these chairs here.

43

44 Our concerns are very elevated with the
45 amount of listening that you've done, with just the
46 comments from the board today and it gives you the
47 strength you need to move forward in an effective
48 manner.

49

50 I also have done some work with

1 improving the understanding related to pipeline safety
2 and I presented information into your office, and into
3 the Native Village of Barrow's office, that is
4 something we also need to move forward with to improve
5 the hopes of having safety around our lands and waters
6 with the increased efforts of putting pipelines in our
7 areas. So that information is there as well as there's
8 information that we shared related to the National
9 conversations on chemical toxins. If you all haven't
10 seen any of that information, there's information
11 available. But we've got community resource documents
12 that you can review that'll help us in some of these
13 issues because there are many loopholes that are out
14 there that are creating these conflicts that we're
15 discussing here in these meetings and what we can do to
16 try to bring those loopholes into a tighter leash will
17 only facilitate us to address our impacts in a more
18 meaningful manner.

19

20 So I thank you in that.

21

22 CHAIRMAN BROWER: James.

23

24 MR. J. NAGEAK: Yes, you know, we have
25 a problem with Anaktuvuk Pass connection. I think one
26 of the problems we have is the connection that I have
27 to go from Anaktuvuk to Fairbanks and then From
28 Fairbanks to here. There's no direct line of
29 transportation where the community of the Arctic Slope
30 and the tribal council of Anaktuvuk Pass, you know, the
31 tribal council of Anaktuvuk Pass has to get farther
32 away from Barrow in order to come to Barrow. I think
33 that's one of the problems that we have as a community
34 of Anaktuvuk Pass.

35

36 And we always hear the government to
37 government relationships between the tribal and the
38 Federal government, but, you know, there needs to be
39 more a way, educational process, in which the council
40 members in the communities are educated too, to make
41 them aware of how much power they have, how much
42 ability to communicate with the Federal government. I
43 think that's one of the problems that we have, that we
44 need to give the tribal councils a boost to -- for them
45 to be able to really communicate with the Federal
46 government and help with the community problems that we
47 have concerning subsistence for one. That letter that
48 we have from the SRC, it really begins to give us an
49 idea of what the communication process is between the
50 Federal government, the State government and the tribes

1 that we have within the state, so I -- I want to
2 encourage ICAS to really come to Anaktuvuk Pass and
3 give us a really good educational process on how best
4 to be a -- a forcible presence within the state as a
5 tribal council.

6

7 So come on up.

8

9 MS. RODDY: Okay. I will tell our
10 board and the ICAS director.

11

12 MR. J. NAGEAK: Thank you.

13

14 MR. R. NAGEAK: Another thing, Mr.
15 Chair, since you're a niece of (indiscernible) you know
16 a little bit about Native rights.

17

18 MS. RODDY: I do.

19

20 MR. R. NAGEAK: But one of the things
21 that I always remember is the creation of the Inuit
22 Circumpolar Conference by the late Eben Hopson that
23 brings us to an arena where issues that are not -- that
24 we are not comfortable with that are being put on us by
25 the task of Federal or State government, that somehow
26 through the nationwide, and the (indiscernible) that
27 are being created under ICC, and that's a question
28 whether we, as Natives, and our rights as being
29 sovereign nation or sovereign people under the United
30 States goes to the level where we need to ask the
31 United Nations are we being treated right by our
32 Federal government. There's always that opening. And
33 I always wondered why Eben, through the help of the
34 other Inuit nations across the Arctic on the impact
35 that it has, now is the time to start asking whether
36 our rights as the Inuit of the Circumpolar Conference
37 and how that, today, now I know why the wisdom of Eben
38 Hopson is impacting our area. Because I think on an
39 international level the impact that will be felt by the
40 Arctic especially with us for development, and the need
41 for transportation with the decrease of the ice flow
42 within our waters, is that avenue that we haven't
43 really looked at as a local people, especially of our
44 rights as an Inupiat people and the rights that we have
45 across the Arctic Circumpolar Conference and those
46 avenues with connections to the United Nations.

47

48 I've always wondered why but now with
49 what's happening in the Arctic those are the wisdom
50 that somebody looked forward to today that through

1 these avenues we could start asking the United Nations
2 of our rights and across the Arctic, are they -- our
3 rights to live in the freedom that we always have, are
4 they going to be impacted by what's happening with
5 offshore, and what will be helping with the shipping
6 lanes so now it's all coming together.

7

8 Thank you.

9

10 CHAIRMAN BROWER: Thank you for your
11 comments, Roy. And the time, I'm just looking at the
12 time on the wall and it's 12:05. Some of us have some
13 lunch that we need to go to and I'm already late for my
14 next one, sorry to not give the opportunity to the
15 folks on the teleconference but we'll be back at 1:30,
16 is that okay with the Council.

17

18 MS. AHTUANGARUAK: Yes.

19

20 CHAIRMAN BROWER: So we'll recess until
21 1:30 at this time and we'll give the opportunity to the
22 folks on the teleconference to recognize themselves at
23 that time.

24

25 Thank you.

26

27 (Off record)

28

29 (On record)

30

31 CHAIRMAN BROWER: Are we ready to get
32 started again.

33

34 (Council nods affirmatively)

35

36 CHAIRMAN BROWER: Are you ready, Tina.

37

38 REPORTER: Yes, ready.

39

40 CHAIRMAN BROWER: Okay, good afternoon
41 everyone. It's 1:36, I think, and I'd like to call the
42 North Slope Regional Advisory Council back to order
43 after our lunch recess. Right now we're still under
44 Council member reports, and I concluded the public and
45 tribal comments on that agenda item but I don't know
46 how it's -- I don't know how we cover that since if
47 it's all dealing with subsistence and other resources
48 as well but I was wanting to ask maybe if Pastor
49 Marrow, were you thinking of providing some comments in
50 regards to some of the things that you've learned about

1 or heard about this morning regarding our Council
2 member's concerns.

3

4 State your name for the record, please.

5

6 MR. MARROW: For the record my name is
7 Duke Marrow. I'm pastor of the Presbyterian Church.

8

9 I guess I'd like to make a couple of
10 observations. And without knowing a lot about it it
11 seems to me that there's not a lot of responsibilities
12 or authority given to this Advisory Council and all you
13 can really do is make recommendations to other people
14 and express your opinions, and I recognize that that's
15 part of the process. But I guess I would encourage you
16 to form partnerships with Native Village of Barrow and
17 any other groups that have these same concerns, whether
18 they be here in the North Slope or throughout the state
19 or even throughout the country because there are some
20 similar issues in some of the American Native
21 populations about hunting and subsistence lifestyles
22 and the more voices you can get together I think more
23 chance of success you will have.

24

25 Thank you.

26

27 CHAIRMAN BROWER: Thank you. With that
28 is there any other public comments at this time.

29

30 MR. R. NAGEAK: Mr. Chair.

31

32 CHAIRMAN BROWER: Yes, Roy.

33

34 MR. R. NAGEAK: That was one of the
35 issues in whether the Federal government or the powers
36 that may be to start a website where the Regional
37 Subsistence Committee could be communicating gathering
38 website or dedicated site where we, as a whole, all
39 over the state be coordinating issues that affect us on
40 a statewide basis from a State government especially,
41 and I think the Federal government also behooves to
42 coordinate common issues that tend to affect us. Just
43 like with the Coastal Zone Management Program. That's
44 a key issue of communicating within each other.

45

46 Ever since I got on this Regional -- I
47 tried connecting with other regional committees but
48 somehow this body or the Federal subsistence, whether
49 we could make recommendations that a website be created
50 so that issues of similar concerns would be

1 coordinating on how to do it or the more that we
2 comment on a like basis then our voices will be heard
3 over.

4

5 Thank you.

6

7 CHAIRMAN BROWER: Thank you, Roy.
8 Maybe we'll talk to Eva about some assistance in that
9 area.

10

11 MS. PATTON: OSM has a Federal
12 regulatory process website and so feedback through that
13 system is on line, but the OSM website only covers the
14 work that the Office of Subsistence Management does so
15 it wouldn't cover some of the other issues that are of
16 concern here today.

17

18 CHAIRMAN BROWER: Thank you, Eva.

19

20 MR. JOHNSON: Mr. Chair. I just wanted
21 to also add, I know from my limited travels out in
22 Alaska that a lot of folks are using Facebook and the
23 Region 7 Fish and Wildlife Service does have a Facebook
24 page as well where people could post information and
25 share information about subsistence activities in their
26 region.

27

28 Thank you, Mr. Chair.

29

30 CHAIRMAN BROWER: Thank you. Roy.

31

32 MR. G. BROWER: Well, I think, Mr.
33 Chair, I think within our regional Native groups we
34 don't have to wait for the Federal government, we don't
35 have to wait for the State government, but within our
36 regions and within our own ways of life we need to
37 start our own web page that affects each region because
38 somehow to back up Akiak, when the State comes in and
39 takes fish and cuts away from their nets, fish that's
40 supposed to feed their families and how we together as
41 the whole state could ask the State government what
42 behooves them to act that way.

43

44 So these are issues that I think we, as
45 Native groups, could form on a website or whatever, and
46 I know that AFN is coming close, real quick, maybe
47 that's an issue that we could initiate or somehow say
48 that, we, as subsistence hunters need to get together
49 so that in a sense we could support each other when the
50 State, especially, starts coming in like gestapos and

1 start collecting fish from subsistence hunters.

2

3 Thank you.

4

5 CHAIRMAN BROWER: Thank you, Roy.

6 Thank you for clarifying that.

7

8 At this time are there any other
9 Council members have anything else from their reports
10 this morning.

11

12 MS. AHTUANGARUAK: Mr. Chair.

13

14 CHAIRMAN BROWER: Yes, Rosemary.

15

16 MS. AHTUANGARUAK: I neglected to
17 discuss the moose hunting in Nuiqsut area, they were
18 having a bad year this year for moose hunting.

19

20 And the other issue I wanted to just
21 touch upon is we also have to be very protective of our
22 traditional and cultural uses with these website
23 processes. There are various web pages that are being
24 created with Facebook but the repercussions that can
25 come from commenting on these websites can be
26 detrimental to traditional and cultural use activities
27 and so we have to be careful in how we create these
28 things that are used as tools but also could be used as
29 dividers of our region as well as breaking down our
30 ways.

31

32 Also there was a lot of comments from
33 Nuiqsut of the enforcement process that occurred with
34 fines that were levied and taking of harvesting
35 resources in the Nuiqsut area that was a concern that
36 was brought out. There are people here that say that
37 they don't get these duck stamps and what not but we
38 also have many changes to our lands and waters that
39 tribal people are having to face repercussions because
40 are maps are changing, the regulations associated with
41 these changes to our maps have to be transmitted to our
42 village hunters because this process is also becoming a
43 record against our people so we have to be very
44 protective of who and what we are and how we're living
45 our lives and in our traditional ways. There's things
46 that we can bring out in our local community meetings
47 where we discuss this extensively but then we decide as
48 a group how we bring this discussion forward into these
49 Federal and State processes.

50

1 Thank you.
2
3 CHAIRMAN BROWER: Thank you, Rosemary.
4 Any others.
5
6 MR. SHEARS: Mr. Chairman.
7
8 CHAIRMAN BROWER: Yes, Bob.
9
10 MR. SHEARS: One thing I meant to
11 discuss that I overlooked, in the Wainwright area, this
12 year our subsistence hunters have constructed two new
13 hunting cabins. I wanted to put on record that they're
14 not on allotments, that they are located in regions
15 where the BIA never awarded allotments back in the
16 early 1970s, where there's extensive subsistence
17 activity and very little shelter or safety and rescue
18 capabilities in these regions.
19
20 One is located halfway between
21 Wainwright and Icy Cape on the coast on Kasigluk
22 Lagoon, and the other one is located at the confluence
23 of Anuka and Colville River in the Brooks Range. Those
24 are Wainwright subsistence cabins if you happen to
25 identify them and don't know where those new cabins
26 came from.
27
28 CHAIRMAN BROWER: Thank you for sharing
29 that Bob.
30
31 I think we pretty much covered our
32 agenda item in regards to Council member reports.
33
34 The next item is the Chair's report. I
35 have to look to Rosemary and Eva about the Chair's
36 report because like I said I had to be excused from a
37 couple of the meetings, previous meeting and was not
38 able to be here but here but there was some issues that
39 we did identify with the annual report that we did
40 generate for the Federal Subsistence Board, information
41 on some proposals that we supported and acted on and
42 were, again, forwarded to the Federal Subsistence Board
43 for their consideration in regards to the proposals,
44 where they were changing the regulations or the concern
45 that we voiced in regards to the Federal Subsistence
46 Management Program.
47
48 Eva, do you want to comment.
49
50 MS. PATTON: Carl has copies of the

1 annual report.

2

3 CHAIRMAN BROWER: Do you want to cover
4 parts of that now under the Chair's report because
5 that's something I'd like to cover in terms of the
6 responses and correspondence that occurred through the
7 Federal Subsistence Board and our Regional Advisory
8 Council.

9

10 MR. JOHNSON: Mr. Chair, if I'm
11 correct.....

12

13 CHAIRMAN BROWER: Yes, Carl.

14

15 MR. JOHNSON:I'm hearing two
16 things. One was the Federal Board's action on
17 proposals that the North Slope RAC made recommendations
18 on and that would have been covered in the .805(c)
19 report that was sent to the Council a couple months
20 back.

21

22 CHAIRMAN BROWER: Uh-huh.

23

24 MR. JOHNSON: And then the other issue
25 is the annual report that this Council approved at its
26 last meeting, it was transmitted to the Board and then
27 there is an annual report reply that was just approved
28 by the Board on Friday that Eva is handing out copies
29 to you now.

30

31 CHAIRMAN BROWER: Uh-huh.

32

33 MR. JOHNSON: So I do know that there
34 is -- actually there is a spot on the agenda to cover
35 the contents of that annual report reply.

36

37 CHAIRMAN BROWER: Uh-huh.

38

39 MR. JOHNSON: Thank you, Mr. Chair.

40

41 MR. R. NAGEAK: For the record.

42

43 CHAIRMAN BROWER: Roy.

44

45 MR. R. NAGEAK: For the record. If
46 that's supposed to be on the record, what is your name?

47

48 MR. JOHNSON: Oh, my name, Carl
49 Johnson.

50

1 MR. R. NAGEAK: And your title?
2
3 MR. JOHNSON: I'm the Council
4 coordination division chief at Office of Subsistence
5 Management.
6
7 MR. R. NAGEAK: Okay.
8
9 CHAIRMAN BROWER: Thank you, Roy. I
10 hear somebody on the teleconference, could you please
11 identify yourself.
12
13 MR. EVANS: Hi, this is Tom Evans with
14 the Office of Subsistence Management, Mr. Chair and
15 members of the Board. Glad to be here. If you have
16 any questions concerning the wildlife issues you're
17 welcome to ask them, I'm relatively new here so -- but
18 it's nice to hear a lot of familiar names and familiar
19 voices here on the meeting.
20
21 CHAIRMAN BROWER: I think I'm
22 overhearing some of the rattling of papers over the
23 intercom and I'd ask if you could -- is there anybody
24 else on the teleconference system.
25
26 MR. SHARP: Yeah, this is Dan Sharp
27 with Bureau of Land Management office. I'm just
28 listening in, I've been on all day and hopefully have a
29 chance to speak to the guide capacity analysis later on
30 in the agenda.
31
32 CHAIRMAN BROWER: Well.....
33
34 MS. HYER: Yeah, hi, this is Karen Hyer
35 with the Office of Subsistence Management and I've been
36 on all day also and I am going to speak to the
37 Fisheries Resource Monitoring Program, priority
38 information needs when it comes up.
39
40 CHAIRMAN BROWER: Thank you, Karen. Do
41 we have anybody else on the teleconference.
42
43 MS. REYNOLDS: Hello, this is Patricia
44 Reynolds from the U.S. Fish and Wildlife Service I'm
45 just listening in.
46
47 CHAIRMAN BROWER: Good afternoon. I'm
48 not sure if there's anybody else on there. We'll
49 continue on moving on with the Chair's report in
50 regards to -- so this agenda item I mentioned is going

1 to be discussed later on in the agenda under the new
2 business item under 11C.

3

4 MR. R. NAGEAK: Mr. Chair.

5

6 CHAIRMAN BROWER: Yes, Roy.

7

8 MR. R. NAGEAK: Aren't we on public and
9 tribal comments?

10

11 CHAIRMAN BROWER: No.

12

13 MR. R. NAGEAK: Okay. Still on Chair's
14 report.

15

16 CHAIRMAN BROWER: We're still under the
17 Chair's report and just getting over the items worth
18 mentioning in regards to Council -- share information
19 with the Council on some of the reports that have been
20 generated to -- I mean from the Council to the Federal
21 Subsistence Board and responses from the Board itself
22 on our proposals.

23

24 And, Rosemary, I'd look to you again,
25 like I said I didn't attend two of the meetings, maybe
26 there's something that you would like to share with the
27 Council at this time under the Chair's report.

28

29 MS. AHTUANGARUAK: I want to thank you
30 for allowing us to continue on with the means to have
31 these meetings but your absence is greatly missed at
32 these processes, your longevity of involvement in this
33 process is a void that can't be filled when you're
34 absent so I just wanted to recognize that.

35

36 CHAIRMAN BROWER: Thank you.

37

38 MS. AHTUANGARUAK: One of the things
39 that comes to mind off the top of my head was that
40 there was an extensive discussion related to the
41 fisheries proposal that I was concerned about precedent
42 setting. This was related to Metlakatla and there was
43 a species of fish that had continued to decline. It
44 ran into an extensive discussion at the meeting. But
45 for us, if a specie is allowed to continue to decline,
46 this proposal would give the management of the process
47 over to the State and, for me that was a really big
48 issue, because if the State is contributing to factors
49 that are leading to continued demise of our species
50 and, yet, they're going to take over management, those

1 are real big concerns. There was tribal consultation
2 at this meeting that brought up concerns related to a
3 fish farm that may be impacting this species of fish
4 that we were dealing with at that time so that was a
5 really point that we dealt with tremendously at that
6 meeting.

7
8 As well as with the customary, barter
9 and trade, there was also a lot of discussion on bear
10 proposals. And another big concern related to that is
11 with these efforts to increase regulations on bears and
12 usage of bear parts in our craft makings and those
13 kinds of things, there's traditional and customary
14 usage of these items that are very important to our
15 villages in their ability to raise incomes when you
16 don't have other means of income and understanding how
17 we use our resources are really important as we're
18 creating regulations that impact our subsistence users.
19 That was a very important issue that was well discussed
20 and supported with the understandings that we brought
21 forward in the discussions. But also it can relay into
22 other factors such as we had a young man in Point Lay
23 who was impacted when he was going for -- their family
24 had a loss and he had to travel out of the state, but
25 it was really important in their traditional culture to
26 bring certain food species and trying to get that food
27 down to this ceremonial process was very difficult.
28 And those types of regulations can be very detrimental
29 to our people as we're trying to continue our
30 ceremonial processes that are so important, especially
31 as our people are becoming engrossed into other
32 populations but it's still very important to bring our
33 customs and traditions into these processes, to
34 continue to be the strong Inupiat people that we are.

35
36 If we have any questions further into
37 the report I'm welcome to take any questions in this
38 regard.

39
40 CHAIRMAN BROWER: Anything for Rosemary
41 on what you just heard.

42
43 MR. G. BROWER: Mr. Chair.

44
45 CHAIRMAN BROWER: Gordon.

46
47 MR. G. BROWER: Just observations. I
48 know over the many years that we've had the Chair's
49 report and have gone before the Federal Subsistence
50 Board and the Chair is always invited to the Federal

1 Board of Game to talk about our issues and stuff. I
2 would hope that the dialogue here is part of that. I
3 know oil and gas issues are not subsistence but they
4 are by far very impacting to the availability of
5 resources at times.

6

7 CHAIRMAN BROWER: Uh-huh.

8

9 MR. G. BROWER: And I think that's
10 where it has to come in. I understand that, you know,
11 these regulations to customary use determinations on
12 animals and how we proceed with that is a very
13 important part of the work but also to recognize there
14 are impacts to these resources that we harvest that we
15 continue to have reasonable access to the resources.

16

17 Thank you.

18

19 CHAIRMAN BROWER: Thank you, Gordon.
20 You're right we've had lengthy discussions on some of
21 these issues and sometimes they continue to resurface
22 because of the lack of attention being sought after and
23 the impact that we continue to hear and continue to
24 deal with here on the North Slope, it may not be only
25 industry but it's also other research on the resources
26 themselves, not just from the industry but different
27 universities and as well as the resource managers
28 conducting their annual research on some of the --
29 like, caribou, for instance, is one of the ones that
30 they do a lot of research gathering and tracking and
31 monitoring the movements and that's -- and that has an
32 impact to hunters at times when they're subsisting.

33

34 Continuing -- I have to say, Gordon,
35 just in responding I think providing a lot of that
36 information in regards to the letter that you had
37 generated before the time lapse when you were not on
38 the Board for awhile and then you came back in, so we
39 did provide those comments and I did share them with
40 the Federal Subsistence Board at the previous meeting
41 that I attended. And yet we still hear those same
42 concerns, you know, not just coming from us but from
43 others as well and, you know, our resources that are
44 affected.

45

46 MR. G. BROWER: And just one other.

47

48 CHAIRMAN BROWER: Go ahead, Gordon.

49

50 MR. G. BROWER: These concerns, I

1 think, they're very critical concerns because we're all
2 observationists, we're like scientists of our own land
3 and we do the same thing that the scientists do, we
4 monitor, we look at impact, but just from a different
5 perspective. We monitor them so we can shoot them or
6 fish them, you know, so that they're -- basically
7 almost the same type of monitoring. So in
8 supplementing the Chair's report, I would request that
9 the Regional Advisory Council start acting on a motion
10 basis to support the Chair's report.

11
12 CHAIRMAN BROWER: All right, thank you,
13 Gordon.

14
15 At this time I'd like to remind the
16 folks on the teleconference if they could mute their
17 phone system, we'd appreciate it because it's having a
18 little bit of interference over the PA system here at
19 the meeting. Thank you.

20
21 With that we'll move on to the --
22 unless we have any other questions or comments in
23 regard to what you've heard regarding the.....

24
25 MR. R. NAGEAK: Just.....

26
27 CHAIRMAN BROWER:Chair's report.

28
29 MR. R. NAGEAK: Just one, Mr. Chair.

30
31 CHAIRMAN BROWER: Roy.

32
33 MR. R. NAGEAK: And I don't know how to
34 address this issue but it's for the benefit of us that
35 I always wanted to know where the Teshekpuk Herd is or
36 the Western Arctic Herd is, that is so easily
37 accessible on the website and whether that's a
38 detriment for the herds. How easily planes or
39 outfitters could easily go to areas that these neck
40 braces or whatever they call them, because we see them
41 -- we always know where the Teshekpuk Herd is because
42 it's on a website on a daily basis. And when it was
43 all along the coast they were there, we saw them, but
44 then that's access to everybody else, too. I mean it's
45 good for us but is it good for the herd when there's a
46 lot of transporting and outfitters that they follow the
47 herd all over the country.

48
49 CHAIRMAN BROWER: Roy, if that's.....
50

1 MR. R. NAGEAK: When there's a lot of
2 caribou I don't mind, but, you know, it's always a
3 concern.

4
5 Thank you.

6
7 CHAIRMAN BROWER: Yeah. Roy, I was
8 going to say -- I was going to make a little joke about
9 this, I thought they were called love handles because
10 they love to share information.

11
12 Anyway, Ernest, I see you here now and
13 then we went into a lunch break and maybe I better give
14 you an opportunity, you raised your hand and then we
15 kind of progressed forward on the agenda but I know you
16 had asked to be recognized so we'll give you the
17 opportunity at this time unless there's some pressing
18 questions from the Council in regards to the Chair's
19 report.

20
21 MS. AHTUANGARUAK: I just wanted to add
22 that it's really important from membership of our RAC
23 to be involved in the statewide meeting.

24
25 CHAIRMAN BROWER: uh-huh.

26
27 MS. AHTUANGARUAK: When I was able to
28 attend that meeting it really gave me a tremendous
29 insight into the changes throughout the state and how
30 resource management has increased in impacts for tribal
31 people in the southern part of the state and throughout
32 the Interior and less so on the North Slope, but it is
33 where we are headed to in the near future with the
34 impacts that are coming towards us with the changes to
35 our lands and waters. We really have to be abreast of
36 what's going on in those meetings because of the
37 precedent setting issues that we may not foresee if
38 we're not in tune to issues that are being presented in
39 that process.

40
41 Thank you.

42
43 CHAIRMAN BROWER: Thank you, Rosemary.

44
45 MR. E. NAGEAK: Ernest Nageak for the
46 record.

47
48 Going through the concerns from Gordon
49 and Roy regarding steller eiders and fox trapping.
50 That incident that Gordon talked about brought U.S.

1 Fish and Wildlife Service to Barrow and when they came,
2 they came with full force law enforcement and all just
3 from that one incident. And from then on, that one
4 incident caused other rules and regulations on the bird
5 hunting of common and king eiders but the community and
6 local organizations such as Native Village of Barrow,
7 UIC and North Slope Borough started a co-management
8 Council and we got together and met so many times and
9 we resolved all those rules and regulations. They went
10 from a duck hunting curfew to -- and 24 hour/7 law
11 enforcement to this day when law enforcement only comes
12 two or three times a summer just to say hi because they
13 know that we don't hunt those birds and now that
14 they've backed off and my job is just going to be a
15 local people where the community and local hunters feel
16 comfortable coming to my office and sharing their
17 concerns and questions regarding U.S. Fish and Wildlife
18 and law enforcement and I go and share whatever
19 concerns they have to the right people.

20

21 Our office's main concern is endangered
22 species of the birds and if there's other concerns
23 regarding marine mammals I can share that with those
24 people.

25

26 And when they think of U.S. Fish and
27 Wildlife Service in Barrow, all everybody thinks about
28 is law enforcement and that's not all our office is
29 about, you know, we have summer programs that -- fox
30 trapping and lemming studies that provide maybe some of
31 your kids for summer hire. This summer we hired like
32 12 to 14 students to do all kinds of studies and get
33 them more involved in wildlife.

34

35 And Roy was right about the fox
36 trapping, we'll keep sharing that with the people in
37 Fairbanks and Anchorage. Because when they came
38 earlier in the springtime that's when they got about 90
39 percent of the foxes and when all the snow was gone
40 they hardly trapped any.

41

42 But I've been with this job since
43 November and it's just more of a -- a community liaison
44 right now, now that law enforcement, less activity is
45 going around regarding those hunting ducks and stuff.

46

47 CHAIRMAN BROWER: Thank you for
48 providing that information. Could you restate your
49 position with the U.S. Fish and Wildlife Service.

50

1 MR. E. NAGEAK: Alaska Native Affairs
2 Specialist.
3
4 CHAIRMAN BROWER: All right, thank you.
5
6 MR. E. NAGEAK: And we have an
7 educational specialist and so there's two of us in the
8 Barrow office that are year-round now. And I just put
9 up signs that steller eiders were nesting, they found
10 about 20 or so, steller and spectacles each. Because
11 they hired students all summer that had been walking
12 all over near Gaswell and also -- and -- but also
13 there's no longer any rules regarding the duck hunting
14 issue except as a curfew or anything, it's back to
15 normal now.
16
17 Thank you.
18
19 CHAIRMAN BROWER: Thank you, Ernest.
20 Any questions to Ernest from the Council.
21
22 Gordon.
23
24 MR. G. BROWER: Mr. Chair. (In
25 Inupiat)
26
27 It's really good to -- I knew there was
28 a presence with the Native liaison over here but I
29 didn't know the extent of the responsibilities in
30 making sure communication with other enforcement agents
31 or some other studies programs of just what we've seen
32 in NPR-A, Teshekpuk Lake area that -- I think a loud
33 message should be sent, even through yourself as the
34 Native liaison that local laws and ordinances need to
35 be adhered to in terms of making sure mitigation
36 measures are in place to protect those that do subsist
37 in the areas that the studies are going on. We do
38 encourage local participation and local laws exist to
39 do something like that, to create partnerships and
40 where it's feasible and prudent to do so by agencies.
41
42 (In Inupiat)
43
44 MR. E. NAGEAK: We have North Slope
45 Borough wildlife, Native Village of Barrow wildlife,
46 and we all need to work together like we did when that
47 duck issue came up, we all worked together and solved
48 the problem. I think we all need to work together, not
49 only after a problem happens but before it happens, we
50 just need to keep talking to each other and we have

1 many other scientists and people coming up and studying
2 the same things every year like copying somebody else's
3 study, like they could share the information instead of
4 having 10 people doing one study all at different
5 times. Just talking together and outreach plays a big
6 role in getting things done.

7

8 Thanks.

9

10 CHAIRMAN BROWER: Thank you, Ernest.

11

12 MR. G. BROWER: Just one more, Mr.

13 Chair.

14

15 CHAIRMAN BROWER: Yeah, go ahead
16 Gordon. You're in the hot seat Ernest, you have to
17 stay seated.

18

19 MR. E. NAGEAK: Yeah.

20

21 CHAIRMAN BROWER: Go ahead, Gordon.

22

23 MR. G. BROWER: I would highly
24 encourage for you to communicate to those folks, get
25 the local permits that are around here. The Air Force
26 did it when we did the Cape Lisburne cleanup. We
27 listened to a lot of the RAB meetings and project clean
28 up sites and those agencies do come to the Borough to
29 get local permits to where its -- the law allows it and
30 to the extent that it's not excluded by Federal law and
31 in most cases, unless it's top-secret and it's covert
32 operations or something or a missile defense site, then
33 they should use the supremacy clause but not for little
34 things that affect every day life of people because
35 right now it's putting a black eye, I think, on Fish
36 and Wildlife Service, USGS and the other folks that
37 want to use the Federal Supremacy Clause and say we
38 don't need no local permitting and we don't need to
39 abide by those laws and ordinances when in the same
40 area there are industry folks that are abiding by local
41 laws, creating mechanisms to work together such as
42 subsistence representatives and mitigating for adverse
43 impacts for routes and ways to minimize hunter
44 interference. We hear it from Atqasuk, we hear it from
45 Wainwright, we hear it from Point Lay, Nuiqsut, all of
46 these issues and when we do our investigation it turns
47 out it's the Federal agencies that are -- are the worst
48 abusers of -- of this because they think they have, and
49 they probably do, in their world, the right to do what
50 they want. And it's just the same issues about taking

1 the antlers, we would put stipulations on permits,
2 respect the trap lines of people, don't remove antlers
3 that are put in the ground to hold traps over many
4 years. And in the same way I've seen BLM over at
5 Inigog have hundreds of mastodon tusks and taking them
6 out of the North Slope, those are my resources, those
7 are people's resources to make ulu handles and
8 subsistence use of these materials and they take them
9 away from the North Slope and we don't know what they
10 do with them.

11
12 MR. E. NAGEAK: There is many different
13 departments at the Federal government and not all of
14 them even know we have an office here and I wish they
15 could all come and tell me whenever they're in town and
16 tell me what they're doing but, you know, I don't --
17 you know, there's also miscommunications in every
18 department so there's -- and I was going to say
19 something else -- oh, yeah, all the programs we're
20 doing in Barrow, like eider, our main concern is the
21 steller and spectacles and Tuesday the 21st our office
22 will be having an open house to the community, it's
23 going to be at 6:30 and we'll just talk about our
24 projects in the Barrow area about steller's and
25 spectacles studies so Tuesday the 21st we'll talk about
26 our programs and the students that we hired, they'll be
27 doing presentations on what kind of work our service,
28 the Fish and Wildlife Service does in the Barrow area.

29
30 And like Marine Mammals and they all
31 got their own departments and studies and like I said a
32 lot of them don't inform you or tell me about all these
33 studies but they need to try to have more better
34 communications.

35
36 CHAIRMAN BROWER: Okay, Ernest.
37 Rosemary.

38
39 MS. AHTUANGARUAK: I want to thank you
40 for taking this role. Having someone like you within
41 the role that you've taken facilitated our community in
42 dealing with the issue related to the ducks. If we
43 didn't have someone to where our hunters felt
44 comfortable coming in and approaching you, it would
45 have been a very different process because the
46 understanding of the issue would not have been there.
47 The process that you put forward in trying to improve
48 the communication with the agency was very instrumental
49 in this region dealing with that issue. There were
50 other people that were involved but you were a key

1 contact for our village hunters and that was an issue
2 that needs to be expanded into other roles because
3 we've got multiple species that are being impacted and
4 there is a lot of concerns from many communities over
5 subsistence harvesting and their ability to continue
6 into the future. So I really want to thank you.

7
8 The other thing I wanted to bring out
9 was that we had an opportunity to participate with one
10 of your projects in which you worked with the students
11 and teaching them about our lands and about plants and
12 there weren't enough of us involved in that process.
13 We need to be aware of what is happening, and when we
14 have our kids being taught in a process we need to get
15 involved in that process so we know what our kids are
16 being taught as well as we are involved in the
17 education that we're giving to our kids in these roles.
18 I thank your staff that contacted me so I could
19 participate in that process but I felt the void of not
20 having the depth of our panel or other panels involved
21 in the process that could have improved their process
22 in that class that was offered to the multiple age
23 groups that you guys provided.

24
25 And the other point that I wanted to
26 bring out is getting the students involved in
27 presenting the report to our community is very
28 instrumental. Having it at your open house is one
29 thing but also getting them into our leadership council
30 meetings is very important because when we're having
31 our own students presenting and educating us it impacts
32 us as leaders in ways that are very important and
33 understanding. We have issues that are before us and
34 we can see what some of those issues are but we don't
35 always see them with the eyes of the young that can
36 bring in some real key comments into this process with
37 longevity that we think we may see but we get
38 clarification from their involvement. So if we can
39 incorporate this process and to help building them into
40 the leaders in our local community leadership process
41 that'll also be a very good process.

42
43 Thank you.

44
45 MR. E. NAGEAK: Yeah, thanks. One of
46 our goals is to get more younger kids involved in
47 science and the importance of our subsistence resources
48 because that's the food we depend on and we encourage
49 more local students to get into science and biology who
50 grew up on our lands so they could study and monitor

1 our own animals.

2

3 And, thank you, if it wasn't for you
4 guys, for all your support it would have been a much
5 harder job, but with a lot of local support it's going
6 good.

7

8 Thank you.

9

10 CHAIRMAN BROWER: Thank you, Ernest,
11 for taking this opportunity to provide some comments
12 for the Council.

13

14 MR. R. NAGEAK: Mr. Chair.

15

16 CHAIRMAN BROWER: Is it Roy.

17

18 MR. R. NAGEAK: Winter meeting, I hear
19 a lot of people that are working in the subsistence
20 area and one of the concerns that was brought forth was
21 the funding for Federal programs, that's a lot of
22 things to support to get a lot of things done for our
23 areas. And most of these, like this Federal
24 Subsistence Board have an Anchorage office, U.S. Fish
25 and Wildlife Service probably have an Anchorage office,
26 Bureau of Land Management, I know they've got a big
27 Fairbanks office, it's always where all the
28 (indiscernible) congregate, National Park Service, I
29 don't know where they have their office, Bureau of
30 Indian Affairs, I think they're in Juneau; one of the
31 requests that I made before was the openness that needs
32 to be available and the accountability of all the
33 Federal programs that support to help the rural areas
34 and our Native population, and all the monies that are
35 being spent, that we could help each other to reassure
36 funding for the support of like subsistence would
37 always be there.

38

39 It just so happened about a year and a
40 half ago I was going on a plane ride south from
41 Anchorage to Los Angeles and I just happened to sit by
42 an accountant for the Federal government, and I don't
43 know why but she told me, there's so much Federal money
44 that is being wasted that's supposed to help the Native
45 peoples out in the rural areas but it stops in
46 Anchorage. And that's -- the openness we need to have
47 and the accountability of Federal funding that's
48 supposed to help the rural areas in the different
49 issues, or different complications for complying with
50 and not seeing that openness especially with the

1 timeliness of the Federal budget being upon us, that
2 that accountability issue of things that need to go out
3 into the rural areas to help them opening positions
4 like just one here in Barrow, which diffused a lot of
5 conflicts and different opinions on how our lives are
6 being affected by the Federal and the State rules and
7 regulations that are coming down. So in the openness
8 of what monies from the Federal government and how the
9 hierarchy, especially subsistence, the hierarchy that's
10 supposed to help us from the Department of the
11 Interior, if it's right in front of us, like there's a
12 couple of subsistence people and I know this guy is a
13 subsistence person, but really on a hierarchy or --
14 what do you call that, all the personnel that works for
15 subsistence issues, if it's right there, and the issue
16 of not knowing where to go to address an issue, there's
17 so many different BLM, Park Service, if the hierarchy
18 of all the people are there in one page, or a couple
19 pages then it won't be a problem for us to take our
20 problem or issues to people that will answer, have that
21 quick answer for us, that diffuses a lot of comments.

22

23 It.....

24

25 CHAIRMAN BROWER: Roy, we'll have
26 further discussion under the charter of the Council and
27 that's some of the subjects that we could be addressing
28 through that.

29

30 MR. R. NAGEAK: Yeah.

31

32 CHAIRMAN BROWER: Because of all the
33 different Federal agency programs that we deal with in
34 subsistence, we'll again have further discussion under
35 that.

36

37 MR. R. NAGEAK: Okay. If it's in our
38 agenda then I won't expound on that.

39

40 But you know where we're coming from in
41 regards.....

42

43 CHAIRMAN BROWER: Yes.

44

45 MR. R. NAGEAK:to the Federal
46 monies that are out there and how it's closing up and
47 whether -- an accountant was sitting right next to me
48 and he had retired or whatever and he says, there's so
49 much money that is just sitting in Anchorage where it
50 needs to go out to the rural area to help with the

1 different issues that needed to be addressed.

2

3 I just wanted to point that out. We
4 need to help each other with all the Federal funding
5 budgets, the accountability in helping each other would
6 really ease a lot of problems.

7

8 Thank you.

9

10 CHAIRMAN BROWER: Thank you, Roy.

11

12 MR. E. NAGEAK: Since I've started
13 working with the Service they started to realize the
14 importance of communicating with Natives and tribal
15 organizations. I think when I first started they had
16 first or the second -- I think first or second -- I
17 think it was like a first annual Native relations
18 training, you know, talking about the Service going to
19 rural communities and they were giving them training
20 from all the different regions on how to treat
21 different people from rural areas. And I just wanted
22 you to know that the Service is now realizing the
23 importance of communicating with rural and tribal
24 governments and they're getting better at it every
25 year, the communication is getting better. In other
26 regions they have Refuge information technicians that
27 are similar to my job to provide information and
28 outreach to and from the Service.

29

30 CHAIRMAN BROWER: Thank you, Ernest for
31 your information. That's really helpful and in being
32 able to get involved with our Regional Advisory Council
33 and sharing that type of information.

34

35 Thank you.

36

37 MR. E. NAGEAK: Thank you.

38

39 CHAIRMAN BROWER: I see we're moving
40 right along in regards to our agenda even though it may
41 not seem that way.

42

43 (Laughter)

44

45 CHAIRMAN BROWER: Okay, we're down to
46 Item 8, we pretty much covered that, public and tribal
47 comment on agenda and non-agenda items. Maybe I'll
48 just ask our coordinator to see if there's any other
49 comments that need to be shared with us from the
50 public.

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(No comments)

CHAIRMAN BROWER: If there are none we'll move on down to our next agenda item. It's Agenda Item No. 9 regulatory proposals. 9A, discuss extensions of moose season in Unit 26B remainder and 26C.

MS. PATTON: Mr. Chair, if I may, I can provide an update on that.

CHAIRMAN BROWER: Yes, Eva.

MS. PATTON: That was a special request from Lee Kayotuk from Kaktovik who wasn't able to be here today and he was just seeking information on what their options were for extending the hunt. So OSM is able to work with Lee and with the village of Kaktovik to provide them that information on whether they would prefer to do an in-season action request or to work through the Federal Subsistence Board process to extend that.

CHAIRMAN BROWER: So we were able to -- was the Office of Subsistence Management able to coordinate with the community of Kaktovik on the extension?

MS. PATTON: Yeah, I'll be following up with that. Lee has been out doing field work for fisheries so I can follow up with him on that and Kaktovik to provide that information to OSM. And then there are a number of others that are here to present today that I think they were here at the request of the Council to provide information and they may have a lot of the answers to the questions you're looking for so we have Park Service, ADF&G, and we have folks from BLM that will speak to the EIS process and permitting and also agency Staff that will cover the new tribal consultation. So I think we've got a lot of folks here in the audience who might be able to provide some of the questions that are coming up here.

MR. G. BROWER: Mr. Chair.

CHAIRMAN BROWER: Yes, Gordon.

MR. G. BROWER: Are we able to discuss the extension Unit 26B, remainder of 26C and what the

1 current situation is on the harvest for the community.

2

3 MS. PATTON: Again, that -- Mr. Chair,
4 if I may.

5

6 CHAIRMAN BROWER: Yes.

7

8 MS. PATTON: That was Lee Kayotuk, who
9 wasn't able to be here today that was seeking
10 information, he had asked for that to be on the agenda.
11 And this moose hunt is particular just to Kaktovik, and
12 I think we would need the community's feedback in this
13 process to discuss it. Again, they were just seeking
14 information on the options for how to change that
15 harvest timeline if they wished to do so.

16

17 MR. G. BROWER: Mr. Chair.

18

19 CHAIRMAN BROWER: Yes, Gordon.

20

21 MR. G. BROWER: I recall extensive
22 dialogue in the past and supporting Kaktovik in some of
23 these proposals especially increasing the amount of
24 harvest for that community of moose. I think they were
25 struggling with just one moose at that one time for the
26 entire community, able to harvest one moose, in an area
27 where there was information about moose, either
28 resident moose, or the transient population of moose
29 that come in from the bordering unit as a replenishment
30 stock that was interpreted by some of the biologist
31 saying, even if you kill all the moose in this area,
32 it'll come back from this other unit here because they
33 move around. And limiting the number to one moose for
34 the entire community of Kaktovik seemed to me, a very,
35 very big hardship when the neighboring unit along the
36 Dalton Highway can get -- was getting moose in that
37 area.

38

39 It's just one of those lingering long
40 established arguments about putting food on the table
41 for a community.

42

43 CHAIRMAN BROWER: Thank you, Gordon.
44 So I think that -- I'm not sure if that covers all the
45 points you needed to provide regarding the discussion
46 on this extension of moose -- the moose season in 26B,
47 in regards to what we have to struggle with in trying
48 to get that extension or get the hunt even closer to
49 the community because of the extent of the travel that
50 they had to go through just to get that one moose.

1 MR. G. BROWER: Yeah.

2

3 CHAIRMAN BROWER: Yeah.

4

5 MR. G. BROWER: It involved even trying
6 to appease by saying, well, we'll put a customary use
7 determination for Unit 26 on that -- what is that, 26-
8 something on the Dalton Highway and say we'll make your
9 customary use determination exist over here but that's
10 like a 100 miles away.

11

12 CHAIRMAN BROWER: Yeah.

13

14 MR. G. BROWER: When the moose can be
15 had right there in the -- and they say, oh, by the way
16 you can only get one for the entire community.

17

18 MR. EVANS: Mr. Chairman, could I
19 comment on this, this is Tom Evans.

20

21 CHAIRMAN BROWER: Go ahead, Tom.

22

23 MR. EVANS: Okay. So Unit 26C is
24 combined with 26B around Kaktovik and in the past
25 there's been -- there are very few moose that actually
26 come down into the Kaktovik area for hunting and up to
27 three permits have been allowed for those residents in
28 the past and 26C has not had an open season since 1996.
29 The Board of Game, though, did some surveys over in the
30 Perth and Macha River (ph) areas which is that
31 population that basically migrates between Canada and
32 the U.S., and that population seems to be high enough
33 right now to have a moose popu -- have a hunt
34 established there. And so the Board of Game had
35 proposed changing -- adding the -- opening up that area
36 in the Perth and Macha River drainages to residents for
37 one bull between September 1st and September 25th and
38 adding the Kongukuk drainage to the hunt area up to
39 Cane Creek and they would have that -- their suggestion
40 would be to have a drawing permit up to 30 permits.
41 They think out of that population they could harvest 10
42 bulls without any effect on the population. The
43 population information indicates that it's high enough
44 now to sustain a hunt. There's over 50 percent of the
45 bulls that have antlers that are greater than 50-inches
46 so it seems like that that's an action that's being
47 worked on.

48

49 Right now we are looking at that closed
50 area, 26C and we're waiting for some additional

1 information from Fish and Game, which should be
2 forthcoming after the surveys in October/November of
3 this year and after that I'm guessing a decision will
4 be made on the next wildlife cycle here.

5

6 So just a little background.

7

8 CHAIRMAN BROWER: All right, thank you
9 for that, Tom. It's a little bit difficult to identify
10 the names without a map, well, we do have a map but it
11 doesn't have all the names of those areas you mentioned
12 and that's something I've always asked for, is to have
13 a map present during our meetings and that would help
14 us identify the areas that are being considered.

15

16 Rosemary.

17

18 MS. AHTUANGARUAK: We also received
19 correspondence through the mail about this proposal.
20 There is concern because the moose population in this
21 area migrates over 100 miles and that range goes over
22 multiple units as well as the International Boundary
23 for the Canadian border, and there are concerns about
24 adding an increased hunt into this area without fully
25 understanding that population and the range that
26 they're occurring. There were tribal communities that
27 did provide comment that they felt if they were to
28 allow this hunt and if it were to impact the species in
29 various portions of their range, it would greatly
30 decrease their numbers because of the distances these
31 moose travel upon.

32

33 I also recognize that there is a lot of
34 improvements that can be made to understanding the
35 efforts of Kaktovik in their hunt, but there is also a
36 lot of factors that increase the understanding of how
37 our population comes into the area. Nuiqsut provided
38 much comments about changes that happened with moose
39 populations related to fires in the Interior and what
40 that does to the populations and adding a hunt to this
41 area would impact that dispersant of the moose that may
42 be coming from other areas and impact those numbers.

43

44 Failures of our State to effectively
45 manage moose populations have been demonstrated in
46 multiple regions with efforts of micro-managing of
47 these species and it's very important that we don't put
48 our species at our risk because this is a population
49 that could be greatly threatened.

50

1 Thank you.

2

3 CHAIRMAN BROWER: Thank you for your
4 comment, Rosemary.

5

6 Gordon.

7

8 MR. G. BROWER: Yeah, I think this is
9 very welcome news to hear about these studies. I mean
10 I've heard ADF&G folks take their hats off and
11 participate in dialogue and say you're absolutely
12 correct, the traditional knowledge folks here know that
13 these moose are transient, they come from another unit
14 and replenish these areas and I'm very -- I feel more
15 positive that work like this, including traditional
16 knowledge information so that you can adequately survey
17 them from other areas as they replenish areas that seem
18 to run out.

19

20 I think that was just a contentious
21 issue and a hardship for a community that depended on
22 this resources.

23

24 Thank you.

25

26 CHAIRMAN BROWER: Thank you for your
27 comments, Gordon. And as continue to learn more about
28 to where the new changes are occurring and reflecting
29 on areas on -- and identifying them on a map, it's
30 still quite a distance to get to those areas of what's
31 being considered by the State even though it's likely
32 to increase the harvest of moose, but you have to also
33 be aware of the distances that these subsistence
34 hunters have to travel to get to that area and whether
35 they're looking to utilizing an air taxi service to
36 transport them to the area that's being considered
37 being open for moose hunting. And when you look at the
38 distance to the upper drainages that's well over -- at
39 least 150 miles very easily and that's just in a
40 straight line, that's not even considering the terrain
41 as to how you have to get there. I mean in regards to
42 the other area that we addressed before was in 26B, I
43 mean it'd be much easier to traverse over the coast
44 line -- the coastal planes than going up into the
45 mountains not unless you know exactly when and where to
46 go to get to these moose.

47

48 So there's some differing
49 considerations and opinions that we have here, and I'd
50 like to further the discussion with the involvement of

1 our Council member from Kaktovik, and having their
2 input as well, in regard to this proposal that's been
3 submitted to the State, or is it the Federal
4 Subsistence Board.

5
6 Sandy, could you please come on up.

7
8 MR. RABINOWITCH: Thank you, Mr.
9 Chairman. I'm Sandy Rabinowitch with the Staff
10 Committee and Federal Board and I've been around long
11 enough that I recall the conversations that Gordon does
12 and you do and I would agree, I think, you've
13 accurately recounted them. And so I'm not current on
14 the discussions that have been going on that you're all
15 talking about, and this is new information to me, but
16 one thing I would point out to everybody is in the
17 Federal book, the current Federal book, on the bottom
18 of Page 121, 121, in Unit 26B remainder and 26C, so if
19 I'm in the right place, at the very bottom there is a
20 -- what I want to point out is there's a Federal
21 closure and what that means is, that if the State were
22 to open a hunt this Federal closure supersedes any such
23 State opening. Now, again, I don't know what the
24 discussions are with the State but if I understand, you
25 know, what I'm hearing you say, an opening of the State
26 would be welcome but what I'm saying is this Federal
27 closure wouldn't let that opening happen.

28
29 So I'm trying to point out that
30 somebody needs to pay attention, perhaps in OSM or
31 whatever, but pay attention to this Federal closure and
32 make sure that when things change, if they do, that
33 they change in a way that you all understand the
34 changes and you get what you're seeking.

35
36 CHAIRMAN BROWER: Uh-huh.

37
38 MR. RABINOWITCH: You don't run into a
39 spoke in the wheel and be surprised and disappointed.
40 So that's all I'm trying to do is point out that this
41 closure is in place.

42
43 MR. R. NAGEAK: Mr. Chair.

44
45 CHAIRMAN BROWER: Gordon, and then Roy.
46 Gordon.

47
48 MR. G. BROWER: I mean that's -- those
49 are some of the Catch-22s almost. But that always
50 seemed to me was a detriment to Kaktovik because you

1 open a limited opener on another side and it took away
2 the resources that would be a transient population to
3 this side, therefore, limiting, severely limiting
4 Kaktovik's ability to harvest.

5
6 So that's where the Catch-22 exists.
7 There should be no way to determine in 26C a population
8 except for that it is a transient population, it
9 replenishes from our revolving corridor of moose. So
10 that needs to be emphasized so the Kaktovik villagers
11 can get their moose.

12
13 CHAIRMAN BROWER: Thank you, Gordon.
14 Sandy.

15
16 MR. RABINOWITCH: I understand, I mean
17 I believe I understand very clearly what you say and if
18 my memory serves me correctly and one would have to
19 look into the records of this, but I'm guessing when
20 this Federal closure on Page 121 was put into effect
21 there was -- what the program -- and some of you know
22 this but some might not, it's called an .804 analysis,
23 Section .804 of ANILCA analysis, and that's an analysis
24 done as part of a proposal when there isn't enough of
25 the resource for even all of the subsistence users,
26 those usually lead to a regulation exactly like this,
27 where the nearest community most dependent ends up with
28 an opening and all the others don't.

29
30 So, again, I'm just kind of going on my
31 memory and bet a buck that I'm right, and, again, if
32 things have changed, some different ideas about things,
33 this regulation could be a stick in the spokes, which
34 is not what I hear you wanting, so I'm just trying to
35 point out here to make sure it's part of any
36 discussion.

37
38 CHAIRMAN BROWER: That's what I was
39 saying it's still in the works, it's not even to be
40 suggested as an opening yet.

41
42 MR. G. BROWER: We're just dialogue'ing
43 on the uptake.

44
45 CHAIRMAN BROWER: Yes, thank you,
46 Gordon.

47
48 (Laughter)

49
50 CHAIRMAN BROWER: So we have Vince,

1 Vince if you could come down and while you're coming
2 down, Roy, you have a comment you wanted to interject.

3

4 MR. R. NAGEAK: Just an issue on a
5 statement where the Federal government laws or rules
6 and regulations are subservient to State, I just -- is
7 that still -- or did they do away with that. Remember
8 we had a healthy discussion during our winter meeting
9 where Federal laws are subservient to State laws.

10

11 MS. AHTUANGARUAK: No, it's the other
12 way.

13

14 MR. R. NAGEAK: Uh.

15

16 MS. AHTUANGARUAK: It's the other way.

17

18 CHAIRMAN BROWER: It's the other way,
19 you got them changed around Roy.

20

21 MR. R. NAGEAK: Oh, I thought it was
22 the other way around especially with the caribou. Am I
23 getting confused.

24

25 MS. AHTUANGARUAK: The State puts it
26 that way, but it's not supposed to be.

27

28 CHAIRMAN BROWER: Okay. Hold your
29 comments, thank you.

30

31 (Laughter)

32

33 CHAIRMAN BROWER: Vincent.

34

35 MR. MATHEWS: Yes, thanks. I'm Vince
36 Mathews with Arctic Refuge, Kanuti and Yukon Flats.
37 Maybe missing in all this is I did work with Lee on
38 this issue and the issue was the weather conditions
39 this past winter prevented them from going out and
40 hunting. They had the option to submit a special
41 action, that's an action you take just during this
42 season, so I waited and waited and they didn't get back
43 to me on that. So there is still the issue if three
44 moose is still the right amount. But I think without
45 Lee here explaining what's meant by extension, we're
46 not sure what -- because that season -- I don't have it
47 in front of me, is until March -- July 1 through March
48 something and I'm not sure how much more extension you
49 could go that way, March 31st, July 1 through March
50 31st.

1 So the other thing is I administer
2 eight different hunts, permitted hunts, and I could get
3 you the records on participation of this hunt. I also
4 realize that a lot of people do not report so I'm not
5 naive on that and I'm not saying Kaktovik does not
6 report, I'm saying that the records on the harvest
7 reporting need to be looked at, you know, not absolute.

8
9 And so hopefully that clears it up and
10 hopefully Lee will be at the next meeting to understand
11 this and then you could explore proposals, et cetera,
12 and allow Staff to play, like Sandy was starting to,
13 putting words in his mouth, devil's advocate, because
14 you need to know what arena you're walking into.
15 Staff, if you allow us to do that, and play that role,
16 but we can't just come up and say, oh, well, if you do
17 this, that's going to happen. We need you to allow us
18 to openly discuss these so you can make the decisions
19 is what I'm getting at.

20
21 Okay.

22
23 CHAIRMAN BROWER: Okay.

24
25 MR. MATHEWS: So hopefully that clears
26 up with Lee, they did not get back to me on the special
27 action, he wanted to talk to Fenton on that and there
28 were other activities in the community or whatever and
29 that did not transpire. So hopefully that gets
30 somewhat -- but the issue is still there, I understand.

31
32 CHAIRMAN BROWER: So thank you for
33 clarifying that Vince.

34
35 MR. MATHEWS: And I think the next
36 meeting is when you submit proposals so maybe at that
37 time the whole issue could be discussed with Lee and
38 then brought before you to openly, I suppose, debate.

39
40 CHAIRMAN BROWER: Gordon.

41
42 MR. G. BROWER: Yeah, I think there's
43 been many years of healthy dialogue about this concern
44 from -- I think it started off with Fenton in the past
45 and continued on with Lee and with some help from
46 Fenton, but you said there should be proposals and
47 things like that that allow you guys to get direction
48 and things like that. Many years ago, I think when I
49 first started back in the '90s or something like that,
50 there was a proposal from a neighboring region to

1 protect the Fortymile Caribou Herd and the North Slope
2 region was asked to do an intake of timberwolves and
3 relocate them up here in the Arctic to relieve the
4 pressure of predators on mortality of the calves to try
5 to increase Fortymile Caribou. Couldn't pilot projects
6 continue in those types of fashions even in the ANWR
7 sector to see what happens just to put an extra number
8 of moose from another area and put them in place and
9 see what happens to that population, in fact, if they
10 will just migrate out of there or if it increases the
11 population in any measurable, that's indicatable. I
12 mean it seems like it's been done before to help
13 populations in other areas and seems like a proposal is
14 lacking from the North Slope region to do much of the
15 same type management style like that, active
16 management.

17

18 MR. MATHEWS: You can bring up those
19 issues and that, I just know from reading a recent
20 article, and, again, I'm not a biologist, is that,
21 transporting moose is extremely difficult and expensive
22 and in addition it may not meet your objectives for
23 what you're trying to do.

24

25 So you're asking kind of for an
26 experimental project. You're also asking for -- I'll
27 just jump into it, predator control, those are two
28 separate issues. Those take tremendous amount of time
29 to get developed, I'm not going to hoodwink you on
30 that. The Fortymile took a long time, for example, and
31 elsewhere. But those are things that you could explore
32 and I believe it's been discussed before through your
33 annual report, because the Board manages subsistence
34 uses, what you're asking for is management of actual
35 populations which is done by the State and different
36 agencies. So I won't comment on the Fortymile but
37 there's State people here, that was a big experiment.

38

39 MR. G. BROWER: Yeah, I'm just saying
40 there were experiments and we accommodated them to see
41 how they would work, we were asked by I think a number
42 of the Federal Regional Advisory Councils, said, yeah,
43 bring them all up here and we'll shoot them all up and
44 trap them all.

45

(Laughter)

46

47
48 MR. MATHEWS: Yeah, that's exactly what
49 I heard with the translocation of bears from McGrath
50 area. But the point of it is, is that we need to look

1 at these as options and then you, as a group, bring
2 those forward, whatever venue you do, but allow Staff
3 to openly discuss the plus and minus of these, they're
4 not just as easily as they may sound at the beginning
5 or there may be other caveats and then you go, oh, I
6 didn't know that, I really don't want that, so there
7 needs to be that dialogue and you have a good Staff
8 representation here on that. So future agendas, if
9 that's what you want on there, then through the agenda
10 process, we, meaning all the agencies can see if we can
11 get that type of Staff here, present.

12

13 CHAIRMAN BROWER: Thank you, Vince.
14 This is a discussion subject only and we still have our
15 representative in regard to the end result would be, in
16 regards to their request, without their involvement I
17 don't think we can progress too much farther without
18 having an open discussion. There's no action to be
19 taken on this subject.

20

21 MR. MATHEWS: No. Until Lee --
22 confirmation is needed, we don't want to get ahead of
23 the community of what their desires are.

24

25 CHAIRMAN BROWER: Yes, thank you for
26 sharing that.

27

28 Rosemary.

29

30 MS. AHTUANGARUAK: I just wanted to
31 recognize that this is a complex issue and that we need
32 to have further discussion on it. I don't want to lose
33 sight of the importance that the Federal public lands
34 are closed to the harvest of moose except by a Kaktovik
35 resident holding a Federal registration permit, that's
36 a very important issue that we need to keep as we
37 discuss this further. There is much that we can learn
38 with the changes that occurred on the Dalton Highway
39 with caribou hunting that may transfer into some of
40 this discussion but we need to approach this in a very
41 precautionary fashion, that we don't cause a negative
42 reaction that we've seen with these populations of
43 moose on the North Slope in previous years.

44

45 Thank you.

46

47 CHAIRMAN BROWER: Thank you, Rosemary.
48 Any other discussion or concern regarding Agenda Item
49 No. 9.

50

1 (No comments)

2

3 CHAIRMAN BROWER: None, we'll move on,
4 and thank you Gordon for the discussion.

5

6 Agenda Item No. 10, old business. 10A
7 review the draft memorandum of understanding with the
8 Federal Subsistence Board and State of Alaska and
9 develop comments and recommendations. Sandy
10 Rabinowitch.

11

12 MS. PATTON: If I may, Council members.

13

14 CHAIRMAN BROWER: Eva.

15

16 MS. PATTON: You have an additional
17 packet to follow along with Sandy. It's the second
18 page in your folders, the briefing for Regional
19 Advisory Councils, packet.

20

21 CHAIRMAN BROWER: Thank you, Eva. So
22 Sandy you have the floor.

23

24 MR. RABINOWITCH: Thank you, Mr.
25 Chairman. Again, I'm Sandy Rabinowitch with the
26 National Park Service. I sit on the InterAgency Staff
27 Committee to the Federal Board, and I also have, since
28 probably about 2007, have sat on two different work
29 groups, including the current one that have been --
30 there's been a Federal side and a State side and we've
31 worked on this memorandum of understanding.

32

33 Let me try to lay the ground work
34 because this is a very multi -- it's an old item that's
35 gone over many, many years and I think it potentially
36 can be kind of confusing so let me see if I can kind of
37 put this in context and then tell you where we're at
38 today.

39

40 The whole context actually starts in
41 2000, so 12 years ago. So in 2000 the Federal
42 Subsistence Board and the State signed a memorandum of
43 agreement, that stayed in place until 2008, when a
44 second MOU was put into place, so the 2008 version
45 slightly modified the 2000 version. What we're here
46 today to talk about is the 2012 version. And the
47 document that Eva has passed out to you to read,
48 because I know it's got a lot of small print and a lot
49 of strikeout text and a lot of red text that is added,
50 we're here to get your comment on that, on this redline

1 strikeout version. For other people in the room, or
2 are they without copies?

3

4 MS. PATTON: The finalized version is
5 in the RAC meeting book.

6

7 MR. RABINOWITCH: In the one you sent
8 out just the other day?

9

10 MS. PATTON: Yeah.

11

12 MR. RABINOWITCH: Okay.

13

14 MS. PATTON: And we do have additional
15 copies if people want to follow along with the final
16 version that's in the meeting book.

17

18 MR. RABINOWITCH: Okay. Because it can
19 get a little bit confusing, you know, which version
20 you're looking at.

21

22 So this package that you have in front
23 of you starts out with a briefing statement and what I
24 want to do is to quickly kind of walk through this
25 briefing statement and then we'll go into the document
26 and I'll try to keep this fairly short, but that's a
27 bit of a challenge. But before I get going I see
28 there's a question.

29

30 CHAIRMAN BROWER: Lloyd.

31

32 MR. LEAVITT: I -- I have a problem
33 with MOUs. As I stated earlier this morning, the State
34 of Alaska has no jurisdiction, we are under the
35 auspices of the Federal government above the PYK line.
36 And I've been stressing for a number of years that the
37 tribal government really needs to consultate an
38 agreement with the Federal government and leave the
39 State of Alaska out. They have no jurisdiction above
40 the Porcupine, Yukon, Kuskokwim River at all. And I
41 heard that statement less than a year and a half ago, I
42 hear it from certain number of people and I totally
43 disagree with working with the State, I'd rather be
44 working with the Federal government. We are on NPR-A,
45 Pet 4, that's my opinion, okay.

46

47 CHAIRMAN BROWER: Thank you, Lloyd.
48 We'll continue then.

49

50 MR. LEAVITT: Some people, I don't know

1 for what reason, bring the State of Alaska here and
2 they have no jurisdiction whatsoever and this should
3 apply to the people, tribal governments below the PYK
4 line. That's my opinion and it is true.

5
6 CHAIRMAN BROWER: Thank you, Lloyd, for
7 sharing your opinion, and we'll continue working with
8 our Federal Subsistence Board, they're the ones that we
9 are responsive to in terms of their understanding and
10 working relationship with the State as an advisory
11 we're able to communicate on such matters as the MOU
12 between the Federal Subsistence Board and the State of
13 Alaska. So we'll go ahead and hear from Sandy on what
14 the Federal Subsistence Board is considering in regards
15 to this memorandum of understanding.

16
17 MR. RABINOWITCH: Thank you. And I
18 would comment, Lloyd, that -- well, let me say one
19 thing and then I'll touch what you're on, as I'm sure
20 you know in 2009 there was a review by the Department
21 of Interior, it was something that a fellow named Pat
22 Pourchot announced at an AFN Convention, that the
23 Program was going to be reviewed and in that program
24 review, the question was raised do we need this MOU,
25 just like the point that you're making here. That
26 program review at the Secretarial level took about two
27 years and there were a lot of comments, I actually have
28 them in this folder, a summary of them, there were a
29 lot of comments from some Regional Councils, AFN, I
30 think, I would have to check who made which comments,
31 but I've read every one of those, I've reviewed them,
32 I've summarized them, and there were a lot of people
33 that expressed the -- and entities that expressed the
34 same view that you just did.

35
36 MR. LEAVITT: I know, but the majority
37 of them were below the PYK line, bottom line.

38
39 MR. RABINOWITCH: I'm sure that's true.
40 I'm sure that's true.

41
42 In any case, where I'm going is that
43 when it was all said and done, the program, the Federal
44 Subsistence Board made the decision to continue to go
45 forward, to review this, and I'm not saying it's right
46 or it's wrong, I'm just trying to give you the history,
47 so the point's been made but the Federal Board has made
48 the choice to continue to work on this MOU and the
49 focus that they're seeking and what I'm here to try to
50 talk about is, if this document in front of you, the

1 one with all the redline and strikeout, if this one is
2 -- if we've got it right, and if not we're interested
3 in your comment.

4
5 So we're really focused on potential
6 changes. The baseline is the 2008 document. It did
7 not go out to Regional Councils. I'll repeat that.
8 This 2012 version is going out to Regional Councils.

9
10 And, again, are there potential changes
11 beyond what is marked up in that copy that you have,
12 that's the question of the day.

13
14 And the work group, there were four
15 members on the Federal side, Pete Probasco of OSM,
16 Steve Kessler of Forest Service, myself from the Park
17 Service, and Jerry Berg from the Fish and Wildlife
18 Service, on the State side they only had one
19 representative which was Jennifer Yuhas. So we've had
20 a series of meetings since the late 2011 through 2012
21 and essentially the five of us have put together this
22 document that's in front of you, that's the quick
23 history.

24
25 MR. G. BROWER: Can we do questions
26 or.....

27
28 MR. RABINOWITCH: However you like, I'm
29 probably about a third of the way, you know, through
30 what I'm trying to get across but if it works better
31 for you to ask questions I'll welcome those.

32
33 CHAIRMAN BROWER: Maybe we can go
34 through the document and then ask questions, is that
35 okay, Gordon?

36
37 MR. G. BROWER: Okay, that's fine.

38
39 CHAIRMAN BROWER: I'm trying to speed
40 things up.

41
42 MR. RABINOWITCH: Okay. And I'll try
43 to keep going but like I said there's kind of a lot of
44 ground here.

45
46 So the first thing that we did is we,
47 back in 2011, the 2008 document was circulated out to
48 all the Regional Councils and lots of the 10 Councils
49 had lots of comments and concerns. We've gone through
50 all the transcripts of those and we started to make the

1 changes based on the comments of the Regional Councils,
2 that was our beginning point. And in this document
3 that you have in front of you, in this -- in the right-
4 hand column, in this comment section, that's where you
5 can see Councils -- or comments that came from
6 respective Councils, and so we have just, as plainly as
7 we can, put down what the comment was and whether it
8 was addressed or not addressed in this comment, some
9 were, some were not. And it's just here in the
10 daylight for you to see.

11
12 I think the challenge you have is that
13 you just got this, rather than having some time to read
14 it, and believe me I understand the challenge of that.
15 That was driven by the fact that the Federal
16 Subsistence Board didn't approve this for release until
17 July 18th, and that's just as fast as the Board could
18 go so it makes it particularly hard on your Council
19 because you haven't been able to review it.

20
21 Let me summarize a handful of things
22 that are sort of the major changes and this will just
23 take me a minute.

24
25 So a number of the Councils wanted
26 plainer language so we have tried to accomplish that
27 although I'll tell you it was kind of hard to do, but
28 we made our best shot at it. If there's anywhere in
29 this document you think something could be said more
30 plainly, more clearly, we are happy to hear that;
31 please just point it out.

32
33 The second thing in the document is
34 that it's kind of a reformatting of it. If you look at
35 the 2008 document everything starts out State then
36 Federal, State then Federal, this document's been
37 switched so it talks about Federal and State. It's
38 strictly a reformatting, but some Councils wanted --
39 thought that was an important thing to emphasize
40 Federal first because we're talking about Federal
41 program, Federal land, so that's been done throughout
42 the document.

43
44 The third thing was that some of the
45 Councils wanted to create a glossary and definition of
46 terms. We actually chose not to do that. We tried to
47 focus more on using just plain language rather than
48 create more things for people to read, we tried to just
49 say them more plainly and hopefully clearly.
50

1 The fourth thing was that some Councils
2 wanted us to add the term TEK or traditional ecological
3 knowledge in a number of places throughout the
4 document. We took a similar but slightly different
5 approach, we actually inserted the term customary and
6 traditional uses instead and we did that -- we think
7 we're getting at much of the same thing that the
8 Councils wanted but we did it because ANILCA uses the
9 term customary and traditional uses so we were trying
10 to reach into ANILCA itself and use sort of ANILCA
11 language. You do not find the term traditional
12 ecological knowledge in ANILCA.

13
14 Then the fifth item was predator
15 management. Something, you know, that we touched on a
16 minute or two ago, a couple of the Councils brought
17 that topic up and as some of you know, and some of you
18 may not, the Federal program has a predator management
19 policy that's been in place since about 2005. What we
20 did was is we made reference to that policy. And I
21 will tell you in a nutshell that what that policy says
22 is that predator management and the other part of it is
23 habitat manipulation are responsibilities of the
24 individual agencies, not the Federal Board itself.
25 That's the way it has been from the beginning, it
26 actually tracks all the way back to 1992 when this
27 program was created in the original EIS. So some
28 people like that, some people don't like that, but
29 there's a long history of that approach, and we're
30 suggesting we just maintain that same approach, that is
31 the individual agencies deal with that, and not the
32 Federal Board.

33
34 The sixth thing, State management
35 plans. In the 2008 document there was statements about
36 reliance upon State management plans, moose plans,
37 caribou plans, all kinds of different plans in
38 different parts of the state, we've changed the
39 emphasis so that it now talks about Federal plans,
40 State plans and cooperative plans, of which there's
41 some of all those in various parts of the state. So
42 we've tried to broaden that out and not put sort of all
43 the weight and reliance on State plans, although in
44 some places that may be what people want to do.

45
46 The seventh item is try to get at the
47 concept of evaluating the MOU, sort of how well is this
48 document servicing its purpose. And we think we've
49 come up with a fairly simple way to do that and that is
50 that in future years this would become an agenda item

1 once a year on your agenda. This document would be in
2 your packet and you'd be asked to take a look, think
3 about if this thing is working or not and comment just
4 on an annual basis. So that's the idea we came up with
5 there.

6
7 And then the last sort of major item
8 was protocol review. Some people have lost track of
9 the fact that there were three supplementary documents
10 to this MOU. Back in the earliest version, and I will
11 tell you that back from the year 2002, there was a
12 subsistence management information sharing protocol,
13 there was a Yukon River Subsistence Fisheries
14 management protocol, and there was a review and
15 development of scientifically based salmon escapement
16 goals protocol. The point is that those supplementary
17 things are still in place. They don't so directly
18 affect this Council but they do affect other Councils
19 in significant ways. The point -- the point here is
20 that when this document, the current MOU sort of comes
21 to rest, that go back and look at those older protocols
22 also.

23
24 So those are the big highlights from
25 our perspective on the work group.

26
27 The schedule in a nutshell is, this
28 document is coming to all the Councils right now, you
29 know, this fall and there'll be more Staff work on work
30 group through kind of the beginning of winter and I
31 hope -- and I use the word, hope, is that there's
32 enough concurrence that this could go up to the Federal
33 Subsistence Board in January of 2013 for kind of a
34 final review and hopefully people would be comfortable
35 to sign on to the, what would become the 2013 version.
36 But that's a goal, it's not a given yet.

37
38 And, Mr. Chairman, I think that's a
39 good stopping point for me. If there are questions
40 and, you know, after, if there are questions I can go
41 into the -- kind of the guts of the document or not,
42 there's a lot of fine print. I'll repeat that again,
43 because I just know it's true. So I'll kind of look to
44 you for a lead whether you want me to go on or not but
45 I'll stop now for questions.

46
47 CHAIRMAN BROWER: Yes, we've got
48 several questions. I'll start with Gordon.

49
50 MR. LEAVITT: Yeah, Mr. Chair. I read

1 it in about five seconds so.....

2

3 (Laughter)

4

5 MR. G. BROWER:anyway, I think we
6 had this dialogue some years ago as well and there was
7 a need to try to align both programs, just for the
8 exact case that 26C and 26B promoted, to be able to
9 effectively see what the State is doing in terms of
10 allocating resources and what we're attempting to do
11 over on our side. And it seems to me it made good
12 sense and good management practice to be able to
13 coordinate effectively doing this stuff. I don't think
14 it diminishes anybody's rights under Federal law that
15 the Federal agencies have in our ability to do these
16 resource proposals and stuff. But it seems to almost
17 suggest that the State now has a rural subsistence
18 priority by going into this thing, which the State has
19 resisted to put in their management of State lands that
20 have a rural subsistence priorities over many, many
21 years has been fought. This almost brings to the table
22 that they are doing that.

23

24 That's just, I think, the pros and cons
25 in trying to read some of this in between lines, it
26 brings the tribes in, it brings Federal agencies,
27 resource managers together to effectively manage a
28 single resource without saying this is mine, this is
29 yours, you know.

30

31 CHAIRMAN BROWER: Just a second, Roy,
32 Gordon, are you finished. Lloyd, and then Roy. Go
33 ahead, Lloyd.

34

35 MR. LEAVITT: I'm going to make a
36 request to be excused from this meeting. I need to
37 work on my roof and the wind is coming in. I have made
38 plans to retire at the end of this year and I want to
39 get out of the work force, so I will also resign from
40 this Regional Board, this will be my last meeting, I'm
41 going to stay home with my grandkids and relax, this is
42 my last meeting. I was fortunate to be in on this
43 Subsistence Regional Advisory Council, it was an honor
44 to serve on it and I enjoyed serving. I would
45 recommend that the Council at least four times a year
46 and really try and work with the tribal government on
47 upgrading the subsistence way of life we have. They
48 argue over tribal authority that this Federal
49 government recognizes, this is the only encouragement I
50 can make. I have made other plans. My health is also

1 -- I just want to spend some amount of time with my
2 grandkids and my children as well, and I am building a
3 safe haven for them and I want to continue to stay
4 close with my family.

5
6 Thank you very much. I have no other
7 words other than it was an honor serving on the
8 Regional Advisory Board here.

9
10 CHAIRMAN BROWER: Lloyd, before you
11 take off, I just want to say, thank you for all the
12 time you shared with us and the experiences you have
13 offered.

14
15 (Applause)

16
17 CHAIRMAN BROWER: You know we take them
18 to heart even though we have differing opinions at
19 times, we continue to work together and we see that
20 continuously. Going into the future I hope you have a
21 successful time in getting your home refurbished here
22 in a short period of time. I know it's not easy this
23 time of the year, and I think we can accommodate your
24 request in putting in for excused this afternoon and
25 being excused.

26
27 MR. LEAVITT: I need to follow up, my
28 girls are saying, when it's pouring, it's raining out
29 there, it's pouring in here dad.

30
31 (Laughter)

32
33 CHAIRMAN BROWER: Any final comments
34 before Lloyd leaves.

35
36 MR. G. BROWER: Yes, I would like to
37 say (In Inupiat), it's always -- I think it's a
38 distinguished group of folks that look after the
39 resources that we've been endowed by our creator to
40 harvest and provide food on the table, it's been a
41 pleasure working with you Lloyd.

42
43 MR. LEAVITT: Thank you.

44
45 MS. AHTUANGARUAK: I also want to say
46 thank you and if you have others that you could
47 recommend to fill this vacancy and the other two
48 vacancies that we have that would be greatly
49 appreciated in facilitating, encouraging others to come
50 in and to participate with us.

1 Thank you.

2

3 MR. LEAVITT: I'll do that. All the
4 years I've been here this is a very good Council, this
5 is the largest number I've seen in all the years we've
6 been having meetings, everybody's pulling together and
7 thank you again.

8

9 MR. R. NAGEAK: Thank you.

10

11 CHAIRMAN BROWER: Yes, Roy.

12

13 MR. R. NAGEAK: I remember going out
14 hunting with Lloyd when we had no kids.

15

16 (Laughter)

17

18 CHAIRMAN BROWER: Lloyd, thank you.

19

20 Okay, so, Roy, you're up.

21

22 MR. R. NAGEAK: Maybe I'm picking up
23 where Lloyd's been asking because I'm a newcomer, this
24 is like my third meeting, the Federal Board consists of
25 U.S. Fish and Wildlife Service, U.S. Forest Service,
26 National Park Service, Bureau of Indian Affairs and
27 Secretarial -- that sounds like a horse, Secretarial.

28

29 CHAIRMAN BROWER: Maybe it was.....

30

31 (Laughter)

32

33 MR. R. NAGEAK: Is that what the
34 Federal Subsistence Board consists of.

35

36 MR. RABINOWITCH: Yes. And let me add,
37 I think what you're reading is -- and I know the print
38 is very small, is Secretarial appointees, of which
39 there are three, Tim Towarak from Unalakleet, Charlie
40 Brower, who, by the way, congratulations, he's here --
41 did he disappear -- anyway congratulations to Charlie
42 anyway and Anthony Christianson from Southeast. So
43 there was one Secretarial appointee and there are now
44 three.

45

46 MR. R. NAGEAK: I'm trying to figure
47 out -- where's the tribal organizations that -- our
48 people that can act on our behalf if there's going to
49 be agreements on our way of life.

50

1 MR. RABINOWITCH: I'm not sure I
2 understand your question, I'm sorry.

3
4 MR. G. BROWER: Tribal representation
5 on the Federal Board, does that come through our Chair?

6
7 MR. R. NAGEAK: Well, where does that
8 come from, especially from our region and the question
9 that Lloyd had asked, that before the State of Alaska
10 in 1959 Inupiat Community of the Arctic Slope was a
11 known entity back in the '30s, '40s and it's got a long
12 history of working with the Federal government, and how
13 it fits in, and now our way of life, there's an MOU
14 between all these Federal divisions and appointees and
15 they're supposed to act on our behalf, especially
16 within the northern region of Barrow who said no to the
17 Native Claims Settlement Act and I think a lot of these
18 issues are being pushed by language in the Native
19 Settlement Act, right, ANCSA or, what's.....

20
21 MR. RABINOWITCH: Certainly unfinished
22 business from ANCSA, I want to say, float into ANILCA,
23 yes, I agree with you very much.

24
25 MR. R. NAGEAK: Where our people, when
26 they said no to the Native Claims Settlement Act, and
27 the people said yes weren't our tribal members, so in a
28 sense by what authority, especially Inupiat Community
29 of the Arctic Slope falls under the auspices of this
30 MOU.

31
32 MR. RABINOWITCH: Well, my answer.....

33
34 MR. R. NAGEAK: You could legally
35 justify this being in front of us -- or in front of the
36 Inupiat people, basically.

37
38 MR. RABINOWITCH: My response would be
39 that this applies only to Federal land, this document's
40 only about Federal land that's managed under ANILCA,
41 not about any corporate land, not about private land,
42 not about State land.....

43
44 MR. R. NAGEAK: But the organization
45 ICAS and the tribal people under them that have been
46 way before the State of Alaska was created, were they
47 like Lloyd stated, were they consulted or this is going
48 to go -- when they say committees -- is it going to the
49 tribal committees or organizations on a regional basis
50 to buy into this.

1 MR. RABINOWITCH: The tribes are -- I'm
2 trying to -- I can actually turn to Carl to see if you
3 could.....

4
5 MR. JOHNSON: (Shakes head negatively)

6
7 (Laughter)

8
9 MR. RABINOWITCH:no, do you know
10 if the tribes have been invited to comment on this
11 document, I know they are welcome to comment, but do
12 you know whether they have been invited or not -- I
13 don't know the answer to that.

14
15 You can just shake your head like if
16 you know or you don't know, I mean I don't know.

17
18 MS. PETRIVELLI: During Council
19 meetings.

20
21 MR. RABINOWITCH: Okay. So the tribes
22 are welcome to comment on this, Native corporations are
23 welcome to comment, public's welcome to comment; they
24 can do that any time between now and January. There
25 will be the opportunity for tribal consultation in
26 January about this document with the Federal Board.
27 Those things I know for sure.

28
29 MR. R. NAGEAK: So in a sense there'll
30 be renegotiating unfinished business under the Native
31 Claims Settlement Act especially with our way of life
32 that we had before or after Native Claims Settlement
33 Act, or even before the coming of the United States or
34 Russia or whomever came first, this is -- these are
35 issues that tend to pop up that our people, from our
36 region, has always been the forefront of Native tribal
37 rights so that's-- I just want to be reassured that the
38 tribal people that represents our Native tribes are in
39 there and with the listing that's under the Federal
40 Subsistence Board, I don't see the connection.

41
42 MR. G. BROWER: Mr. Chair.

43
44 CHAIRMAN BROWER: Gordon.

45
46 MR. G. BROWER: Yeah, I think there is
47 an issue to be had there. There's provisions in here
48 to provide adequate opportunity for appropriate --
49 Federal and State agencies to review analysis and
50 justifications associated with special actions and

1 emergency orders affecting subsistence users on Federal
2 public land prior to committing such actions where
3 Council then required agencies will permit advanced
4 notice to Regional Advisory Councils, State Advisory
5 Committees represented and tribes -- it seems to me the
6 tribes should be recognized as a local government
7 participating in the MOU instead of being part of the
8 RAC committee because we're an advisory body, a tribe's
9 a tribe. I mean it's a standing government. It seems
10 to me you should -- there should be some provisions in
11 here to have the Federal -- the Federally-recognized
12 tribe and the State working together to bring these
13 kinds of emergency orders and things that may need to
14 be addressed by State Advisory Committees and the
15 Regional Advisory Council, instead of putting the tribe
16 at the same category as an advisory committee, because
17 they are a government.

18

19 That would just be my only concern
20 there. Because it puts the tribe at a lesser of a
21 government when it should be on an equal playing field
22 as a recognized tribe.

23

24 I see that language in there, that's
25 how come I think it's worth mentioning.

26

27 MR. RABINOWITCH: Okay, thank you, I
28 understand your comment.

29

30 CHAIRMAN BROWER: Thank you, Gordon.

31

32 MR. SHEARS: Mr. Chairman.

33

34 CHAIRMAN BROWER: Yes, Bob.

35

36 MR. SHEARS: Sandy, I recognize that
37 one of the interesting parts of the MOU is in regards
38 to predator control, and it's requesting that the State
39 and the Federal government come together on recognizing
40 predator control as a subsistence management issue and
41 not a sport game management issue, finding consensus
42 with the State and especially the lobbying
43 organizations that control State hunting. You're going
44 to find a lot of opposition to this document at the
45 State level but I agree with it in the regards that it
46 addresses predator control as a subsistence management
47 issue and reins to control the management of predator
48 control in Alaska and it brings it under Federal
49 ownership. That's just my -- the only comment I have
50 on the document at this time.

1 MR. RABINOWITCH: Okay, thank you.
2
3 MR. G. BROWER: And if that were the
4 case -- Mr. Chair.
5
6 CHAIRMAN BROWER: Yes, Gordon.
7
8 MR. G. BROWER: It seems to me a
9 program with a tribe and then the tribe, ICAS, or
10 Native Village could work with the Federal on a
11 predator control management scheme, that you'd get a
12 bounty from the tribe that was a pass-through from the
13 State and Federal agencies to effectively manage wolves
14 or some other things.....
15
16 MR. R. NAGEAK: Foxes.
17
18 MR. G. BROWER:that were a
19 detriment to, like you said, the spectacled and
20 steller's eiders eggs, bounty on the fox. Back in the
21 1930s there was bounties on foxes and you could make a
22 good living on trapping foxes because there was an
23 income stream from there to limit, you know, it was a
24 predator management tool in place. I think those are
25 good.
26
27 CHAIRMAN BROWER: Roy, did you have
28 something.
29
30 MR. R. NAGEAK: No, I just wanted to
31 point that out because it's always the tribes that are
32 left behind like they're not being recognized where
33 they were a prior entity even before the State and my
34 father always pointed that out to me. Inupiat
35 Community of the Arctic Slope has been recognized even
36 before the State and why the Federal government don't
37 want to have that responsibility and especially within
38 our region where the -- and of how the Federal
39 government didn't protect our rights to it and that's
40 always been a sore spot of how lands that were under
41 the auspices of the Federal government and how our
42 people were not recognized as being people, as being
43 human beings, and when you have a Federal Subsistence
44 Board that still don't recognize the tribes for what
45 they are being -- of how they were created, and that's
46 -- that goes from way back through the history of our
47 people, or the Native people in the Lower 48 and now
48 they can't go beyond the North Slope, it's like all
49 Arctic Ocean and now they're fighting over the Arctic
50 Ocean on who it belongs to.

1 I don't recognize this. I don't
2 recognize this MOU, especially with us being advisory,
3 it should be up to the tribal people together where
4 they make a choice and say nay or yes on this MOU
5 because it's going to reflect on our way of life and
6 the freedom we have, the last freedom we have, we lost
7 our land. The only land within the Barrow area is
8 right up to -- right up off -- we're like 21 miles out
9 or 20 miles out, that's the only lands that we have and
10 it's all Federal and State land, that's where the least
11 -- the least amount of land and those are the issues
12 that tend to bother me and these are issues that MOU
13 with the Federal Subsistence Board that doesn't involve
14 where Federally-recognized tribes that are
15 organizations with real people, these are real people,
16 Federally-recognized tribes, not corporations, real
17 people that will be impacted by the Federal Subsistence
18 Board with all these Federal agencies that are supposed
19 to protect what was first ours and then the Federal
20 government came in and claimed it, but they should have
21 worked with us on issues like this, and protect our
22 rights in the beginning and our lands but that never
23 did happen and now we've got to work with committees
24 and being advisory and.....

25
26 MS. AHTUANGARUAK: Mr. Chair.

27
28 CHAIRMAN BROWER: Rosemary.

29
30 MS. AHTUANGARUAK: I also have a lot of
31 concern with the changes that are made in this
32 document. There's a lot of inference that the State
33 and Federal agencies are in concurrence in some of
34 these issues but we've demonstrated in many meetings
35 that we're not on the same page a lot of times with the
36 Federal and the State government in the management of
37 our resources. We've had to go to bat many times
38 against our own state in trying to protect our
39 subsistence resources. This document gives me great
40 concern that I can't just support today.

41
42 One of the lines here, it says, to
43 recognize Federal and State historical and current
44 harvest and population data and local knowledge and
45 customary and traditional uses are important components
46 of successful implementation of Federal resources --
47 Federal responsibilities under ANILCA, Title VIII. We
48 have concerns with some of these documents that are put
49 forward. We don't have the historical involvement with
50 some of these documents that have put forward to give

1 effective comments in some of these research and
2 monitorings that have been done and we've had to go to
3 bat with getting our own science to support our
4 concerns. These are very concerning that come before
5 us without having the foresight of looking at this
6 document ahead, I didn't get my packet this time for
7 whatever reason, so I'm just looking at this now. I
8 don't feel comfortable moving forward with putting
9 recommendations in here because I need to look at this
10 more extensively because of the way that you're
11 streamlining this process puts a lot of concerns for us
12 that have lived through this management process that
13 have led to many parts of our state having very serious
14 population concerns of multiple species.

15

16 Thank you.

17

18 CHAIRMAN BROWER: Thank you, Rosemary.

19 Any other comments.

20

21 (No comments)

22

23 CHAIRMAN BROWER: Let me just ask

24 Sandy, in regards to some comments you've heard now,

25 what kind of a turnaround would you expect like in a

26 timeline or time table to have responses generated to

27 the comments and concerns that you've heard today?

28

29 MR. RABINOWITCH: Well, as I started

30 out, I said the hope, I used that word, so I'll use it

31 again, the hope of the Federal Program is that there

32 would be enough consensus through this fall around of

33 meetings of the 10 RACs that the Board would feel

34 comfortable to, you know, make whatever, and these are

35 my words, whatever sort of small adjustments might need

36 to be made and that those could get worked out among

37 Staff, people like me, in the late fall, sort of

38 November, and then the Federal Board could discuss

39 those at its annual meeting in January when they take

40 up most of the fisheries proposals. But it would

41 depend very much on the comments from all the Councils

42 and yours is the very first one, I mean this is the

43 absolute first discussion of this document. I would

44 predict and predicting can be a dangerous game, but I

45 would predict that if every Council said exactly the

46 same thing that you all were saying, the Federal Board

47 might pause. If the nine other Councils said, gee,

48 this is great, we love it, you know, and I'm

49 exaggerating on purpose, then the Federal Board would

50 have to weigh and balance what they wanted to do, and

1 I'm not going to predict what they'd do because I don't
2 know.

3

4 CHAIRMAN BROWER: Okay.

5

6 MR. RABINOWITCH: So I think it's the
7 totality of statements, concerns from all the Councils
8 that matter. I've been with this program, as you know,
9 Mr. Chairman, a long time, I've seen the Federal Board
10 wrestle with a lot of tough issues and with all 10
11 Councils weighing in, you know, they would -- you know
12 I would say they tend to move forward, if there's maybe
13 one or two outliers but if they start getting three,
14 four, five, you know, Councils that are seeing it more
15 one way and three, four or five seeing it another way,
16 it tends to slow them down and they want to work things
17 out.

18

19 We also have a relatively new Board,
20 you know, probably the oldest member of the Board right
21 now is maybe four years, I think. We used to have a
22 Board that had kind of been in place for a long time so
23 we have a different Federal Board than we used to have,
24 so that's going to change the dynamic and how that will
25 play out I don't know.

26

27 You know I would tell you, I mean I
28 think I understand the comments that have been made, I
29 think I understand the concerns about tribes very
30 clearly, I understand tribes are real people, I think I
31 get all that. One of the things that has been much
32 discussed is the current -- I'm sorry I'm going on here
33 a little bit long here, but is the current management
34 regime from the Federal government's perspective to the
35 State government's perspective and essentially who sort
36 of quote/unquote legally controls land, and I recognize
37 that not everybody agrees with, you know, what I'm
38 saying, believe me I understand that, but I do think
39 that's how the Federal and State government see it.
40 And, thus, I think the Federal and State governments
41 see this as an agreement that ought to be between the
42 two governments and not add in tribal governments. I
43 hear the comments from you, I understand the interest
44 in doing that, I don't think that's how this program
45 has looked at tweaking this version. I'm not saying it
46 won't or couldn't, I could honestly see a lot of
47 challenges to doing that but I -- obviously that's not
48 how this document's played out so far.

49

50 But, again, I'd stress, this is out for

1 comment, I do believe the Board usually wants to hear
2 what the Councils have to say. You know, all of this,
3 there's a transcript of everything we're all saying so
4 we have a very good record of it, and I am confident we
5 will pour over this record very carefully. What will
6 come out of that I can't predict.

7

8 MR. R. NAGEAK: Mr. Chair.

9

10 CHAIRMAN BROWER: Thank you, Sandy.

11

12 MR. R. NAGEAK: The comment that you
13 made on who controls the land, it behooves me to ask
14 that the lands that are leased by the Federal
15 government and Federal lands to oil companies, once
16 they lease them out and once they take the money, who
17 controls them?

18

19 MR. RABINOWITCH: My answer is that I
20 don't have the answer to that because I work for an
21 agency that doesn't lease land out and I have no
22 experience with it whatsoever. I think I kind of know
23 where you're going but individually, as a Park Service
24 employee, I don't have a good answer for that because I
25 have no experience with that.

26

27 MR. R. NAGEAK: Because wouldn't --
28 like I say, 22 miles from here there are lands that are
29 already leased to Chevron, BP, and then foreign
30 companies around Nuiqsut where they had that big
31 blowout, who controls those lands, and they could say
32 this -- we've leased it and I don't know for how many
33 years, endless, endless, or whatever, and they could
34 stop us from going into those leased areas for our
35 subsistence needs. Are those being addressed?

36

37 CHAIRMAN BROWER: Roy.....

38

39 MR. R. NAGEAK: It's really interesting
40 that the control of the land and when they're leased
41 and they could take out all of our subsistence
42 abilities up and down like Chip River's got leased all
43 over it, they could start taking away all those and not
44 allow us to go out and go do our subsistence way of
45 life in lands that are leased to the oil companies. Is
46 this being addressed through the MOU.

47

48 MR. G. BROWER: Mr. Chair.

49

50 CHAIRMAN BROWER: Are you done, Roy?

1 MR. R. NAGEAK: Yes.

2

3 CHAIRMAN BROWER: Thank you. Gordon.

4

5 MR. G. BROWER: Maybe I can attempt to
6 answer Roy, too, a little bit on some of these because
7 as a land manager for the North Slope Borough, we do
8 exercise local ordinances, making sure competing uses
9 are adequately addressed, meaning the right to develop
10 your leases but at the same time the right to use those
11 lands to continue subsistence way of life and where
12 these resources are available and reasonably accessible
13 is a lot of the mitigation measures that the Borough
14 takes on, rezones, permitting, including State and
15 Federal agencies have this common practice in their
16 leasing. But at the same time I think this is an MOU
17 to look at the resources we're talking about that we
18 put on the table.

19

20 I know there's some differences of
21 opinion concerning this but from my overall read of it
22 I think it's a positive thing to work cooperatively
23 together, just for the sake of looking at what's going
24 on in Unit 26C and 26B, and the issues around providing
25 and properly allocating resources without putting a
26 dividing line between them, saying Unit 26C moose never
27 cross over the line on 26B, you know, there is that
28 imaginary line there that doesn't really exist unless
29 you have a shock collar for an animal not to cross
30 there, but these types of issues seem to -- in my own
31 understanding and reading of this, helps to facilitate
32 some of these concerns. Granted, I think this document
33 can do a little bit of wordsmithing, and the issue
34 about tribes, I really think they are a government and
35 not an advisory situation, I think they deserve to be,
36 not just at the consultation level, but help in the
37 beginning of the management plan.

38

39 For us that our main advisory role, and
40 what comes down the pike, I always liked that role
41 because we're trying to just help facilitate effective
42 management, reasonable management, allocation of
43 resources, potentially, and from that standpoint I
44 think it's a good thing. I know there is some worries
45 of how it could be used, but the overall effect and
46 just the concept of it, I think I get the drift of what
47 needs to be done. And considering the State's hardship
48 over a Constitutional amendment saying there's a
49 subsistence rural preference, that this seems to let
50 the State recognize that.

1 MR. R. NAGEAK: Yeah.

2

3 MR. G. BROWER: And.....

4

5 MR. R. NAGEAK: Just one last comment.

6 I think the Federally-recognized tribes need to be
7 recognized by the Federal government and all the
8 agencies. They've always been put on the back burner
9 of the corporations and the boroughs and every other
10 entity, like they're a step-child that just needs to
11 shut up and keep out of sight. They're a Federally-
12 recognized tribe that need to be recognized, really, to
13 act on behalf of our people. They're not corporations,
14 they're not State entity, they're Federally-recognized
15 people that they need to deal with and like Lloyd says,
16 on one on one basis, and they got to stop acting like
17 we're not there anymore.

18

19 Thank you.

20

21 CHAIRMAN BROWER: Thank you, Roy. Bob.

22

23 MR. SHEARS: What this MOU does is it
24 elevates the Federal priority -- the Federal government
25 recognizes that rural residents have a priority for
26 subsistence use over any other use, sport or commercial
27 uses of the fish and game resources. The State of
28 Alaska never did recognize us as having any priority
29 over their sportfishermen or their commercial
30 fishermen, we're all equals across the board. When
31 they close a commercial fishery, they close the
32 subsistence fishery simultaneously, there's no priority
33 for subsistence in the State's eyes. This MOU elevates
34 our rural needs for subsistence uses of a resources
35 above their other -- above other needs and it forces
36 the State of Alaska to recognize that, and it allows
37 the State of Alaska -- it forces the State of Alaska to
38 recognize the Federal authority of tribes, like you
39 were saying Roy, right, this is going to hit a brick
40 wall when it gets in front of the State Board of Game
41 for signature.

42

43 The three signatures required here by
44 the State, by Alaska Commissioner of Fish and Game, the
45 Chairman of the Alaska Board of Game, Alaska Board of
46 Fisheries, all the good effort that all of us, the RACs
47 have put into it, you've put into it, is going to hit a
48 wall, especially when it hits the powerful lobbying
49 organizations of the sporthunters who control the
50 predator control division.

1 This is a great document, but it's a
2 dream.

3
4 CHAIRMAN BROWER: Are you done.

5
6 MR. SHEARS: I'm done.

7
8 MS. AHTUANGARUAK: Mr. Chair.

9
10 CHAIRMAN BROWER: Rosemary.

11
12 MS. AHTUANGARUAK: I also still have a
13 lot of concern with this document. It'd be one thing
14 if we were watching our State improve management of
15 resources throughout our state, but as we've seen in
16 the annual meeting we have not done that.
17 Unfortunately we've been in this management regime
18 which there has been multiple layers of the process and
19 there has been many areas where there has been
20 continued decline to subsistence. So this gives me
21 great concern. It's like saying, we've done bad but
22 it's okay, let's keep going, this streamlines the
23 process to put words on paper but when there have been
24 many papers put in adversary to our process that are in
25 this document that now says it's on the same line, that
26 gives me great concern. So I hope that we have some
27 really good discussion in this process. I hope that we
28 get some good research in this process to help with
29 some of this discussion, and I hope that we get the
30 participation within the State to help improve the
31 understandings of the concerns with this document and
32 the management of subsistence into the future.

33
34 Thank you.

35
36 CHAIRMAN BROWER: Thank you, Rosemary.
37 We have quite a few concerns on this document, Sandy,
38 and I'm not sure if we are going to oppose it or
39 support it at this time and I have to read through the
40 comments through the first reading of this document,
41 and just receiving it today, I mean to generate
42 comments on it in a short period of time, I think it's
43 kind of unfair again to our Council, and, you know, you
44 feel the frustration of some of the members that
45 creates -- that gets created from these types of
46 documents when we just first receive them and are
47 expected to provide comments and recommendations to set
48 forth and to be shared with others, who have not even
49 reviewed the document as well. There may be -- there
50 may have been some reviews by other Regional Advisory

1 Councils in advance before coming here but, again, it's
2 an ambitious timeline, you know, to be all fair with
3 our -- again, our regional and tribal organizations,
4 has there been any consultation with our tribal
5 regional organizations, if there's not been and we're
6 being the first ones to review the document as Regional
7 Advisory Council, I think it's unjust for the group,
8 identify it as the InterAgency group that worked on
9 this document, without even involving the tribal
10 councils, or the regional tribal organizations.

11
12 You know, I have to agree with a lot of
13 the comments that were presented by the Council
14 members.

15
16 You know, again, I know I have my own
17 hardships in terms of how the State identifies our
18 subsistence uses as being non-existent, you know, since
19 they don't want to adhere to our -- or to address our
20 subsistence concerns and in that sense, you know, it's
21 somewhat misleading to read. The MOU -- I mean what's
22 written here -- under No. 6, State management plans,
23 the current MOU states that the State fish and wildlife
24 management plans will be used to initiate basis for
25 management actions. Where does it indicate subsistence
26 uses. You know that's what we are here on the North
27 Slope, we're subsistence users, there's very little
28 commercial or sport, there's some sport that are
29 generated because of the program itself, but I have to
30 say 90 percent of our constituents are subsistence
31 users, have they been consulted in an appropriate
32 manner, I don't think so.

33
34 And I think these things need to be
35 considered by what you're identifying as the
36 InterAgency between the State and the Feds. I would
37 not like to -- would like to state that this is going
38 to diminish our current rights to continue using the
39 fish and wildlife for subsistence, or create a loophole
40 and such that it does create a hardship for a community
41 with availability of subsistence resource.

42
43 These things have to be -- it's easy to
44 read and get comments on some of these things when it's
45 -- we need some clear indications as to how our State
46 managers will be using this document, or speaking for
47 us on our behalf as subsistence users, we have not had
48 that example provided to us here. You know, you
49 identify the AC, meaning Advisory Councils to the
50 State, some only exist by black and white, they don't

1 exist in areas such as ours, that's with our North
2 Slope Borough fish and game management committee, they
3 don't even provide funds to try and promote the
4 recreation of those ACs, you know, it's somewhat
5 difficult if they do come around to do that, I think
6 that needs to be discussed in a sense with this
7 InterAgency group, make some realization, you know,
8 make things for real, not just existing on paper and,
9 you know, just go overboard and continuing moving
10 forward in progression.

11
12 Maybe I'll stop here, I know I could
13 provide a whole range of comments on this but I see
14 Carl sitting there patiently waiting and wanted to say
15 something, so I'll give you the opportunity. Go ahead,
16 Carl.

17
18 MR. JOHNSON: Thank you, Mr. Chairman.
19 I just wanted to make a point of clarification. What
20 is handed out today is slightly different than, but
21 still substantially similar to materials that are in
22 your meeting material book, and we did mail that out
23 three weeks in advance of this meeting. So if some of
24 you, as I heard Rosemary did not receive her materials,
25 if there's a better way for us to deliver this material
26 to you, we could definitely work -- you know, the
27 Council coordinator and with Mr. Chairman, how to get
28 material to you, but I wanted to make the Council
29 understand that what Mr. Rabinowitch was looking at
30 here is essentially the same as what's in your meeting
31 material books so, thank you.

32
33 CHAIRMAN BROWER: So we just received
34 this packet today as well.

35
36 MR. SHEARS: The one that you mailed to
37 us was in black and white and it didn't have the red
38 lines to it, this one shows the redline edits and the
39 reasons for the edits and makes it much more clearer
40 for us to understand, the one that we got today.

41
42 MR. JOHNSON: Okay, so there's a
43 redline version that's in the meeting material book?

44
45 MR. SHEARS: No.

46
47 CHAIRMAN BROWER: No.

48
49 MS. AHTUANGARUAK: No.

50

1 MR. JOHNSON: Okay.
2
3 MR. SHEARS: No, just what we got
4 today.
5
6 MR. JOHNSON: Okay, but the point being
7 there's a lot of information there so definitely we'll
8 work on delivering just -- there was a lot of
9 miscommunication as to what the right version to go out
10 in the meeting material book was, and we definitely
11 apologize for that Mr. Chair.
12
13 CHAIRMAN BROWER: Thank you.
14
15 MR. G. BROWER: Mr. Chair.
16
17 CHAIRMAN BROWER: Gordon.
18
19 MR. R. NAGEAK: Mr. Chair.
20
21 CHAIRMAN BROWER: And then you, Roy.
22
23 MR. G. BROWER: I think it's
24 appropriate for the presenter of this MOU to maybe put
25 some examples -- it's always good to have some sort of
26 visual of what your plan does and what the State plan
27 does and what it means to be able to communicate
28 together so that your plan can accept details of a
29 State plan and what you do with them at the end. I
30 mean one of the concepts I see is you would be better
31 able to look at allocation of resources because of
32 these divisions between boundaries. Some of them have
33 26B and 26C on State land and then on Federal land and
34 it seems like the ability to communicate the same
35 resources in these areas without that boundary could be
36 realized through some of these cooperative management
37 schemes that recognize each other.
38
39 That's the only benefit I see out of
40 some of this. And it seems to me a good PowerPoint
41 presentation, I can read the material many times and
42 come up to maybe three different conclusions as to what
43 it means possibly, but for the managers to interpret
44 what it means to you, and relay that to us in an
45 effective manner is a big powerful tool that's missing
46 because we're going to come up with different
47 conclusions of our own selves and probably to the
48 detriment of the MOU. But I really think, my own
49 reading of it, it's a positive step. But there's
50 little tweaks here that I would make on my own and try

1 to facilitate local tribal governments, I think they
2 deserve sitting down with you on a local level, and I
3 would probably support things that the tribal -- in
4 working relationships with Federal agencies, I think
5 tribals are a form of a Federal agency.

6

7 I'm not going to keep repeating myself
8 over and over, I think I support the document already
9 maybe with a little bit of tweaks.

10

11 MR. R. NAGEAK: Mr. Chair.

12

13 CHAIRMAN BROWER: Thank you, Gordon.

14

15 MR. R. NAGEAK: Mr. Chair.

16

17 CHAIRMAN BROWER: Go ahead, Roy.

18

19 MR. R. NAGEAK: The law itself, the
20 Secretaries of Agriculture and Secretaries by authority
21 of the Alaska National Interest -- ANILCA and other
22 laws of Congress, regulations are responsible for
23 ensuring that the taking of Federal public lands and
24 fish and wildlife for non-wasteful subsistence uses as
25 defined in ANILCA and that is the intent of the law.
26 We need to stick to the law. And what's in red,
27 whereas the State of Alaska under its law and
28 regulation is responsible for the management of -- and
29 the application -- and that's where they added on an
30 extension of the fish and wildlife resources of the
31 State of Alaska and sustain principle, subject to
32 preferences among potential users, such as providing a
33 priority for subsistence harvest and use of fish and
34 wildlife, or (indiscernibles) customary and traditional
35 and implements this program through the State boards
36 and ADF&G -- and that's where the State board, and how
37 it's really that against subsistence uses and that's
38 always been the sore (indiscernible) on how the State
39 treats its Native is through those boards that when it
40 catered to the people that are making money off the
41 fish and you could see right away where Kenai had to
42 close off a lot of its fishery, even sportsfishing and
43 commercial and subsistence, right there where it's just
44 depleting and what program are they managing, what
45 programs are they utilizing where subsistence users are
46 already being impacted in that region. A real good
47 example because that's the only economy that they have
48 within Southcentral is the tourists and the fishing
49 through sports -- sportsfishing, that's the only
50 economy that they have, they don't have the energy for

1 any of the economy because they don't have the --
2 running out of natural gas -- and then those are the
3 additions that -- but the part that I like is words
4 that changes our customary and traditional and it's not
5 customary or traditional for people from Anchorage or
6 Fairbanks to come to the North Slope and go take their
7 five or 10 caribou, that's not a customary and
8 traditional usage for them. They got to prove
9 otherwise, just like how we've been proving otherwise
10 how we use customary and traditional uses of the lands
11 that we lived on for thousands and thousands of years.
12 You see that language. How can they come to the Haul
13 Road because with this language -- such uses which are
14 customary and traditional they can't even go to the
15 North Slope unless they prove that it's been customary
16 and traditional for them to come up with RVs and Hondas
17 and whatever they bring up in the back of their big
18 trucks, it's not customary and traditional.

19
20 So in a sense the one that I am really
21 concerned about is the State board that controls the
22 majority of the animals and the resources that we have
23 for making money, basically.

24
25 MR. RABINOWITCH: If I might jump in
26 and I know we've been talking about this for a long
27 time and I know you have a lot of things on your agenda
28 still, this is a good opportunity for me to point out
29 the two paragraphs that Roy's just been reading from.

30
31 One of them -- well, the work group
32 that I was part of, we worked over these paragraphs
33 quite a lot and we kind of butted heads, the we being
34 the State and Federal reps. And when it was said and
35 done the only way we could really resolve these was we
36 decided that the Federal people would write the Federal
37 paragraph and the State people would write the State
38 paragraph and then things moved along pretty quickly.

39
40 And I'm not trying to make this a right
41 or a wrong, I'm just trying to explain. So if I
42 understand what Roy's been saying, there's some things
43 in what I'll call the State paragraph and mine is on
44 Page 8, I hope -- I think it's the same -- hopefully
45 we're working from the same copy here, those are the
46 State's words, those are the State's interpretation.
47 And I'm not trying to say right or wrong, good or bad,
48 I'm just trying to say whose words they are. So we
49 spent a lot of time trying to resolve that, that was
50 the way we ended up doing it, and I repeat Federal

1 people wrote the Federal paragraph, State people wrote
2 the State paragraph and that's on Page 7.

3

4 Yeah, and, you know, the way that I
5 kind of characterize this in my own mind and I don't
6 know if people agree or disagree with me, but the State
7 mandates, what the Federal law tells us to do that all
8 you've been speaking about here, it's different than
9 what the State law says, I mean they're just different,
10 they're different mandates. They're not completely
11 different, they're not completely in opposition but
12 there's significant differences and that's a huge part
13 of the struggle that we all have here trying to write
14 something and get everybody to agree.

15

16 Anyway, just an observation and a
17 comment and I know you want to.....

18

19 MR. R. NAGEAK: And that's -- that's
20 what we need to see, we're just advisory. We need to
21 see the intent of the law. Usually the intent of the
22 law is law and there's so many different ways to
23 interpret -- the interpretation in one part of the
24 state, interpretation if you're dealing with --
25 negotiation with the State through the Federal -- the
26 Federal aspect of it, there's so many different
27 interpretations of the law that by the time it comes to
28 us poor Natives it's way different than what the intent
29 of the law says.

30

31 There's so many factions or different
32 -- or like so many different processes, that by the
33 time it goes to us and the regulatory agencies -- what
34 I always like to call the gestapo, it's way different
35 from what the intent of the law was by the time it
36 comes to our end. Those are the things that concerns,
37 if it comes through the State Board of Education.....

38

39 (Laughter)

40

41 MR. R. NAGEAK:I mean State
42 Boards and ADF&G, such uses are customary and
43 traditional and implements its program through the
44 State Board and ADF&G providing for public
45 participation through advisory committees, also it's in
46 the State laws and regulations. They're different.

47

48 MS. AHTUANGARUAK: Right.

49

50 MR. R. NAGEAK: There's two. State

1 laws like you say is different, but it's in there so we
2 got to have -- to comply with State law and Federal law
3 is the one that we want to comply with because it's
4 fully -- the intent of the law is fully to protect the
5 subsistence way of life.

6

7 Thank you.

8

9 CHAIRMAN BROWER: Thank you, Roy.

10

11 MR. G. BROWER: Can I make one comment
12 on this.

13

14 CHAIRMAN BROWER: Go ahead, Gordon.

15

16 MR. G. BROWER: I think we recognize,
17 you know, different jurisdictions, you have the State
18 and Federal government. I think the ability for them
19 to speak to each other, this MOU would probably pave a
20 little bit of that highway to talk a little bit more
21 about each particular plan. I don't think it's to
22 implement one law over the other but this is a way to
23 talk about resources at risk. I know we all, I think,
24 want to use only customary and traditional uses but the
25 law is that you manage for sustained yield, that where
26 there's an abundance you can allocate for those other
27 uses, provided there is enough for the rural residents
28 that have a rural subsistence priority to have enough
29 take for the sustained -- to sustain the community. In
30 some cases that doesn't exist, for a species like
31 moose. These plans being able to talk to each other
32 will maybe help increase some of that. Unit 26C and
33 Unit 26B is not talking to each other because one's a
34 State plan and one's a Federal plan, well by golly let
35 them talk to each other and talk about these resources
36 and allocate them better for subsistence use, which the
37 State will probably have to recognize at this point, if
38 they're going to the MOU.

39

40 CHAIRMAN BROWER: You may have a
41 different interpretation of what kind of risks we're
42 being subjected to.

43

44 MS. AHTUANGARUAK: Exactly.

45

46 MR. G. BROWER: I would point out.....

47

48 MR. R. NAGEAK: Mr. Chair.

49

50 CHAIRMAN BROWER: Before we go any

1 further, you know, I wanted to interject some comments
2 here in regards to some of the discussions.

3
4 These are very critical, and, again
5 level of interpretation of the document is something
6 that we have to consider again and the outside of this
7 equation is that what kind of risk are we subjecting
8 ourselves to dealing with in regards to a draft
9 memorandum of understanding between the coordination on
10 fish and wildlife management for subsistence use; what
11 kind of risk.

12
13 Sandy.

14
15 MR. RABINOWITCH: Excuse me for raising
16 my hand and kind of interrupting. But let me repeat
17 something that I said in the beginning.

18
19 The Federal Program has been working
20 under a version of this since the year 2000, and so I
21 just want to remind you of that. We had the initial
22 document in 2000, an updated document in 2008, the one
23 that was not reviewed by Councils, and then an attempt
24 at further updating, changing, modifying, however you
25 want to see it with this version that we're talking
26 about today. But I just stress that point. Both sides
27 -- I mean everybody can be a critic, but have been
28 working with this MOU for -- in one form or another.
29 But it's pretty similar if you compare what we have
30 today and go back to 2000, they're pretty similar. So
31 we all have been working with it, that's the only point
32 I wanted to make and that's it.

33
34 CHAIRMAN BROWER: Gordon.

35
36 MR. G. BROWER: Am I to understand that
37 this -- under the preamble here of number 1, if you
38 read that there, it doesn't diminish what ANILCA has to
39 -- for guidance and stuff, for this in terms of the
40 rural subsistence priority and all of this stuff, it's
41 still by -- this MOU will not diminish those types of
42 responsibilities for the Federal.....

43
44 CHAIRMAN BROWER: The original
45 language.

46
47 MR. RABINOWITCH: That is correct.
48 And, I mean this MOU cannot do that, this cannot change
49 the law.

50

1 MR. G. BROWER: Right. It's just
2 communicating.

3
4 MR. RABINOWITCH: Yeah, I mean even if
5 you said every word in here was terrible and this is
6 going the wrong way and, you know, you're 100 percent
7 against this thing, it still couldn't do -- it just
8 couldn't do that.

9
10 CHAIRMAN BROWER: I think we've had a
11 pretty lengthy discussion on this agenda item and,
12 again, it's only a one day meeting.....

13
14 MS. AHTUANGARUAK: We need to move on.

15
16 CHAIRMAN BROWER:and we're not
17 even halfway down our agenda yet.

18
19 MR. R. NAGEAK: Mr. Chair. I just want
20 to point out something that you said on a regional
21 basis, what the intent of the law is, on the left side,
22 and what the MOU was before and then what wants to be
23 changed by the State because the changes needed by the
24 State, not by the -- the intent of the law or
25 recognized tribes, that the intent of the law or ANILCA
26 negotiated with all the tribal entities when it made --
27 created ANILCA and now where there's changes going to
28 be made or agreements with the intent of the law there,
29 then they still need to be there because the regional
30 intent of the law presented to the tribal entities,
31 ANILCA did, ANILCA laws, and they're the ones that
32 should be responsible not us, Advisory Council member,
33 that were created as just being advisory.

34
35 When I look at it, the intent of the
36 law was an agreement to (indiscernible) the tribes to
37 first (indiscernible) case about tribal rights,
38 forelands and stuff then they're the ones that need to
39 decide on this, not us, as an advisory group.

40
41 You're talking to the wrong people, you
42 need to talk to the tribes which are Federally-
43 recognized.

44
45 CHAIRMAN BROWER: Any other comments.
46 Randy -- I'm trying to keep putting your last name and
47 your first name before, I'm trying to call you Randy,
48 Sandy, sorry.

49
50 MR. RABINOWITCH: That's happened

1 before. No, I think you've had a, you know, as you've
2 said, a very healthy discussion. I agree this is a
3 challenging document, and I agree and apologize again
4 that you got this redline strikeout version so late. I
5 do really believe, I understand the challenges of
6 trying to absorb it.

7

8 You know I've been taking notes, we
9 have a transcript, I'm going to be actually asking Carl
10 to, you know, look at what notes we write up and take
11 back to the MOU team and, you know, try to do the best
12 job we can to accurately reflect what you all have been
13 saying and we'll see what all the other Councils have
14 to say and what's going to follow.

15

16 CHAIRMAN BROWER: Thank you.

17

18 MR. R. NAGEAK: See, what -- you're
19 negotiating something with the State of Alaska for the
20 tribes for the Native people on their way of life,
21 their subsistence way of life and if you're authorized
22 by the Secretary of Interior or if you're authorized by
23 the tribal people I won't see no problems with it.

24

25 MR. RABINOWITCH: I understand your
26 comment. I mean obviously I don't represent the
27 tribes, you know, I understand that and I repeat I work
28 for the National Park Service which is part of the
29 Department of Interior and my primary duties to into
30 the Federal Subsistence Board Program. None of that
31 means I'm ignorant about tribes, I'll just stop there.

32

33 CHAIRMAN BROWER: Again, another
34 interpretation of what the discussion is and I think
35 there needs to be a consultation process approach
36 incorporated into the document to consult with the
37 tribal organizations and then come to the Regional
38 Advisory Councils on how some of the language is
39 interpreted.

40

41 I mean I just make that observation and
42 share it with you. It's kind of like jumping --
43 putting the horse before the cart and trying to move
44 forward on a Regional Advisory Council basis and we
45 have all our other constituents that need to be
46 informed regarding this document.

47

48 And I'll stop right there. I think
49 we'll take a little five minute biological break.

50

1 (Laughter)

2

3 CHAIRMAN BROWER: If we could recess
4 for five minutes.

5

6 (Off record)

7

8 (On record)

9

10 CHAIRMAN BROWER: Good afternoon.
11 Again, we're at the North Slope Regional Advisory
12 Council meeting here in Barrow at the North Slope
13 Borough Assembly Chambers. We're down to -- we were
14 still under discussion on old business item, reviewing
15 the draft memorandum of understanding between the
16 Federal Subsistence Board and the State of Alaska. I'm
17 not sure how much more discussion is needed in regards
18 to what we've heard already.

19

20 Sandy or -- have you covered, or
21 received a fair amount of comments and concerns
22 regarding the document.

23

24 (Laughter)

25

26 CHAIRMAN BROWER: If not we'll have to
27 set another date of meeting.

28

29 MR. RABINOWITCH: I didn't bring my
30 sleeping bag but.....

31

32 CHAIRMAN BROWER: Oh, man.

33

34 (Laughter)

35

36 MR. RABINOWITCH: You've certainly had
37 a lengthy and thorough discussion of it, and I repeat I
38 do feel pretty comfortable that I understand the
39 concerns you've raised.

40

41 CHAIRMAN BROWER: Uh-huh.

42

43 MR. RABINOWITCH: I can't predict the
44 future, where the Federal Board and obviously none of
45 us know what the other Councils will have to say.

46

47 And I will -- because you had a lot of
48 very detailed comments I will work with Eva and Carl
49 and the transcript that's being made and due diligence
50 and accurately capture the things that you've said.

1 And, you know, personally I mean I appreciate, you
2 know, the concerns that you've raised very much. The
3 future I can't predict.

4
5 Thanks.

6
7 CHAIRMAN BROWER: Well, thank you, Rand
8 -- here I go again, Sandy. And with that we'll move on
9 to our next agenda item if there's no further
10 discussion coming from the Council members.

11
12 (No comments)

13
14 CHAIRMAN BROWER: We're down to agenda
15 item -- okay, John Hopson, Jr.

16
17 MR. HOPSON: Thank you, Mr. Chairman,
18 John Hopson, Jr., for the record.

19
20 In your charter it directs this Board
21 to work with the region, yet, this meeting only happens
22 here in Barrow and the information that you have is
23 only here in Barrow. I would ask your Board to go
24 ahead and direct these agencies to come to each
25 community and discuss these issues so that the
26 subsistence people get a fair shot at these comments
27 before something like this big comes to an agreement
28 on.

29
30 Thank you.

31
32 CHAIRMAN BROWER: Thank you for
33 providing your comments.

34
35 MR. G. BROWER: Mr. Chair.

36
37 CHAIRMAN BROWER: Gordon.

38
39 MR. G. BROWER: Yeah, I think I would
40 echo those types of requests. I think in the past when
41 we've had a lack of membership from one of the villages
42 we had thought about convening one of these meetings in
43 a village that was not represented so we could get
44 nominations from the floor as a way to emphasize their
45 need to participate.

46
47 CHAIRMAN BROWER: All right, thank you,
48 Gordon. Again, thank you John for your concerns and
49 your statement and we'll look into addressing it to the
50 proper agency.

1 At this time if there's no further
2 discussion on the topic we'll move on to Agenda Item 11
3 into the new business agenda item.

4
5 (No comments)

6
7 CHAIRMAN BROWER: There's still one
8 action item, if we could turn to Page 2 to consider by
9 this Council, is the reappointment of the Gates of the
10 Arctic Subsistence Resource Commission member. We've
11 had James Nageak from Anaktuvuk Pass representing this
12 Council to the Subsistence Resource Commission because
13 of his location being right at the Gates of the Arctic,
14 and I think that's something for your consideration
15 this afternoon that needs to be provided at this time.

16
17 At this time I'd like to bring it up to
18 your attention and for your consideration at this time.

19
20 MR. G. BROWER: Mr. Chair.

21
22 CHAIRMAN BROWER: Gordon.

23
24 MR. G. BROWER: Yeah, I would ask James
25 as an Anaktuvuk member that's direct relationship with
26 the Western Arctic Caribou Herd that if it's his desire
27 and wish to continue his role that we nominate the AKP
28 member for this role again maybe including an alternate
29 that would help. I think in the past our alternate was
30 an Atqasuk member that had interactions with the
31 Western Arctic Caribou Herd.....

32
33 CHAIRMAN BROWER: Thank you.

34
35 MR. G. BROWER:and use of the
36 Gates of the Arctic periodically.

37
38 CHAIRMAN BROWER: Thank you, Gordon.

39
40 MS. AHTUANGARUAK: Mr. Chair.

41
42 CHAIRMAN BROWER: Rosemary.

43
44 MS. AHTUANGARUAK: I also support that
45 discussion. It is very important that we have an
46 individual who's very aware of the area and the
47 resources of that area to help in the process and James
48 has done an exceptional job. His willingness to
49 continue in the role is important to the region and I
50 support that.

1 CHAIRMAN BROWER: Thank you.

2

3 MS. AHTUANGARUAK: I also support
4 consideration of an alternate. We have so much demands
5 upon our time for participation in so many different
6 ways as demonstrated to participate in some of our
7 meetings and some of the others here, we do need to
8 have an alternate to support that. There are people in
9 Nuiqsut who do go up into that area. Two of my sons go
10 into the Gates of the Arctic. My one son was just out
11 there last week. My other son tends to go up there for
12 the month of September. It's very vital to Nuiqsut
13 with the changes that have gone on around Nuiqsut, the
14 changes of our lands and waters and subsistence
15 hunters, there is sometimes 30 boats up that area from
16 the village of Nuiqsut so it's a very important area.
17 We also have people from Barrow who travel in the
18 wintertime down into this area, around Nuiqsut and
19 further for their hunting efforts so we have people
20 that can contribute to this process.

21

22 Thank you.

23

24 CHAIRMAN BROWER: Thank you, Rosemary.

25

26 MR. J. NAGEAK: Mr. Chair.

27

28 CHAIRMAN BROWER: Yes, James.

29

30 MR. J. NAGEAK: Yes, I -- thank you for
31 the nomination. I think that Marcy Okada has some
32 specifics on what it is involved to be a part of the
33 Subsistence Resource Commission for the National Park
34 Service. Marcy.

35

36 CHAIRMAN BROWER: So we'll allow her to
37 provide some additional comments.

38

39 Marcy, you have the floor.

40

41 MS. OKADA: Marcy Okada, Gates of the
42 Arctic National Park and Preserve.

43

44 So the agenda item number 2, I was
45 referring -- this is referring to Page 25 in your
46 meeting materials handout.

47

48 James has served on our Gates of the
49 Arctic National Park Subsistence Resource Commission
50 and his term has expired so he's appointed by the North

1 Slope RAC and we'd like to reappoint him if he would
2 like to continue to serve, reappoint him for another
3 three year term. And because he's North Slope
4 appointed, he has to be reappointed by the RAC.

5
6 CHAIRMAN BROWER: Uh-huh.

7
8 MS. OKADA: So that's the initial item.

9
10 CHAIRMAN BROWER: Thank you. So James
11 are you still interested in holding that appointment.

12
13 MR. J. NAGEAK: (In Inupiat)

14
15 CHAIRMAN BROWER: (In Inupiat)

16
17 MR. J. NAGEAK: It's been a pleasure to
18 be a part of that.

19
20 CHAIRMAN BROWER: Do you wish to
21 continue to hold a seat?

22
23 MR. J. NAGEAK: Hum?

24
25 CHAIRMAN BROWER: Do you wish to
26 continue holding the seat?

27
28 MR. J. NAGEAK: I wish -- I'm hoping
29 that you will (In Inupiat).

30
31 (Laughter)

32
33 CHAIRMAN BROWER: I just want to make
34 sure the Council hears directly from you and not
35 somebody else.

36
37 Gordon.

38
39 MR. G. BROWER: Mr. Chair. I would
40 make a motion that we reappoint James Nageak.

41
42 MS. AHTUANGARUAK: I second that.

43
44 CHAIRMAN BROWER: Motion to reappoint
45 James Nageak as a representative from the North Slope
46 Regional Advisory Council to the Gates of Arctic
47 Subsistence Resource Commission and seconded.

48
49 Discussion.

50

1 MR. R. NAGEAK: Question.
2
3 MS. AHTUANGARUAK: Noting the need for
4 participation in this process and the difficulty of the
5 demands upon our people that are involved in this
6 process, I'd like the Board to consider nominating an
7 alternate.
8
9 CHAIRMAN BROWER: Okay. Once this
10 motion is addressed.
11
12 MR. G. BROWER: Mr. Chair.
13
14 CHAIRMAN BROWER: Gordon.
15
16 MR. G. BROWER: In support of the
17 alternate that it would be a resident from Nuiqsut that
18 utilizes the Gates of the Arctic.
19
20 CHAIRMAN BROWER: Who is the resident
21 from Nuiqsut. Rosemary.
22
23 MS. AHTUANGARUAK: We need to put the
24 communication to the village of Nuiqsut. I know that
25 with the demands upon that small village and the level
26 of needs to protect the subsistence use we have to
27 communicate with that community as to what their
28 recommendations are. I know that we're also looking
29 for the BLM/SAP for that village who just told me that
30 he had submitted his resignation already so both issues
31 should be communicated on.
32
33 CHAIRMAN BROWER: I think once we -- if
34 I could ask the Council to finish taking action on the
35 motion and then we could consider generating --
36 drafting a letter to the community of Nuiqsut to have a
37 person appointed from Nuiqsut.
38
39 MS. AHTUANGARUAK: I agree.
40
41 MR. G. BROWER: Concur.
42
43 CHAIRMAN BROWER: Thank you. If
44 there's no further discussion on the motion to appoint
45 James Nageak as the representative from North Slope
46 Regional Advisory Council to the Subsistence Resource
47 Commission.
48
49 MR. G. BROWER: Call for the question.
50

1 CHAIRMAN BROWER: Question's been
2 called on the motion. All in favor of the
3 reappointment of James Nageak signify by saying aye.
4
5 IN UNISON: Aye.
6
7 CHAIRMAN BROWER: Opposed, say nay.
8
9 (No opposing votes)
10
11 MR. J. NAGEAK: Thank you.
12
13 CHAIRMAN BROWER: You're on James.
14
15 MR. J. NAGEAK: Thank you.
16
17 CHAIRMAN BROWER: That action item has
18 been taken care of, and congratulations you've been
19 reappointed for another three years as Marcy indicated.
20
21 I guess we need to clarify -- a date --
22 from the start and to the end date of this appointment.
23
24 MS. OKADA: I'm assuming it'd be from
25 today on but I'd have to check on that.
26
27 CHAIRMAN BROWER: If we could have that
28 maybe presented at the next meeting it'd be helpful or
29 just in a letter form to James might be appropriate as
30 well.
31
32 MS. OKADA: Okay.
33
34 CHAIRMAN BROWER: Any regards to follow
35 up on the discussion of having an alternate and the
36 request concerning the appointment be from Nuiqsut, I
37 think we could direct Staff to generate a letter to the
38 city of Nuiqsut.
39
40 MS. AHTUANGARUAK: And the Native
41 village.
42
43 MR. SHEARS: Mr. Chair.
44
45 CHAIRMAN BROWER: Bob.
46
47 MR. SHEARS: I'd also like to submit
48 consideration for an alternate because the community of
49 Anaktuvuk Pass is directly associated with --
50 geographically associated with Gates of the Arctic

1 National Park, the NPR-A Subsistence Advisory Panel
2 member for the Anaktuvuk Pass area, Mr. Andrew Hopson,
3 would also be a suitable applicant, if he would be
4 considered for that appointment.

5
6 CHAIRMAN BROWER: Okay, that would be
7 an add-on to the language in regards to the letter.

8
9 MR. SHEARS: Yes, please.

10
11 CHAIRMAN BROWER: To submit a letter to
12 city of Anaktuvuk considering Andrew Hopson as an
13 alternate.

14
15 MS. OKADA: Mr. Chair.

16
17 CHAIRMAN BROWER: Marcy.

18
19 MS. OKADA: We actually have another
20 SRC member from Anaktuvuk Pass on our SRC, Rachel
21 Riley.

22
23 CHAIRMAN BROWER: That would make three
24 appointments from Anaktuvuk Pass if that's the case,
25 but I think it's only in fairness in terms of if one
26 declines then we may have another option to consider.

27
28 MS. OKADA: That's true.

29
30 CHAIRMAN BROWER: Either the one from
31 Nuiqsut or one from Anaktuvuk, not knowing what
32 direction the correspondence is going to be generated
33 from the community.

34
35 Any further discussion on the matter.

36
37 (No comments)

38
39 CHAIRMAN BROWER: If not we'll have
40 Staff generate the letters to the villages of Nuiqsut
41 and Anaktuvuk Pass considering alternate members to the
42 Gates of the Arctic Subsistence Resource Commission.

43
44 Eva.

45
46 MS. PATTON: Maybe we could have a
47 motion.

48
49 CHAIRMAN BROWER: Can we have a motion
50 in support of that modification to the request.

1 MS. AHTUANGARUAK: I make a motion.
2
3 MR. R. NAGEAK: Second.
4
5 CHAIRMAN BROWER: Motion on the floor
6 to generate a letter to Nuiqsut and Anaktuvuk from the
7 Council, seconded by Roy. Any further discussion.
8
9 MR. G. BROWER: Call for the question.
10
11 CHAIRMAN BROWER: Question's been
12 called on the motion. All in favor of the motion
13 signify by saying aye.
14
15 IN UNISON: Aye.
16
17 CHAIRMAN BROWER: Opposed, say nay.
18
19 (No opposing votes)
20
21 CHAIRMAN BROWER: None noted, thank
22 you.
23
24 MS. OKADA: Thank you, Mr. Chair.
25
26 CHAIRMAN BROWER: Thank you, Marcy. So
27 we're moving into our next agenda item, I think it's
28 Item D.
29
30 MS. PATTON: Yeah. Yeah.
31
32 CHAIRMAN BROWER: So we're trying to --
33 just for your Council member's information we're trying
34 to move on to the new business items and we're probably
35 skipping over one or two in terms of who has a presence
36 here and can provide some information to the Council on
37 that Item D.
38
39 Again, maybe the folks on the -- what
40 is that, teleconferencing.....
41
42 MS. HYER: Yeah, hello, can you hear
43 me?
44
45 CHAIRMAN BROWER: Yes.
46
47 MS. HYER: Yeah, hello, this is Karen
48 Hyer with the Office of Subsistence Management and I
49 was going to talk to you today about the priority
50 information needs and you can find that in your book on

1 Page 28, and can everyone hear me?

2

3 MR. SHEARS: Yes.

4

5 CHAIRMAN BROWER: Loud and clear.

6

7 MS. HYER: All right. So if you would
8 turn to Page 28 of your books you'll see there's quite
9 a bit of information here and I'm just going to
10 highlight some important facts and leave the rest for
11 you to read because most of you are familiar with our
12 Fisheries Resource Monitoring Plan. But this -- we're
13 preparing to put another request for proposals out and
14 this request will go out in November and it will be for
15 the 2014 Fisheries Resource Monitoring Program and
16 currently we have \$4.8 million available for that
17 monitoring plan, and, of course, that 4.8 million will
18 be used statewide and it will be allocated depending on
19 what we get for proposals.

20

21 CHAIRMAN BROWER: I thought it was
22 going to be considered for the North Slope region.

23

24 (Laughter)

25

26 MS. HYER: Some of it will be for North
27 Slope region and some of it will be for other regions.
28 And the way the allocations have gone, there are
29 certain guidelines that we follow, but also it's very
30 much dependent on the projects that we receive and
31 we're looking for monitoring and research projects that
32 will provide information that will help manage
33 subsistence fisheries on Federal public lands and that
34 Federal public lands is critical to the projects. We
35 only fund projects that are applicable to Federal
36 public lands.

37

38 And before we go on to the priority
39 information needs, I have one other piece of
40 information I want to give you but what we're trying to
41 do today is develop a list of priorities for northern
42 that will help investigators focus their research. It
43 doesn't -- it's not an exclusive list so if we get
44 projects that aren't on the list but they're good and
45 necessary research projects we often fund them but
46 we're trying to help guide researchers to what is
47 important in your region because you are much more
48 familiar with what's going on on the land than outside
49 investigators so your input is pretty critical to us in
50 providing guidance to researchers that might be

1 requesting funds.

2

3 But there are a couple of activities
4 that fall outside of the Monitoring Program, and I just
5 want to read you that list so it's fresh in your mind
6 before we start our discussion. But things that the
7 Federal Board have considered outside the Monitoring
8 Program include:

9

10 Habitat protection; mitigation;
11 restoration, and enhancement; hatchery propagation;
12 restoration, enhancement and supplementation and
13 contaminant assessment, evaluation and monitoring.

14

15 So those are things the Federal
16 Subsistence Board says they will not support through
17 the Monitoring Program.

18

19 All right, so if you turn to Page 30 of
20 your books you'll see the northern regional priority
21 information needs. And currently -- there are two
22 things to focus on here, currently the North Slope
23 Council has identified Arctic Char, Dolly Varden,
24 whitefish, lake trout, and Arctic grayling as fisheries
25 that are most important in your area. So if there are
26 additional species you want to add to that list, now is
27 a good time to add them, or if there are species that
28 you want to delete from that list, now is a good time
29 to delete them because we often refer to that overall
30 list. And the other thing the Council has identified
31 as important is climate change on subsistence fisheries
32 resources.

33

34 So if you go a little bit further down
35 the page, we have four bullets that we have listed and
36 these are bullets that are carry over from the last
37 call, and so I'd be interested in your input, if they
38 still are important or if you wish to remove them from
39 the list, and I'm also very interested in anything else
40 that you wish to add to the list. But currently we
41 have baseline harvest assessment and monitoring of
42 subsistence fisheries in the Northwest Arctic and the
43 North Slope region. We have historic trends and
44 variability in harvest locations, harvest and uses of
45 nonsalmon fish. We have Inupiat taxonomy of fish
46 species, natural history of fishes, land use, place
47 names, mapping, mapping of species distribution and
48 methods for and timing of harvest, and then there's a
49 list of species of interest there. And then the final
50 bullet on this page is harvest and use of fish species

1 by residents of Shishmaref. So those were four things
2 that were identified specifically from northern
3 regions.

4
5 And then if you turn to Page 33 in this
6 document, you'll see multi-regional priority
7 information needs. And we put climate -- all the
8 issues that had to do with climate change under multi-
9 regional because oftentimes there's more than one
10 region involved in that, so that makes it a little bit
11 easier for the investigators, they don't have to
12 specifically identify one particular region but they
13 can identify more than one. And under this list,
14 things that'd be applicable to your Regional Advisory
15 Council are changes in subsistence fish resources and
16 uses in the context of climate change where relevant,
17 including but not limited to, fishing seasons, species,
18 species targeted, fishing locations, fish quality,
19 harvest methods and means and methods of preservation,
20 including management implications. The other --
21 another issue under climate change is develop a model
22 based on long-term relationships between ocean
23 conditions and production for the Bering Sea and Gulf
24 of Alaska chinook salmon stock to better understand and
25 respond to changes in run abundance. And as we all
26 know, chinook salmon has been a big issue in many parts
27 of the region, not specifically your region but many
28 regions in Alaska.

29
30 The next bullet is specifically related
31 to the Kuskokwim and the Yukon drainage and it has to
32 do with whitefish.

33
34 And then the fourth bullet there is
35 evaluation of conversation factors used to estimate
36 edible pounds for individual fish and from unorthodox
37 units, such as tubs, sacks and buckets.

38
39 And so currently this is what we have
40 listed as priority information for research. So what
41 I'm seeking today is any input you may have and the
42 call doesn't go out until November, so I realize
43 sometimes this is -- I realize for some people this is
44 the first time they're seeing this list and sometimes
45 you need to think about this over a period of time and
46 go back to your communities and talk to them, and so
47 whatever comes out of this meeting today is not the
48 final -- it's not your final chance for input, you're
49 welcome to contact both Eva and I, up until the call
50 goes out in November with any further ideas that would

1 direct the research and if you have any ideas and you
2 need help developing them so they're applicable to our
3 program and to Federal lands, that would be another
4 opportunity -- you'd have another opportunity to get a
5 hold of us and we can help you with that.

6

7 So, anyway, at this point I'll stop
8 talking and I will start listening to the input you
9 have for what's important in your region.

10

11 MR. SHEARS: Mr. Chairman.

12

13 CHAIRMAN BROWER: Yes, Bob.

14

15 MR. SHEARS: Hi, Karen, Bob Shears from
16 Wainwright. I was wondering will your study include,
17 as a subsistence study, will it take into consideration
18 commercial -- any commercial activities and how it
19 affects subsistence fisheries?

20

21 MS. HYER: Yeah, I would say it's been
22 hard, as you all are well aware to separate out
23 subsistence from commercial because often they're
24 integrated so, yeah, we would, I'm sure, if it was
25 articulated properly, I'm sure that we would be open to
26 the idea of something that had to do with commercial
27 fish and its interaction with subsistence fish.

28

29 MR. SHEARS: I was just identifying --
30 just going through the draft document and it kind of
31 lays out the scope of your Monitoring Program and it
32 seems to almost deliberately omit any reference to
33 commercial fisheries or to be involved or studying
34 anything in the realm of commercial fisheries,
35 including bycatch, which I think the subsistence
36 populations harvest and health levels are directly
37 affected by and it'd be a major omission of the study
38 to not consider commercial fisheries affect on the
39 subsistence fisheries.

40

41 MS. HYER: Yeah, I understand what
42 you're saying. And the reason it's specifically
43 omitted is because we manage only subsistence fish, we
44 have no jurisdiction over commercial fisheries, but
45 that being said, I agree with your statement and
46 commercial fishing directly implicates the management
47 of subsistence fisheries and so often -- often we have
48 projects that dovetail both, it's just when -- when it
49 comes to our literature because of our jurisdiction it
50 focuses on subsistence fishing but not to the exclusion

1 of commercial fishing.

2

3 MR. SHEARS: I would at least hope that
4 maybe you would collaborate with the Department of
5 Commerce to tie the two together.

6

7 MS. HYER: Uh-huh. Well, that's a good
8 point. And maybe we can bring out something along
9 those lines in that second bullet under multi-regional
10 because that's directly related to Bering Sea and Gulf
11 of Alaska chinook salmon.

12

13 MR. R. NAGEAK: Mr. Chair.

14

15 CHAIRMAN BROWER: Wait a minute, Roy, I
16 think Bob's still.....

17

18 MR. SHEARS: I'd just like to bring
19 this at this point, to Charlie's attention, when he
20 returns to the Federal Subsistence Board's attention.

21

22 That's all I have Mr. Chairman.

23

24 CHAIRMAN BROWER: Thank you, Bob.

25 Okay, Roy.

26

27 MR. R. NAGEAK: Because that was an
28 issue that was so clearly in front of us when the State
29 started cutting nets off of subsistence fishermen and
30 how commercial impacts that area, who comes first, or
31 who do we ask on how much take a commercial fishermen
32 in that area where the State came in and cut off
33 subsistence or took fish away by cutting the nets; if
34 it's going to be regional or other regions that might
35 need those resources to stop the State from cutting
36 fish nets.

37

38 MR. G. BROWER: Mr. Chair.

39

40 CHAIRMAN BROWER: Gordon.

41

42 MR. G. BROWER: Yeah, that seems to
43 shed some concerns about proposing studies up here and
44 looking at what happened in the other region. I had
45 requested to have somebody talk about what is at issue
46 with the closure in the Kuskokwim River affecting
47 subsistence harvesters, is there a lack of management
48 plan that is consistently evaluating what the off shore
49 intercepts are doing, the commercial fishing and the
50 subsistence to the detriment of the local rural

1 preference that the Federal government provides.

2

3 CHAIRMAN BROWER: Thank you, Gordon.

4

5 MS. AHTUANGARUAK: Mr. Chair.

6

7 CHAIRMAN BROWER: Rosemary.

8

9 MS. AHTUANGARUAK: We have seen in
10 previous meetings that there are concerns to our lands
11 and waters that are affecting fish migration passages.
12 There was a report about two years ago of one of our
13 fishermen from here in Barrow of a lake five miles out
14 of Barrow that he used to get 15 fish in his net and he
15 ended up getting 300, and he was very concerned that
16 the migration path of these fish in this lake that he
17 depended upon was being impacted so that the outward
18 migration of these fish was no longer available to
19 occur. I've heard this discussion in other communities
20 about how our lands and waters are being affected,
21 whether it's related to changes to our lands with
22 infrastructure development or changes to our lands and
23 waters with the hydrology of the fish passage issues.
24 We did have a study a number of years ago in which they
25 did some satellite tracking of the whitefish and showed
26 an extensive movement of these fish in ways that were
27 not documented on reports that they did move through
28 these ways but traditional knowledge did support that.

29

30 This is very important with the changes
31 that are coming and the increased effort to increase
32 changes with the development that's going to occur
33 around this region. We have multiple resources that
34 can be impacted through increasing roads, increasing
35 infrastructure, but it's our subsistence use that we
36 need to have a highly understood process, that it can
37 effectively discuss some of these management issues.

38

39 We also had a lot of discussion that
40 there are areas that are leading to concerns with
41 contaminants to our fish. We had discussion from AKP
42 that there was a lake that they were very concerned
43 about, making sure that we're looking at previous
44 activities and how they're contributing to the safety
45 of our subsistence resources are very important. I
46 understand that there's limitations on ways to address
47 this, but we need to get that documentation and
48 incorporate it into other realms if we're not going to
49 get the research that we need to look at the safety of
50 our subsistence species.

1 When we're feeding our people our
2 foods, we want them to be healthy and safe. We have
3 continued risks of our generational exposures to this
4 because of our longevity of usage in our areas. And
5 when we're looking into the new little eyes of our
6 community members we want them to stay strong and
7 healthy. We're seeing changes to new little eyes that
8 are coming into villages with changes to their health
9 and we don't have the support of the information that
10 says that -- it's good to keep going with what we're
11 doing, we have some documentation that says, oh, we
12 have some contaminants that have showed up into our
13 foods but it's okay because in the Lower 48 there's
14 higher levels of contaminants, those kind of documents
15 are not supportive of us in our longevity of our
16 issues. So that's another important factor that we
17 have to look at.

18
19 We also discussed that there are a
20 number of species that are changing in their quantities
21 and -- the quantities in our subsistence harvest.
22 Around Nuiqsut a lot of increase in salmon, around
23 Barrow you hear it a lot, also of our increasing
24 salmon, but what is that doing to the other species of
25 populations. Near Nuiqsut the number of places where
26 there's northern pike have increased. There were
27 concerns in previous meetings that was there somebody
28 that went around and seeded these areas that never had
29 these kind of fish before because now we have good
30 populations of some of these species that are
31 detrimental to our subsistence resources. So if we
32 haven't looked at that, that's another concern that's
33 ruining our concerns for longevity of the safety of our
34 species.

35
36 And then on the multi-regional
37 information needs, this is a good starting point, but
38 listening to our Regional Advisory Councils into better
39 clarification to make sure that all of our issues are
40 being addressed needs to be looked at in this because
41 as we brought out with the increased risk with
42 commercial fishing, so do we have increased risk with
43 the increased shipping activities and other land and
44 water use changes that are being proposed in our region
45 that we have to really look at this in a good way.

46
47 Thank you.

48
49 CHAIRMAN BROWER: Thank you, Rosemary.
50

1 MR. G. BROWER: Mr. Chair.

2

3 MS. HYER: Mr. Chairman.

4

5 CHAIRMAN BROWER: Yes.

6

7 MS. HYER: Council members, I have a
8 comment, if I may.

9

10 CHAIRMAN BROWER: Go ahead.

11

12 MS. HYER: I heard what was just said
13 and what would be extremely helpful to the priority
14 information needs is if we can identify specific areas,
15 and we don't have to do that today but we can continue
16 to work with the Council. But if we put in general
17 guidelines we allow the investigators to go anywhere in
18 the north and do the work and so if there's specific
19 areas of concern, if we can get down to drainage names
20 or lake names, we can put specific areas into the call
21 and that might help pinpoint the research and maybe
22 provide better direction to any investigator that might
23 be interested in it. So that's something to think
24 about if you're seeing specific areas where you're
25 seeing these trends, I'd be interested in knowing where
26 they are so we can certainly add those areas into the
27 information needs.

28

29 That's all I had.

30

31 CHAIRMAN BROWER: Thank you, Karen. I
32 think it's important to continue with what we've
33 identified with -- from our previous meeting, and in
34 regards to the North Slope area. You know when we're
35 competing with the northern regions divided into three
36 areas in terms of the -- on Page 30, Northern region
37 priority information needs and compounding with the
38 three different areas, I think it gets a little bit
39 overwhelming in trying to focus our research.

40

41 Do we still have the North Slope
42 Council identify Arctic Char and Dolly Varden,
43 whitefish, lake trout and Arctic grayling fisheries as
44 important for its areas. Right now we have other fish
45 that are transient and becoming fish that are being
46 harvested in regards to salmon species. I think that's
47 some of Rosemary's concerns in terms of what impacts
48 are being generated from this fish having a more
49 presence now. It probably had a presence before but
50 not in the numbers that we see today and -- and what

1 kind of diseases are being subjected to the local fish,
2 is probably something that we need to continue.

3

4 I can't even begin to pronounce the
5 parasite that was having an impact on some of the fish,
6 salmon species, and there was some information provided
7 from our folks inland, from the Anaktuvuk area in
8 regards to what they were finding from their fish and
9 being not very edible and, you know, the muscle being
10 in the jelly form, jelly state and not causing that
11 fish to be -- to be nonedible in a sense because it's
12 something that was unusually -- unusual in the area.

13

14 So I think those species that we've
15 identified before still have the concern -- are the
16 fish of concern that we need to address, is what I'm
17 trying to say.

18

19 MS. AHTUANGARUAK: Right.

20

21 CHAIRMAN BROWER: Unless there's
22 another species that you, as Council members, identify
23 from your local communities that should be considered
24 as a research species.

25

26 MR. G. BROWER: Mr. Chairman.

27

28 CHAIRMAN BROWER: Gordon.

29

30 MR. G. BROWER: Yeah, I think it's one
31 of these things where if we're merely expressing our
32 concerns and to interpret them or rate them into
33 proposals is another thing, it seems to me there should
34 be a dedicated section to discuss things that need to
35 be on a reasonable approach to a proposal for a study.
36 And I think being able to bring up concerns and
37 interpret them correctly enough to make a proposal out
38 of them should come from, you know, maybe a community
39 meeting or something like that.

40

41 Those are just my concerns.

42

43 I've always had concerns about
44 different types of fish, including our own tom cods,
45 you know, we don't hardly ever get the kind of
46 conditions back in the '70s when we had hundreds of
47 people on the beach fishing tom cods and that climate
48 has really affected our ability to harvest that very --
49 it was a very big part of Barrow in the past about
50 harvesting our little -- our tom cods, I don't know

1 what the scientific name, term, for them is.

2

3 But the other events such as sudden
4 increase in different types of population that -- like
5 pikes, I mean I've seen climate change affect lakes (In
6 Inupiat) basically dumps the population into the river
7 systems, and I've seen that happen. There's been
8 populations of pike (In Inupiat) sudden increase
9 because the lake has broken through on that. So I mean
10 they're prevalent on the North Slope.

11

12 Earlier you made a statement about what
13 should not be included. I didn't quite exactly get
14 what should not be included on there. I think we have
15 a resident here that wants to.....

16

17 CHAIRMAN BROWER: We're talking about
18 fisheries. (In Inupiat)

19

20 PUBLIC: I'm a homeless man. I've been
21 trying to get some (In Inupiat).

22

23 CHAIRMAN BROWER: (In Inupiat)

24

25 PUBLIC: (In Inupiat) I just want to
26 let you people know it's not just for me (In Inupiat)

27

28 CHAIRMAN BROWER: (In Inupiat)

29

30 MR. G. BROWER: (In Inupiat)

31

32 PUBLIC: (In Inupiat)

33

34 CHAIRMAN BROWER: (In Inupiat)

35

36 PUBLIC: (In Inupiat)

37

38 MR. J. NAGEAK: (In Inupiat)

39

40 PUBLIC: Okay, I'm sorry.

41

42 MR. J. NAGEAK: Yeah.

43

44 CHAIRMAN BROWER: Enough James.

45

46 MR. J. NAGEAK: (In Inupiat)

47

48 CHAIRMAN BROWER: James.

49

50 PUBLIC: (In Inupiat)

1 CHAIRMAN BROWER: Okay. (In Inupiat)
2
3 PUBLIC: I'm sorry, James.
4
5 MR. J. NAGEAK: Yeah.
6
7 PUBLIC: Excuse me for interrupting
8 your meeting. Excuse me.
9
10 CHAIRMAN BROWER: Okay. (In Inupiat)
11
12 Anyway getting back to our discussion
13 in regards to the fish.
14
15 MR. J. NAGEAK: I'm older than him.
16
17 CHAIRMAN BROWER: So the concerns we
18 just identified with Gordon -- or that were identified
19 by Gordon in regards to what we are not supposed to be
20 considering in a proposal, I think maybe if Staff could
21 provide us an example of these types of -- what we can
22 go forward with and what's not acceptable in the sense
23 of a proposal to be considered by the Council would be
24 helpful.
25
26 I know we've identified.....
27
28 MS. HYER: Mr. Chairman. Council
29 members.
30
31 CHAIRMAN BROWER: Go ahead.
32
33 MS. HYER: What I meant by that
34 statement was the list I gave you, if you feel like
35 anything on that list should be removed, if it's not
36 important to your region, please let me know. That's
37 all I was referring to. We made kind of our best guess
38 at issues and if we missed the mark on any of them as
39 far as what's printed in this document, that's what I
40 meant.
41
42 MS. PATTON: Mr. Chair, if I may.
43
44 CHAIRMAN BROWER: Yes, Eva.
45
46 MS. PATTON: I am also available to
47 work with the Council. We have until November to bring
48 forward what the priority information needs this
49 Council and your communities feel are important so I
50 will be available to continue to work with you until

1 November when that gets submitted, so there's time for
2 that feedback from your communities and time for you to
3 consider what you'd like to bring forward and I can
4 also assist with the development, you know,
5 understanding how the development of those proposals
6 take place so you can facilitate that process within
7 your community.

8

9 Thank you.

10

11 MR. J. NAGEAK: Mr. Chair.

12

13 CHAIRMAN BROWER: James.

14

15 MR. J. NAGEAK: Yeah, one of the
16 concerns that we have from Anaktuvuk Pass is the
17 building of the bridge in the Colville River, you know,
18 the fish that we get on Lake Chandalar and the lakes
19 that we have close to our area, they migrate up through
20 the river systems and so like the Arctic Char and lake
21 char and whitefish that we have and so one of the --
22 you know, how is that bridge going to affect the
23 population of the fish that we get in our area. And I
24 didn't see smelt or burbot as part of, you know, the
25 two fish that we even get from Anaktuvuk Pass because
26 we have good friends over there at Wainwright who make
27 us to like (In Inupiat) and we like the liver of the
28 (In Inupiat) and I know that people at Nuiqsut really
29 used to love to go out and fish for burbot.

30

31 Thank you.

32

33 CHAIRMAN BROWER: Thank you, James, for
34 your comments. I guess we could add those two species
35 in terms of the species of importance to our
36 subsistence resources.

37

38 Gordon.

39

40 MR. G. BROWER: No.

41

42 CHAIRMAN BROWER: Okay.

43

44 MS. PETRIVELLI: Mr. Chair.

45

46 CHAIRMAN BROWER: Go ahead.

47

48 MS. PETRIVELLI: My name's Pat
49 Petrivelli and I serve on the technical review
50 committee for a lot of the proposals.

1 CHAIRMAN BROWER: Uh-huh.

2

3 MS. PETRIVELLI: And I know Karen did
4 say some projects that they wouldn't fund like habitat,
5 looking at habitat enhancement, rest -- and I forget
6 the laundry list, and I can't find it in here, but one
7 thing that is on there in 29 is the Monitoring Program
8 funding is not intended to duplicate existing programs
9 and I think that would go to Bob Shears question. And
10 there's a very limited dollar for subsistence programs
11 and so I think commercial fish, they pay commercial
12 fish taxes, commercial fishermen should be paying for
13 commercial -- impact of commercial fishing studies and
14 the pollock industry makes billions of dollars and they
15 could afford to pay for those studies but that's just
16 -- you know, as we come into all these issues and then
17 any development projects, if there is a bridge whoever
18 wants to build a bridge should do the study for the
19 bridge, but that's just something -- I think Karen's
20 list had a lot of the impact development, impact
21 assessment and I think it was contaminants also,
22 whoever does the contamination should pay for those
23 contamination studies but the Subsistence Program
24 funding is very limited and it is just focused on
25 resources that are important. So I really think it's
26 good that you identify those species that are important
27 for you to use as subsistence so we can concentrate
28 those studies on what's important to users and if other
29 users benefit from the use of those resources, they
30 should pay for those studies.

31

32 But that's just, I think, the intent of
33 the program.

34

35 CHAIRMAN BROWER: Thank you, Pat.

36

37 MR. R. NAGEAK: Mr. Chair.

38

39 CHAIRMAN BROWER: Roy.

40

41 MR. R. NAGEAK: I don't know whether
42 any studies have been done for the offshore development
43 -- they'll go up -- what I heard Icy Cape and from up
44 somewhere between Peard Bay and whether data needs to
45 be started gathering, how those will be impacted by
46 development or what not, you know, of the time, that
47 would -- somebody needs to start thinking about that.
48 I think they already start studying fisheries, and I
49 know that somebody's already starting contaminant up on
50 -- in front of (indiscernible) there was a woman doing

1 water studies and what kind of contaminants are coming
2 up through the currents.

3

4 And those are the issues that we don't
5 know about on all the studies that are being funded,
6 especially by the Federal government. We start getting
7 an idea of what's being done and if you're talking
8 duplication there's always duplication and we're very
9 much aware of that. It's just that the universities
10 who are -- or issues like these that are funded by
11 Federal funding, that they don't talk to each other and
12 money just keeps getting spent, spent, spent for the
13 same thing. And if we knew within the North Slope on
14 all the things that are being studied, because they're
15 all over the North Slope, then we could get an idea of
16 where the monies -- or what needs to be taken off to do
17 the studies. And those are the things that we need to
18 be aware of, especially the resources that we subsist
19 on, what has been done, what is currently being done on
20 a yearly basis, especially with what's going to happen
21 after.

22

23 CHAIRMAN BROWER: Are you done Roy?

24

25 MR. R. NAGEAK: Yes.

26

27 CHAIRMAN BROWER: Thank you. Gordon.

28

29 MR. G. BROWER: I don't know if this is
30 considered a fish or not but I have a lot of pictures
31 from our whale camps of putting crab pots and getting
32 those crabs and I think, you know, they're resources
33 that are sometimes under-utilized but they harvested
34 for subsistence and I wondered the issues about our (In
35 Inupiat) some of them are pretty big crabs that, you
36 know, are good sized that are just bottom feeders,
37 they're just crawling around and it seems to me it
38 could be potentially have concerns about their
39 viability later on. I don't know if that's a proposal
40 or not but see that's the other thing is how do we put
41 a -- in terms of words what a -- a proposal that's --
42 could really get funding and it's just wordsmithing
43 that you can do to make a viable study out of some of
44 these things.

45

46 MS. AHTUANGARUAK: Mr. Chair. In the
47 interest of time, and we've had a good discussion here,
48 I think that our Staff can summarize the comments that
49 have been received and get a report out to us and
50 facilitate the discussion on moving forward with

1 identifying the priority information needs.

2

3 CHAIRMAN BROWER: Thank you, Rosemary.
4 I think, Gordon as well, to further along some of the
5 discussions, we've had research done on fisheries on
6 the North Slope that dealt with Arctic Char and Dolly
7 Varden and I'm not sure if we did follow up -- I don't
8 recall if we followed up on that Arctic grayling
9 research that was requested for the -- and like I said,
10 I just don't recall if we did because it was one of the
11 priority need requests from the previous representative
12 from Point Hope.

13

14 And in regards to whitefish, we had
15 generated proposals but I don't recall if it did get
16 funded for the Meade River Delta and Meade River itself
17 in regards to whitefish.

18

19 MS. AHTUANGARUAK: That also brings up,
20 Atqasuk, they had a fish die off last year that they
21 were concerned, that (In Inupiat).

22

23 CHAIRMAN BROWER: Whitefish. So those
24 are -- I could recall some of those, the ones that
25 we've done some research on and there's -- not, me,
26 myself, but others have done research in regards to
27 Arctic Char and Dolly Varden and then the more recent
28 concerns that were requested for in terms of fisheries
29 research was around the whitefish and Arctic grayling
30 and I think we need to revisit those three species in
31 regards to information needs from this Council.

32

33 I don't know if we have any other
34 comments that you'd like to share with us in terms of
35 -- or any more concerns than we've generated so far.

36

37 MS. PATTON: Thank you, Mr. Chair.
38 Yeah, so, again, I can compile the concerns that were
39 expressed here today and then continue to work with you
40 and contact you by phone and email. If you think of
41 other things after this meeting or your community comes
42 to you with issues or concerns that they have seen and
43 work with all of you to compile that, to bring forward,
44 in November, for this fisheries information needs. And
45 as Gordon had asked about, I can also help in these
46 discussions get an idea of, you know, I guess the
47 refinement of the recommendations so ways to move
48 forward with finding people to work with for the
49 research proposals to address your concerns, too. So I
50 am happy and available to follow up with all of you in

1 the next few months on those issues.

2

3 Thank you.

4

5 CHAIRMAN BROWER: Thank you. Any
6 further comments on this subject, Item D.

7

8 (No comments)

9

10 CHAIRMAN BROWER: If none, we'll move
11 to Eva to steer us in the right direction here and move
12 along in regards to our agenda items.

13

14 MS. PATTON: So if I may, Mr. Chair, if
15 there's an opportunity to extend this session tonight,
16 there are all the issues under E were actually going to
17 be addressed by the people who have traveled here today
18 to present -- from the agencies, under agency reports,
19 we still do have business as the Council to attend to
20 with OSM Staff, and Carl and I are here later, if the
21 Council is willing to extend the session so that we
22 have this time to hear the presenters who have traveled
23 here today, some of them need to catch a flight by
24 7:00. If that's okay with the Council to make that
25 arrangement, the information they're presenting was by
26 the Council at this meeting. We have plenty of food
27 and more coffee to tide people over, too, if the
28 Council is willing to extend that time.

29

30 MR. G. BROWER: Mr. Chair.

31

32 CHAIRMAN BROWER: Yes, Gordon.

33

34 MR. G. BROWER: Yeah, I think for those
35 that have planes to catch, I'm always accused of trying
36 to be in a village for just one day and catching the
37 plane and getting business done and it seems to me
38 that's always been frowned upon. We really need to
39 think about our agenda. I think we overwork ourselves
40 in one day, that we need to consider either two days or
41 start quarterly meetings or something like that, where
42 the pressure is less, that we have a manageable agenda.
43 But at the same time there are folks that are traveling
44 and they have -- I think we should take a number of
45 hands, which -- of items that we need to rearrange to
46 accommodate folks that are going to be on the plane
47 because they might have something very important that
48 we want to maybe comment on before those folks have to
49 catch the plane. Either that or just, you know, make
50 them miss the plane or something.

1 MS. PATTON: Mr. Chair, if I may. The
2 folks who have traveled here today made the effort to
3 be here. I will bring back the concerns, the one day
4 meeting was set by OSM and so I will bring back those
5 concerns so that we can have two days to fully discuss
6 issues at the meeting.

7
8 Again, folks have taken the time and
9 traveled here and some of the information they were
10 going to present was specific to the requests of the
11 Council. With the NPR-A, there was information that
12 was timely to this meeting and we have others from
13 Subsistence Division who also may be discussing some of
14 the -- addressing some of the research that's
15 addressing some of the concerns that the Council sees
16 with changes to subsistence and we have also ADF&G
17 presenting on the caribou information requests, and
18 also U.S. Fish and Wildlife Service.

19
20 MR. G. BROWER: So if you're willing to
21 buy dinner I think we should be able to see what the
22 wishes of the Council is to continue.

23
24 CHAIRMAN BROWER: Let me just add on to
25 the discussion, the concerns that were voiced several
26 times to our previous coordinators in regards to the
27 length of our agenda. You know it's been pushed for
28 quite some time by the Office of Subsistence Management
29 to hold only one day meetings without any real careful
30 consideration about the level of importance of
31 information being disseminated through these meetings.
32 You know we've had to table some agenda items for later
33 meetings and yet when we get to that later meeting
34 we're still compounded with the new agenda items before
35 we even get to discuss the items that were tabled from
36 the previous meeting, and then the agenda becomes, you
37 know, three pages long when it could have just been a
38 one page agenda. But, again, the thing that's being
39 compounded in regards to travel, accommodations,
40 logistical accommodations, it becomes a concern when we
41 have an overwhelming agenda and time constraints
42 becomes a matter of -- and the important issues become
43 very minute in the sense that, you know, we hear the
44 information but do we digest it enough to make
45 meaningful input and providing meaningful input on the
46 issues that are before us.

47
48 So like I've stated before with our
49 other marine mammal committees and commissions, that
50 not one species is more important than the other,

1 they're all important to us in regards to our
2 subsistence, not one species is more important than the
3 other, they're all important to us. And with the
4 impacts that are before us that put a lot of risk on
5 our way of life in terms of having meaningful input on
6 decisions that are very important to us, become very
7 minute or compounding with other factors that sometimes
8 we just get frustrated over the level of meetings that
9 we're dealing with.

10

11 So with that stated, I think we should
12 ask the Council as to how they wish to proceed with the
13 remaining agenda items and what we should do in terms
14 of -- what we heard from Eva, our coordinator.

15

16 MR. R. NAGEAK: Mr. Chair.

17

18 CHAIRMAN BROWER: Roy.

19

20 MR. R. NAGEAK: I feel like the DOT,
21 and I don't know who's from DOT on the transportation
22 access, somebody?

23

24 MS. PATTON: Mr. Chair, if I may.

25

26 CHAIRMAN BROWER: Yes, Eva.

27

28 MS. PATTON: Those who are -- so both
29 DOT and the North Slope Science Initiative, those two
30 updates were deferred to the winter meeting. The
31 individual -- so it's actually Army Corps of Engineers
32 that will be presenting on the road to Umiat. They
33 will be able to attend in person at the winter meeting,
34 and so those two information pieces have been deferred.
35 I can continue to work with the Council, after this
36 meeting there's time to get your feedback and at the
37 next meeting we can -- if the Council wishes, to make a
38 motion to draft a letter about the road to Umiat, that
39 -- that can happen. But in the meantime, over the next
40 several months prior to the next meeting I'm happy to
41 work with the Council to assist both in information and
42 feedback and Army Corps of Engineers will be able to be
43 here at the winter meeting.

44

45 MR. R. NAGEAK: And what does NPS stand
46 for?

47

48 MS. AHTUANGARUAK: National Park
49 Service.

50

1 MR. R. NAGEAK: Oh, okay.
2
3 MS. PATTON: Yeah, National Park
4 Service.
5
6 MR. G. BROWER: Mr. Chair.
7
8 CHAIRMAN BROWER: Gordon.
9
10 MR. G. BROWER: Yeah, I think it's very
11 important -- I would have loved to have DOT here today,
12 again, in the winter meeting, we hardly get a chance to
13 interact with that group effectively. We've accused
14 them of not interacting with the local government and
15 pushing ahead and jamming this down the throats of the
16 residents of the Slope and it's hard to swallow some of
17 these things and at the while the community has felt
18 like how do we participate in something like this when
19 it's so at the grasp of the government wanting to do
20 it, so I think it's so important, you know, I think
21 there should be some sort of -- even a motion generated
22 from here that the different types of alternatives, you
23 know, like to melt water should be adjusted but we know
24 that sometimes the preferred alternative will not be
25 the one but not to push ourselves so far into the
26 corner that we can't influence mitigation measures
27 should it go through (indiscernible), to being able to
28 be open enough that should it go this way, we want to
29 be at the table still to help mitigate the unforeseen
30 and the envisioned impacts and to work with communities
31 and local governments to the extent that we can. And I
32 think to promote that would be very prudent on the
33 behalf of -- or recommendation -- Advisory Committee
34 like this.
35
36 MS. PATTON: Mr. Chair, if I may.
37
38 MR. R. NAGEAK: Mr. Chair.
39
40 CHAIRMAN BROWER: Thank you, Gordon.
41
42 MS. PATTON: There is some information
43 in your packets that was provided by Army Corps of
44 Engineer that gives the list of alternatives for you to
45 review and also the website where the scoping meetings
46 that were held where the community had feedback and
47 that's what Army Corps is considering right now. The
48 draft EIS is not due out until fall of 2013 and so this
49 Council has the opportunity to review those materials
50 and comment.

1 MR. G. BROWER: I'm just afraid that we
2 locked ourselves into an alternative that would never
3 be supported but at the same time being able to be wise
4 and say we don't support this route but in the event
5 that it happens we want to be at the table to look at
6 effectively mitigating our concerns.

7

8 MR. R. NAGEAK: Mr. Chair.

9

10 CHAIRMAN BROWER: Yes, Roy.

11

12 MR. R. NAGEAK: I was just looking at
13 the budget where it's being decreased by 35 percent,
14 especially in the travel and then what has been
15 delegated -- kind of delegated that we decide for our
16 people in regards to the memorandum of understanding
17 and the issues we feel will impact the subsistence way
18 of life for our people and then with cutting monies of
19 the committees, of being rushed, one day, two times a
20 year, these are issues that we understand especially
21 from a Native perspective that we're being pushed,
22 rushed to make ineffective decisions for our way of
23 life that is very important. Somehow somebody needs to
24 understand that when we have meetings like this, that
25 we take our time and do it in a process that will
26 really help our people with the way of life, with these
27 meetings that just go in and out and information, this
28 is the way that it's supposed to go and we're supposed
29 to rubberstamp it and not have the good discussions
30 that are needed to effectively see how the Federal and
31 the State rules and regulations that will rule our
32 subsistence way of life and we're put up against the
33 wall to make these rushed decisions without information
34 that we need to make the right ones.

35

36 I'll end it right there.

37

38 CHAIRMAN BROWER: Thank you, Roy.

39

40 Carl.

41

42 MR. JOHNSON: Mr. Chair, thank you. I
43 would encourage the Council at this time to take
44 advantage of those agencies who are here and are ready
45 to give presentations that would be useful information
46 for the Council about a variety of subsistence
47 resources that affect people in this region. So I
48 would recommend that that's a good use of the Council's
49 time at present.

50

1 Thank you, Mr. Chair.
2
3 CHAIRMAN BROWER: You mean overtime.
4
5 (Laughter)
6
7 CHAIRMAN BROWER: The Council's
8 overtime.
9
10 MR. G. BROWER: Did you say we could
11 have dinner here then.
12
13 MS. PATTON: I will be happy to order
14 dinner -- no, I would be happy to order dinner if you
15 were willing to have a working session. I know it's
16 been a long day, perhaps I could put an order in.
17
18 MR. G. BROWER: Mr. Chair.
19
20 CHAIRMAN BROWER: Yes, Gordon.
21
22 MR. G. BROWER: Is there a time limit
23 where we've got the assembly room.
24
25 CHAIRMAN BROWER: I'm not sure.
26
27 MS. PATTON: We have it available to us
28 as long as we need. There's security here, that was
29 the prior agreement that we could use the assembly room
30 until we're finished with the meeting.
31
32 MR. G. BROWER: Mr. Chair.
33
34 CHAIRMAN BROWER: Gordon.
35
36 MR. G. BROWER: I would make a motion
37 that we continue with the meeting and have dinner here
38 and for those that are prepared to do their
39 presentation and have a plane to catch, to put those
40 ahead in the agenda.
41
42 CHAIRMAN BROWER: There's a motion on
43 the floor.
44
45 MS. AHTUANGARUAK: I second his motion.
46
47 CHAIRMAN BROWER: Seconded by Rosemary.
48
49 MR. R. NAGEAK: Whoever raises their
50 hands first go on.

1 (Laughter)
2
3 CHAIRMAN BROWER: Discussion.
4
5 MR. J. NAGEAK: Discussion, Mr. Chair.
6
7 CHAIRMAN BROWER: We have a motion,
8 under discussion, James.
9
10 MR. J. NAGEAK: Yeah, I'm going to be
11 on the plane tonight, so I'm concerned that there are
12 some action things that we need to do here, the ones
13 with the asterisks on the agenda. So if we could look
14 at those as a full group here that would be my
15 recommendation.
16
17 CHAIRMAN BROWER: Maybe we could
18 coordinate our effort and, again, with the presenters
19 here and I think that we should consider that as well.
20 In regards to the discussion of the motion to have
21 dinner and have the.....
22
23 MR. G. BROWER: A working dinner.
24
25 CHAIRMAN BROWER:a working dinner
26 with the Council, the North Slope Regional Advisory
27 Council to discuss the remaining agenda items is before
28 us. We're still under discussion on the motion.
29
30 MR. R. NAGEAK: Mr. Chair.
31
32 CHAIRMAN BROWER: Yes, Roy.
33
34 MR. R. NAGEAK: I agree with James on
35 the asterisks and did we move on the memorandum of
36 understanding, or did we say that we weren't going to
37 move and just keep it moving until our concerns are
38 met; what was the direction of this committee on that?
39
40 CHAIRMAN BROWER: I think it was the
41 latter one. The latter statement you just made.
42
43 MS. AHTUANGARUAK: Right.
44
45 MR. R. NAGEAK: Okay.
46
47 CHAIRMAN BROWER: Carl, you wanted to
48 interject something into the motion.
49
50 MR. JOHNSON: Not necessarily to the

1 motion, Mr. Chair, just to address Mr. James Nageak's
2 comment about the action items. Most of them are
3 fairly administrative in nature and then with the
4 Council's cooperation they could move rather quickly.

5
6 CHAIRMAN BROWER: Okay, thank you,
7 Carl.

8
9 Eva, did you have a comment.

10
11 I'll allow it but we're in the
12 discussion of a motion but I guess go ahead.

13
14 MR. R. NAGEAK: Call for the question.

15
16 MS. PATTON: Yeah, finish your
17 question, go ahead.

18
19 CHAIRMAN BROWER: Question's been
20 called on the motion to have a working dinner with the
21 Regional Advisory Council to address the remaining
22 agenda items of importance. All in favor of the motion
23 signify by saying aye.

24
25 IN UNISON: Aye.

26
27 CHAIRMAN BROWER: Opposed, say nay.

28
29 MR. J. NAGEAK: Nay.

30
31 CHAIRMAN BROWER: One against five.

32
33 (Laughter)

34
35 CHAIRMAN BROWER: The nay is defeated
36 so we'll have a working dinner at this time and
37 continue with our -- I'm not sure how you want to --
38 maybe take a five minute break to consider the dinner.

39
40 MS. PATTON: I'll need to take orders.

41
42 CHAIRMAN BROWER: Okay, so we'll take a
43 five minute recess at this time.

44
45 MR. SHEARS: I agree.

46
47 CHAIRMAN BROWER: Is that too long or
48 is that long enough.

49
50 MR. SHEARS: The pressure's off now.

1 MS. AHTUANGARUAK: Yeah.

2

3 (Laughter)

4

5 (Off record)

6

7 (On record)

8

9 CHAIRMAN BROWER: I'd like to call our
10 meeting of the North Slope Regional Advisory Council
11 back to order for the fifth time, it's now 5:50 p.m.,
12 and we're down to our next agenda item. Under agency
13 reports, I'd invite Dave Yokel with Bureau of Land
14 Management, Dave you have the floor.

15

16 DR. YOKEL: Thank you, Mr. Chairman.
17 My name is Dave Yokel. I work for the Bureau of Land
18 Management's Arctic Field Office in Fairbanks. I'm
19 going to, in the interest of time, just touch on one
20 subject tonight.

21

22 As you're aware we're in the middle of
23 another land use plan for the NPR-A, this time for the
24 entire NPR-A. We completed the draft plan last spring,
25 we went through a long comment period, received over
26 400,000 comments from the public, analyzed those and
27 have put together a preferred alternative and it's that
28 preferred alternative that I want to introduce to you
29 tonight. I could not have introduced it to you any
30 earlier, it was just made public by the Secretary of
31 the Interior yesterday.

32

33 But first I want to -- this is not a
34 decision that I am showing you tonight, this is the
35 preferred alternative. The record of decision will be
36 sometime in the future, this is not a done deal at this
37 point.

38

39 Is this working, okay, I don't have a
40 pointer so I'm going to try to step up to the map here.
41 And it might be easier to see this one, Harry.

42

43 CHAIRMAN BROWER: Uh-huh.

44

45 DR. YOKEL: So this is a map of the
46 NPR-A, this red line all the way around marks the outer
47 boundary of the NPR-A, but not all of the lands within
48 that red boundary are BLM managed Federal lands, all of
49 the dark brown color are village corporation lands or
50 North Slope Borough lands or in some cases like this

1 are ASRC lands. So what we have in here is the
2 preferred alternative for the BLM lands in the NPR-A,
3 and first I'll point out that there are lands here that
4 are marked by this diagonal hatching. Everything that
5 has diagonal hatching here will not be available for
6 leasing in the preferred alternative, so the BLM will
7 not offer those lands for oil and gas lease sales.
8 Where it has hatching going in both direction, you see
9 here it has it just in one direction, here it's going
10 in both direction, where it goes in both directions
11 there will be no lease sales, and on top of that the
12 Bureau will not allow any non-subsistence
13 infrastructure. Okay, so if somebody wanted to run a
14 pipeline through the land from a valid lease elsewhere
15 we would not allow it where the hatching goes in both
16 directions. So up here that only involves this block
17 of land right here.

18

19 If there were an oil discovery in the
20 offshore up here in the Beaufort Sea and a pipeline
21 could conceivably come down through here or down
22 through here but not through here.

23

24 Okay, so that's the major allocation
25 decision that this alternative implies.

26

27 The yellow color just shows the
28 extended boundaries of the special areas under the
29 preferred alternatives so what used to be the Teshekpuk
30 Lake special area here would now be extended all the
31 way northwest to the North Slope Borough Village
32 Corporation land's boundary. There would be a new
33 special area in the Peard Bay area and all of this land
34 down here in the Brooks Range, which is very important
35 for the Western Arctic Herd, insect relief season,
36 would also be part of a special area. The term special
37 area itself does not have any specific meaning in terms
38 of restrictions, it just means that those things that
39 make it special have to be considered if any
40 development occurs. But since we said no development
41 of any kind could go on down here it's kind of moot
42 really.

43

44 Okay, outside of the areas unavailable
45 for leasing, which is very little along the coast, we
46 have a mild buffer along the coast where we would not
47 allow any non-essential infrastructure, so if, for
48 instance, there were a development offshore that had to
49 bring oil on shore in a pipeline that would be
50 considered essential, it would be allowed to cross that

1 one mile wide buffer but nobody could build a road in
2 that area or anything that did not have to be right
3 there on the coast.

4
5 In the blue are river setbacks of
6 different widths, most of them are about one mile
7 either side of the bank, some are larger. I think some,
8 like way up river are smaller, maybe a half mile,
9 either side of the river.

10
11 I think I would like to just stop right
12 there because that gives you the general idea and see
13 what specific questions you have.

14
15 MR. R. NAGEAK: 2014 is for leasing,
16 2014.

17
18 DR. YOKEL: In 2004 the BLM completed a
19 plan for what we called the northwest planning area of
20 the NPR-A, and in that record of decision this area
21 here with the pink hatching was deferred from lease
22 sales for 10 years, which would be 2014. When we
23 started this planning session we said up front that
24 that deferral would carry through no matter which
25 alternative we chose. So there'll be no lease sales in
26 that area until July of 2014 at the earliest.

27
28 MR. G. BROWER: I got some questions,
29 Mr. Chair.

30
31 CHAIRMAN BROWER: Yes, go ahead,
32 Gordon.

33
34 MR. G. BROWER: Over many years a lot
35 of residents have made the trek between Prudhoe and
36 Barrow and other villages in a somewhat needed type of
37 reoccurring infrastructure, like ice roads, and many
38 people, including last year, or this year, rescues
39 going on from -- I think one person lost a foot from
40 frostbite and some of the concerns raised about local
41 needs of being able to, at least seasonally connect
42 from Barrow to the Dalton Highway through the coastal
43 route and we've seen that so many years, including
44 North Slope Borough had done an EA between Barrow,
45 Atqasuk and Wainwright for a corridor to electrify our
46 villages from Barrow being a central hub or a gasline
47 run through those, potentially with a road connection.
48 Those EAs exist, it seems to me putting these types of
49 projects at risk with deferring areas or deleting any
50 type of potential benefits to communities.

1 The other concern that is raised, and
2 I've seen this many times in presentations, is
3 satellite tagged information along the Dalton Highway
4 that seems to suggest caribou and pipeline interacting
5 going north to south from Prudhoe following the
6 TransAlaska Pipeline, and it's just a suggestion, I
7 think, that when you look at how different
8 interpretations are being said about that, but if you
9 -- if you limit -- it seems like this is now creating
10 almost saying this is what you've got to deal with and
11 with all these rivers in between and if you had a
12 pipeline going south east to west and looking at
13 satellite information, the almost conceivable thought
14 of partitioning caribou on this side and not letting
15 those coming through the coast where they're normally
16 harvested would be my concern.

17
18 I mean those would be -- I would see as
19 major impact, if things like that were thoroughly
20 discussed. If you look at the North Slope Borough,
21 from the request of the city of Barrow, just completed
22 a PAA, a PAR, a project analysis report, to look at the
23 feasibility of seasonal ice roads from Barrow to the
24 coastal route to accommodate what the wishes of the
25 communities are. It seems to me that the coast area,
26 we've worked ourselves into a corner of just being so
27 protectionist about certain areas and not bother to
28 think about mitigating the impact that it's so special
29 that you can't do something in there, that would be my
30 concern. I mean there's already runways and formerly
31 used defense sites along the coast, Cape Vincent, we
32 used that and leased it to village corporations, say,
33 hey, use this to centralize exploration operations for
34 FEX in the past so that you can minimize impacts to
35 subsistence activities in the region, and we thought
36 that worked pretty well.

37
38 It seems to put these kind of thoughts
39 out of the picture anymore, and go into a more pristine
40 area of the NPR-A to promote what I would see the
41 industry has already started on, looking at potential
42 pipeline routes and studying the environment in these
43 areas.

44
45 That would be my concern. I think if
46 we had development scenarios that promote using the
47 coastline that at least the animals that are normally
48 large numbers of terrestrial movements of mammals could
49 still come to the coast and not be partitioned off
50 potentially out in the 50, 60 miles south where they

1 could be not coming to the coast anymore for routine
2 harvesting, they'll be more or less going towards Point
3 Lay all the time.

4
5 That'd be just my own observation in a
6 lease sale, that this kind of preferred alternative
7 would promote. Anyway that's -- I think this is a very
8 dangerous alternative. We have to consider being able
9 to mitigate.

10
11 I mean the North Slope Borough is
12 embarking on its own oil and gas technical report and
13 we're looking and thinking about these very issues
14 about large scale impacts to making sure the resources
15 are at least found where they're normally and
16 reasonably available for hunting.

17
18 CHAIRMAN BROWER: Rob.

19
20 MR. SHEARS: Thank you, Mr. Chairman.
21 Hi Dave, very glad that you're here tonight to present
22 this. You caught us on short notice. You know,
23 Secretary Salazar just presenting to us over the
24 weekend, I thought how timely, you know, to come right
25 out of the field and come to attend this meeting and
26 having a chance to address this. At first glance,
27 excellent starting point for this board. I think the
28 Secretary of the Department of the Interior has looked
29 at what, you know, considered, you know, the comments
30 that were received during scoping meetings and you can
31 tell from the original Alternative B that was drafted,
32 significant changes have taken place to this map since
33 then.

34
35 And what it represents is all the
36 public comment received from the community of Barrow
37 right here, however, comments that were taken in the
38 communities of Point Lay, specifically Wainwright have
39 been marginalized or completely ignored. Very few
40 issues taken with the draft, the scope of the draft
41 during the initial meetings back in May, but Wainwright
42 and the residents of Wainwright, myself included, said
43 the Kuk River drainage consisting of the five rivers
44 drains 47,000 square miles to a narrow channel of water
45 only 100 yards wide right there three miles south of
46 town, 90 percent of the subsistence resources consumed
47 by the community of Wainwright comes off of that
48 drainage. If we'd have said, yeah, you know, they had
49 a big special area proposed here south of Peard Bay and
50 it was well of Peard Bay itself and they had the

1 Kasigluk Lagoon special areas, and the people of
2 Wainwright said, yeah, we can understand why the
3 environmentalists would want this area to protect
4 waterfowl, and this area to protect, you know, for seal
5 pup habitat, and maybe even this area out here for
6 other types of waterfowl but the scope completely
7 disregards the human need for subsistence land for
8 subsistence range, and Wainwright's subsistence range
9 is the drainage of the Kuk River, you know, these five
10 rivers that we have, but this area, be put off limits
11 to development. Recognizing that there's a potential
12 oil field offshore, a pipeline needs to come across and
13 that they're going to want to drive that pipeline
14 around Wainwright and not affect it, but by driving a
15 pipeline right through the middle of our subsistence
16 area is going to dramatically affect us.

17

18 This is not acceptable.

19

20 We offer -- the community of Wainwright
21 offered a solution to the oil companies, to the
22 Department of the Interior, we said land your pipeline
23 right on the coast and run it right up the coast right
24 through the middle of Wainwright downtown, Main Street,
25 if you have to, you're not going to hurt our
26 subsistence at all by doing that, exactly what Gordon
27 is saying, this is a perfect corridor for not impacting
28 the migration of any wildlife, the coastal, the
29 coastline is, and I know the environmentalists center
30 for biologic diversity, Sierra Club, they're all going
31 to say but that's polar bear habitat, well the polar
32 bears will adapt quite readily to it, especially with
33 the oil field operation scenario.

34

35 This is being overlooked. And you're
36 going to have one heck of a fight on your hand if you
37 don't address protecting this area for a continued
38 subsistence use.

39

40 DR. YOKEL: Mr. Chair. I did omit
41 saying -- I don't think this is going to sway Bob's
42 concerns too much, but I did omit saying that there is
43 some of that hatching in the Kuk River itself and that
44 area under the water would not be available for
45 leasing.

46

47 As far as the pipeline going straight
48 up the coast, I'll say two things.

49

50 First, building things right on the

1 coast has always been of great concern for caribou
2 biologists because the coast is very important for
3 insect relief and so from the very start of our
4 planning in 1997 it was highly recommended that we not
5 allow any nonessential infrastructure right on the
6 coast and that's why that one mile buffer.

7

8 The second thing I would say about that
9 is this EIS does not analyze the impacts of a pipeline
10 to carry Chukchi oil to TAPS. If such a pipeline is
11 ever proposed there will be a major EIS before it's
12 permitted. And in the EIS ends in an administrative
13 decision and this is an administrative decision and any
14 new administrative decision can alter old ones. I'm
15 not making predictions, I'm just saying how things can
16 go.

17

18 MR. SHEARS: So this is not the end,
19 you know, the end of discussion.

20

21 DR. YOKEL: This is not an Act of
22 Congress, okay. I mean look at the change here in the
23 Teshekpuk Lake area from four years ago when we
24 finished our last plan, what made that one permanent,
25 nothing, obviously.

26

27 MR. SHEARS: Yeah.

28

29 DR. YOKEL: Because this will change it
30 if this is the record of decision, if Alternative A is
31 the record of decision then that won't change because
32 Alternative A is business as it was. So if you're
33 concerned about that pipeline, that presumed pipeline,
34 across the NPR-A there will be ample opportunity to
35 discuss it.

36

37 MR. SHEARS: Okay, thank you.

38

39 CHAIRMAN BROWER: Any other comments.

40

41 MR. R. NAGEAK: You mean Congress is
42 going to act?

43

44 DR. YOKEL: Congress is not going to
45 act on this, this is an administrative.....

46

47 MR. R. NAGEAK: I know Congress don't
48 act at all so I'm not worried.

49

50 (Laughter)

1 MS. AHTUANGARUAK: Mr. Chair.

2

3 CHAIRMAN BROWER: Yes, Rosemary.

4

5 MS. AHTUANGARUAK: There has been
6 decades of process of looking at this area. There were
7 many elders that were strongly involved in over five
8 years in trying to guide how oil and gas development
9 would occur in this area. There were many meetings
10 that were held in that process and, yet, with the sweep
11 of a pen all of that effort was wiped out and
12 facilitated industry and their process was weakening
13 any of the enforcement process with regulations led to
14 some real bad reaction. I can understand the concerns
15 and fears that others are facing because we lived
16 through those reactions living in Nuiqsut. We lived
17 through going without subsistence. We lived through
18 watching subsistence losses go into suicide attempts
19 and suicide successes. There can be some very
20 devastating processes that come out of this that really
21 impact lives.

22

23 I have a son that it took me eight
24 years to get him to want to hunt again after his first
25 successful harvest of caribou was impacted by oil and
26 gas development. Those are real serious significant
27 impacts that occurred to some of our families. We can
28 hear this echoed in many villages now because it's not
29 just Nuiqsut that are facing these impacts, there's
30 other communities that are now having tremendous
31 detrimental impact, people don't want to keep coming to
32 these meetings because of decades of process has led to
33 continued changing of these maps to facilitate to more
34 changes to our lands and waters. That's a very
35 detrimental process.

36

37 When we don't have these chairs filled
38 up with subsistence users talking about the importance
39 of their traditional and cultural activities because we
40 are impacting health of our people without eating our
41 traditional foods. That is something that is growing
42 and increasing throughout the area. But yet getting
43 the recognition of this process is being pushed off.
44 Even our own health director said there are no
45 significant healthy impacts from the Repsol blowout,
46 but, yet, you have hundreds of people in Nuiqsut who
47 suffered respiratory illness and difficulty in
48 breathing for many days after that event. These are
49 real serious significant impacts.

50

1 The understanding with our health
2 impact assessment in this process was gutted, severely.
3 The State continues to try to gut this process and
4 really looking at what our health impacts assessments
5 are. We don't have the data points to adequately look
6 at these concerns. We don't have data sets that are
7 looking at some of these big issues that are before us
8 but we're sure seeing the differences to our hospital
9 and the needs of our patients that are traveling to
10 Anchorage for continued care. These are real serious
11 costs that are astronomical to us. The amount of
12 medivacs that came out of Nuiqsut, there was a newborn
13 baby that was medivac'd 10 times. That family suffered
14 tremendous amounts of impact and, yet, we're dealing
15 with this process in a very minimizing way.

16
17 This is very complex. It's very
18 difficult to fully understand. It's very difficult for
19 our community members to even articulate it in our
20 local community meeting processes because we're so
21 fragmented into this process. We don't have our mental
22 health people here listening to some of these comments,
23 but, yet, we have some mental health concerns that are
24 coming out of this process. We don't have our health
25 department out here listening to some of these concerns
26 because we've got people going without our traditional
27 foods already. And we've listened to other villages
28 that have worried about this tremendously.

29
30 I've worked tremendously in this
31 process in trying to get a better process going. I
32 have hopes that this map is going to be better than
33 some of the other previous maps in years of process in
34 this but the reality is if you overlay the maps of the
35 existing lease sales, Nuiqsut was sacrificed. That's
36 all there is to it. Even though we had tremendous
37 outpouring from that village in saying no to the bridge
38 to CD5 we still got a bridge going over there, it was
39 still ramrodded through and so it's really concerning
40 for me to sit at this table and wonder what is our
41 process of being here and what is the effectiveness of
42 it. Because I've watched the health demise continue to
43 grow around the village and I see it here in Barrow.
44 We have people in every village who are facing changes
45 to their health. I have an elder in Point Hope who
46 said to me, the importance of what you're saying, you
47 speak for me, I can't go to the meetings but I can't
48 have my son come in from his harvesting when he's
49 bringing me food because I can smell the fumes off of
50 his snowmachine on his clothing and it makes it hard

1 for me to breath. We've got those kind of comments
2 coming from many village members throughout the North
3 Slope region. And that's a really serious concern.

4
5 Now we've got tremendous amounts of
6 impacts that are coming with this proposal that's
7 before us and we haven't well understood it or
8 articulated some of these impacts to be effective and
9 decreasing them, and this process has really been
10 effective in facilitating more resource extraction.

11
12 So I guess my big point here is that I
13 want to be reassured. I've been involved in this
14 process for decades right now. I couldn't protect my
15 children for retaining their wants to continue to hunt
16 and living in Nuiqsut you can hear that echoed in many
17 families. I want to know that we're not going to just
18 continue to push forward, to move for resource
19 development without really taking a good strong look at
20 these issues because it's a reality of people's lives
21 in Nuiqsut. It's a reality of the changes that have
22 currently happened and we can see what's happened to
23 that village in so many realms of this process, and it
24 is really painful.

25
26 But we must continue coming to these
27 meetings because the efforts to change our lands and
28 waters are only increasing and the importance of our
29 community participation is really vacant. It's really
30 hurtful to really see this and I don't know how to make
31 it better, but I know that through these continued
32 meeting processes we haven't made it better. So I hope
33 that we're not just continuing to go to meetings and
34 watching the calendar continue to peel away months of
35 pages because this has been a very bad process. Now,
36 we've got villages competing against villages for the
37 impacts on this map. There's tremendous concerns about
38 this map but it's not just the North Slope region. If
39 this process goes in and impacts so many of the herds
40 that are up here it's going to affect many communities
41 and we really have to go at this in a real
42 precautionary fashion.

43
44 Joe mentioned at one of the BLM SAP
45 meetings that there should be no development in NPR-A
46 because the importance of subsistence throughout this
47 area. It didn't get put into many of our local
48 community meeting leadership processes to be elevated
49 to be incorporated into this planning process. But it
50 is an important process that needs to be included.

1 Thank you.

2

3 CHAIRMAN BROWER: Thank you, Rosemary.
4 Any other comments from the Council.

5

6 MR. R. NAGEAK: Mr. Chair.

7

8 CHAIRMAN BROWER: Roy.

9

10 MR. R. NAGEAK: When NPR-A was
11 developed with national security being in the
12 forefront, what national security is now allowing us to
13 lease it and start developing it and that many other --
14 outside opportunities -- while we are leasing it to
15 foreign countries like the blowout was a foreign
16 country FedEx or whoever does the national or other
17 different -- different companies, oil company, why are
18 we leasing to different oil companies, what about our
19 national security, when the national petroleum was
20 reserved, where even we, as Natives, that have access
21 or have land that we couldn't even select it, except
22 for the village corporations and now they're leasing it
23 to outside countries. They've got more rights to the
24 national petroleum reserve than what we, as Natives,
25 that have lived in it for thousands of years and
26 they're leasing it to them.

27

28 DR. YOKEL: Is that a question?

29

30 MR. R. NAGEAK: I hope it is.

31

32 DR. YOKEL: Okay. Well, I'll try to
33 answer what I think it is.

34

35 MR. R. NAGEAK: First of all, what
36 national emergency are we in that they're starting to
37 lease it out?

38

39 DR. YOKEL: Okay. I won't try to
40 account for what different politicians may have said
41 the purpose of leasing in the NPR-A is. The mission,
42 as we understand it in our office, is to provide
43 petroleum resources to the people of this nation. We
44 don't put national security in there, it's to provide
45 the resources that the people of the nation want.

46

47 MR. R. NAGEAK: And they're leasing it
48 off to foreign nations.

49

50 DR. YOKEL: We sell leases to

1 corporations, they're not nations. They're not
2 sovereign governments. If they purchase a lease in the
3 NPR-A they abide by all of the Federal laws for those
4 lease sales and then that oil goes on the global
5 market, just like all of the oil that's produced, and
6 citizens purchase a huge portion of that global oil.

7

8 MR. R. NAGEAK: So why did they put it
9 -- designate it in the first place as belonging to the
10 country and for national security because that's what
11 they used.

12

13 DR. YOKEL: In 1923 the Naval Petroleum
14 Reserve No. 4 was designated and that was, at the time
15 the concept was to provide petroleum resources for the
16 U.S. Navy as it converted from coal to oil. That's
17 history at this point. In 1976 Congress changed that
18 purpose and turned the petroleum reserve over to the
19 Department of Interior to treat like -- to produce oil
20 for the nation.

21

22 MR. R. NAGEAK: For what nation.

23

24 DR. YOKEL: To produce oil to meet the
25 needs of the citizens of the United States of America.

26

27 MR. R. NAGEAK: And to meet that need
28 we've got to buy it from a foreign country that leases
29 it now.

30

31 DR. YOKEL: Well, I'd disagree with
32 that perspective of it, Roy, we purchase oil from
33 corporations, we purchase oil on spot markets, the
34 corporations that produce it out of the ground don't
35 necessarily sell it to us, it's a pretty complex
36 market, but we do not -- I'll leave it at that.

37

38 CHAIRMAN BROWER: Any other comments
39 regarding the presentation from BLM from Dr. Yokel.

40

41 MR. R. NAGEAK: It just behooves me to
42 ask the question, Mr. Chairman, that why this land
43 wasn't made available for us, the people that have
44 lived in it and made available to nations to sell to
45 the United States or whomever all over the world.

46

47 MR. G. BROWER: Mr. Chair.

48

49 CHAIRMAN BROWER: Gordon.

50

1 MR. G. BROWER: The United States
2 citizens.

3
4 (Laughter)

5
6 MR. G. BROWER: I use a Ski-Doo made in
7 Japan and use the fuel that's refined in Louisiana and
8 shipped all the way up here. Somehow there needs to be
9 a way -- where all the oil comes from, we should be
10 paying 99 cents a gallon around here, you know. We
11 produce oil but the benefit goes to the mom and pop
12 store somewhere in Missouri, somewhere else where the
13 cost of refining it is -- while we have to suffer to
14 ship it all the way back up to the Arctic and
15 ironically it was produced up here, but in any event,
16 you know, I think there's issues with leasing like
17 this.

18
19 And I know there's a pipeline proposal,
20 and it's going to come through and make your EIS and
21 everybody will comment on it and it probably won't be
22 to our liking because we commented on this and it's
23 still different.

24
25 MS. AHTUANGARUAK: Right.

26
27 MR. G. BROWER: So if it were me, if
28 you look at TransAlaska Pipeline some 40 miles of that
29 pipeline is in thaw (ph) stable sections of the Stag
30 (ph) River and it's out of sight out of mind for 40
31 years, then producing for 30 some years then -- and
32 this promotes some sort of leasing pipeline potentially
33 here because it's so open.....

34
35 REPORTER: Wait, Gordon, use a mic, any
36 mic.

37
38 (Laughter)

39
40 MR. G. BROWER:if they came up
41 here follow the coastline, follow the thaw section of
42 this area and they put it inside there, come across
43 this way and use the existing runway already, come
44 across that way (indiscernible - away from mic), that's
45 all I see.

46
47 REPORTER: Any mic, there you go.

48
49 (Laughter)

50

1 MR. G. BROWER: And it promotes what
2 Shell is already going in looking at inland routes and
3 that, and we'll see that EIS saying, we believe we
4 studied this area sufficiently and therefore we could
5 come right across there where the leasing was available
6 for us and the pipeline right-of-way, all the while
7 where the villages had concerns about participating and
8 benefiting communities in terms of -- and you put it
9 around the shoreline, shore areas and the thaw stable
10 areas where potentially accessible for seasonal ice
11 roads would be a vision that's realized where everybody
12 benefits.

13

14 That would be my comment.

15

16 MR. SHEARS: Yeah, it's like the human
17 habitat was the last thing to be considered, with the
18 lowest priority. Every single living organism was
19 given more recognition in the development of this
20 alternative before inhabitants were.

21

22 MS. AHTUANGARUAK: As well as there is
23 a lot of information that has been learned in the last
24 number of years that are not incorporated into this
25 document or the information that was used to develop
26 this EIS, as this process is going forward we need to
27 have that information incorporated into this document
28 because they're looking at stuff from 2003 and it's not
29 2003 anymore and everything that was projected in 2003
30 is not what's protected in 2012. And so that also
31 needs to be looked at in a real effective manner and
32 incorporated into this process to be assessed as some
33 of the communications here.

34

35 MR. G. BROWER: Mr. Chair.

36

37 CHAIRMAN BROWER: Yes, Gordon.

38

39 MR. G. BROWER: I would almost propose
40 that.....

41

42 REPORTER: Gordon.

43

44 MR. G. BROWER:this body make a
45 motion in recognition of using.....

46

47 REPORTER: Gordon. Gordon, I'm not
48 picking you up.

49

50 MR. G. BROWER:(indiscernible)

1 areas that'd be preferred.
2
3 CHAIRMAN BROWER: What's happening
4 Tina.
5
6 REPORTER: I need Gordon to use a mic,
7 any mic.
8
9 (Laughter)
10
11 CHAIRMAN BROWER: Gordon, you're
12 getting popular so you might as well take two mics.
13
14 (Laughter)
15
16 REPORTER: Please.
17
18 MR. G. BROWER: Oh, I'm sorry.
19
20 REPORTER: Thanks, Gordon.
21
22 MR. R. NAGEAK: Mr. Chair.
23
24 CHAIRMAN BROWER: If we could give
25 Gordon an opportunity to restate his comments I think
26 we may have missed it in the recording of our meeting.
27
28 REPORTER: Thank you.
29
30 MR. G. BROWER: I mean if there is
31 something like this I would propose that this Regional
32 Advisory Council would make a motion that coastal areas
33 be emphasized as priority use areas that have already
34 had infrastructure and impacts already on them from
35 formerly used defense sites so they don't have to
36 reinvent the wheel and it seems like it would minimize
37 a lot of things. Use areas like what's happened in the
38 TransAlaska Pipeline for the existing TransAlaska
39 Pipeline corridor use thaw stable sections that could
40 promote these areas for infrastructure. Seems like
41 what we're seeing would almost corner the industry to
42 go completely south and that just seems like something
43 that would be very concerning to a lot of people.
44
45 MR. R. NAGEAK: Mr. Chair.
46
47 CHAIRMAN BROWER: Yes.
48
49 DR. YOKEL: Mr. Chair, could I address
50 Gordon first, briefly.

1 CHAIRMAN BROWER: Yes, Dr. Yokel.
2
3 DR. YOKEL: In that one mile buffer
4 along the coast, could you put your password in here.
5
6 CHAIRMAN BROWER: Eva.
7
8 DR. YOKEL: In that one mile buffer
9 along the coast where we said only essential
10 infrastructure could be built, we also said that -- and
11 we would like to see those already altered sites, like
12 (indiscernible) Cape Simpson and those considered.....
13
14 MR. R. NAGEAK: Peard Bay.
15
16 DR. YOKEL:yeah, there is some
17 gravel at Peard Bay, we'd like to see those considered
18 but certainly the concept there is not to build
19 anything that parallels the coast and I don't know if
20 you made this comment or if any of you made this
21 comment during the public comment period, I only saw
22 those comments that directly pertained to the part of
23 the EIS that I wrote, but if you did make that comment
24 then I guess they were not included in the preferred
25 alternative.
26
27 CHAIRMAN BROWER: So in spite of what
28 you just said, Dr. Yokel what other process would we
29 have to incorporate these comments into the -- if such
30 would be incorporated through this document.
31
32 DR. YOKEL: Well, there's two processes
33 here. One is the NEPA process, National Environmental
34 Policy Act and it requires us to write an environmental
35 impact statement and although I'm not certain how it
36 works, there's the final EIS that's going to be
37 released to the public some time before the record of
38 decision is released, and so there's a period there
39 where comments can be made but I'm not sure how they're
40 treated though. The comments on the draft are used to
41 develop the final EIS. But you have that, the NEPA
42 process.
43
44 And then there's the whole political
45 realm in which people are always providing input, not
46 necessarily publicly.
47
48 CHAIRMAN BROWER: It's like the first
49 come, first serve.
50

1 We're the first ones to comment on this
2 and.....
3
4 (Laughter)
5
6 DR. YOKEL: I don't deal in the
7 political realm so all I can tell you is it exists.
8
9 CHAIRMAN BROWER: All right, thank you.
10
11 MR. R. NAGEAK: What is the white area.
12
13 MR. SHEARS: Open for leasing.
14
15 DR. YOKEL: The white area is not --
16 there's no special area specific stipulations or best
17 management practices there. There is no -- it's all
18 open for leasing under the regular mitigations that are
19 applied everywhere.
20
21 MR. R. NAGEAK: Mr. Chairman.
22
23 CHAIRMAN BROWER: Roy.
24
25 MR. R. NAGEAK: I don't know why the
26 oil industry -- yesterday it was in the news, not
27 liking this at all, I don't see why, I mean.....
28
29 DR. YOKEL: Well, I don't speak for the
30 oil industry but I can tell you that from what our
31 geologists say a great deal of the oil potential is in
32 that area in the Northeast that's unavailable for
33 leasing.
34
35 CHAIRMAN BROWER: Northeast.
36
37 MR. G. BROWER: And those are areas
38 that have old runways and pads and.....
39
40 MR. SHEARS: Important people's cabins.
41
42 MR. G. BROWER: Yeah, there's people's
43 cabins there, you know, but if you put the pipeline way
44 up here which could promote this, you know, we'll have
45 caribou.
46
47 Well, I was proposing -- well, I think
48 a motion is dying now, you know, I was proposing a
49 motion that this body recognize, you know, looking at
50 using the coastal area as an important area for

1 mitigating, a large scale impact.

2

3 MR. R. NAGEAK: Again, if you're done,
4 Mr. Chairman, special area again, what's with the
5 special area in Peard Bay.

6

7 DR. YOKEL: The reason it's special is
8 primarily for a certain group of bird species and also
9 some marine mammals.

10

11 MR. R. NAGEAK: The brand, the black
12 brands.

13

14 DR. YOKEL: There's a lot of shorebirds
15 that stage there in the fall, some use by listed eider
16 species.

17

18 MR. R. NAGEAK: I sympathize with you.
19 Bureau of Land Management, it's like dang if you do,
20 dang if you don't, and a lot of it is driven by -- not
21 by you, it's a political thing far, far, far away from
22 us.

23

24 You and I, we could discuss this as
25 much as want, we could holler at each other, scream at
26 each other and nothing's going to change, we don't
27 decide on what's going to happen, it's not -- it's way
28 above us.

29

30 MR. G. BROWER: I think -- because
31 we're appointed, I had a letter from Secretary Salazar
32 saying congratulations I reappointed you, or appointed
33 you for this and he's the one making reviews of this
34 and I think he should hear from folks like us that he's
35 appointed, you know, in terms of -- I think you
36 appointed us for some reason (In Inupiat).

37

38 CHAIRMAN BROWER: To provide advice.

39

40 MR. SHEARS: Mr. Chairman.

41

42 CHAIRMAN BROWER: Bob.

43

44 MR. SHEARS: So Dave what is the
45 process from here, what is your schedule for the public
46 comment period and getting to a final document.

47

48 DR. YOKEL: Well, the public comment
49 period for the draft EIS is over. And as I said a few
50 minutes ago I'm not crystal clear on how that period

1 works, it's more like a cooling off period after the
2 final EIS is published, between that and the release of
3 the record of decision.

4

5 CHAIRMAN BROWER: And what's the
6 timeframe on this -- for that schedule.

7

8 DR. YOKEL: I think the intent is to
9 publish it sometime in November and sign the record of
10 decision sometime in December.

11

12 MR. G. BROWER: Because we work -- Mr.
13 Chairman.....

14

15 CHAIRMAN BROWER: Yes, Gordon.

16

17 MR. G. BROWER:in subsistence,
18 the current plan opens a major concern and I would feel
19 like we should send a message in the form of a motion
20 that our -- Ms. Eva or Eva, could draft that to the
21 President of the United States of America.....

22

23 (Laughter)

24

25 MS. AHTUANGARUAK: Mr. Chair.

26

27 CHAIRMAN BROWER: Rosemary.

28

29 MS. AHTUANGARUAK: I understand some of
30 the discussion that's gone forward here and I see the
31 importance of exploring those discussions more fully.
32 I also would like to see the information from our Staff
33 that can look up some of this information to help
34 support some of these comments that are being
35 forwarded. I would like to suggest that we come back
36 as a group of ourselves, without the agency process
37 here, so that we could discuss this more effectively
38 with some of our communities as well as amongst this
39 Board and come up with a recommendation in a more
40 effective manner. There's a lot of information that's
41 being presented here but there are some recommendations
42 of things that may help mitigate some of these issues
43 that are before us but we need to talk about this and
44 then come forward with some discussions. And we need
45 to have information that can support some of these
46 recommendations that are coming forward to be more
47 effective in this discussion.

48

49 We're all very seriously concerned.
50 All of our communities are really at risk with these

1 changes to our lands and waters and we need to really
2 take a good, serious look at this without the rushes of
3 timeframes that have been put upon us for generations
4 in these processes to be effective in the
5 recommendations that we put forward.

6

7 CHAIRMAN BROWER: Bob.

8

9 MR. SHEARS: I think that's wise, a
10 wise thing to do.

11

12 MR. R. NAGEAK: Mr. Chair.

13

14 CHAIRMAN BROWER: The thing about the
15 consideration is the timeline that's before us in terms
16 of what timeline, the BLM's, and we only hold biannual
17 meetings and time's going to lapse before we have
18 another opportunity to provide meaningful input.

19

20 I think this is our -- in my opinion
21 anyway is the best time to provide some comment, input
22 as to what Gordon's identifying as well.

23

24 Yes, Gordon, go ahead.

25

26 MR. G. BROWER: I think we're in a
27 little -- I think we're in Catch-22 all the time.

28

29 CHAIRMAN BROWER: Uh-huh.

30

31 MR. G. BROWER: I think you're darned
32 if you do, you're darned if you don't. And I think
33 just putting it on record in some way because the next
34 thing we're going to see is because this section where
35 it could potentially just say open to the oil industry
36 across country with one, two, three, four, five, six,
37 seven, eight, nine, 10, 11, 12, 13, maybe 14 rivers
38 versus coming ashore and looking at just at the mouth
39 down here and coming across that way, the least, to me,
40 environmentally concerning to me, but we're going to be
41 reacting only to EIS', the pipeline corridor --
42 pipeline right-a-way is going to be right dab in the
43 middle and we still won't be able to sway either way
44 regardless of if we make comments on it. I think
45 there's been a lot of comments that was -- 400,000
46 strong comments and we still got this, you know, I
47 think our voice is small but I think looking at these
48 coastal areas already disturbed, that's my comment.

49

50 MR. J. NAGEAK: Mr. Chair.

1 MR. G. BROWER: I think I rest. I
2 don't think I can say anymore on it unless I get really
3 stressed out.

4
5 (Laughter)

6
7 MS. AHTUANGARUAK: You're not yet.

8
9 (Laughter)

10
11 CHAIRMAN BROWER: James.

12
13 MR. J. NAGEAK: Yeah, I'm at a Catch-22
14 situation again. My village is a non-NPR-A village and
15 the things that happen within the NPR-A affects our
16 lifestyle and we're the ones that have the lowest means
17 of -- lowest voice to be heard by these agencies
18 because we're outside of the NPR-A and we probably
19 won't even be consulted in how this area will be used
20 and if it is used for oil and gas and coal and all of
21 the minerals that are within that area, it's not going
22 to -- we're not going to be consulted for sure, you
23 know, we'll have a -- some kind of declaration that
24 there's going to be an NPR-A hearing on something but
25 we're outside of the NPR-A so we can't give our voice,
26 even though the activities are affecting our lifestyle.

27
28 CHAIRMAN BROWER: Thank you, James.

29
30 DR. YOKEL: Mr. Chair, I'd just like to
31 say in defense of the BLM, we do go to Anaktuvuk Pass
32 and hold public meetings on management of the NPR-A,
33 specifically.

34
35 CHAIRMAN BROWER: The other side of the
36 coin is we continue to voice our unified voice and we
37 have a meaningful role in the sense that we are being
38 heard, we have to work together to be able to voice our
39 issues in a meaningful way. You know, individually we
40 may -- we might get heard, but that might be the only
41 thing, and if we work together in a unified front, with
42 each of our communities specifically identifying what
43 we wish to see and provide meaningful comments on an
44 environmental impact statement, that's the approach
45 we'll have to take.

46
47 MR. G. BROWER: Mr. Chair.

48
49 CHAIRMAN BROWER: Yes, Gordon.

50

1 MR. G. BROWER: I would recommend in
2 this kind of thing, that you guys look at mitigation
3 measures in these things to include reestablishing
4 reindeer herding if the caribou can't come on again.

5
6 MR. R. NAGEAK: And use the pipeline as
7 a -- to hold them -- as the fence.

8
9 MR. R. NAGEAK: Mr. Chair.

10
11 CHAIRMAN BROWER: Roy.

12
13 MR. R. NAGEAK: I'm real happy that
14 they have kind of designated Teshekpuk unapproachable.
15 I mean I think, Dave, BLM, you're in a box. You're up
16 against a hard wall, but I know that you guys have been
17 diligent in the North Slope area with what's been
18 happening and the politicians that make the decisions
19 and then you're the ones that's in the front -- in
20 front of the Inupiat people, they've been willing to
21 hear us and it's not up to you, but you get the brunt
22 of some of these things that happen, and I put kudos to
23 you, you're not the one making the decisions in a lot
24 of these issues but you're taking a lot of the brunt of
25 them. You're okay. To me, you're okay.

26
27 DR. YOKEL: Well, I will say that the
28 reason I bring this information to you is so that you
29 can use it in your determinations on how to advise
30 Federal subsistence hunting and trapping and fishing
31 regulations, which is what the Secretary appointed you
32 to advise him on. Now, as far as this Council making
33 direct input to this EIS process, I will say that what
34 you've said this evening is on a record, it's not our
35 record, but I will go back and let management in the
36 BLM Alaska know that this record exists and they can
37 get it from the U.S. Fish and Wildlife Service and see
38 your comments.

39
40 CHAIRMAN BROWER: Thank you, Dave.
41 Carl, were you wanting to interject some comments here.

42
43 MR. JOHNSON: I was just going to
44 suggest a course of action, Mr. Chair, in relation to
45 Mr. Gordon Brower's comments.

46
47 CHAIRMAN BROWER: Uh-huh.

48
49 MR. JOHNSON: One course of action that
50 other Councils have taken under similar circumstances

1 is to form a work -- by motion form a working group and
2 authorize that working group to work together to devise
3 specific language to submit as a comment. This Council
4 is already on record this evening identifying
5 particular things that they have concerns about but
6 also that they favor about this particular preferred
7 alternative. The Council's also on the record for
8 expressing an opinion about this preferred alternative
9 or any process related to the EIS. So you've
10 established a record that would allow the Council to
11 proceed with some sort of correspondence and to work
12 out the details I would suggest a formation of a
13 working group and identifying those persons at this
14 meeting and then empowering them to act on behalf of
15 the Council with final approval of the language, you
16 know, via coordination with OSM.

17

18 Thank you, Mr. Chair.

19

20 CHAIRMAN BROWER: Thank you, Carl.

21

22 MR. R. NAGEAK: Mr. Chair.

23

24 CHAIRMAN BROWER: Roy.

25

26 MR. R. NAGEAK: And also somehow we
27 need to -- some of our village corporations have not
28 selected lands that through the whole area that somehow
29 lands be made available at minimal cost for leasing or
30 to select lands because they're going to be making it
31 available for oil companies to lease, at least consider
32 some of the land issues that we -- select -- that
33 selected lands that it be made available at first to
34 the Native, to our corporations.

35

36 DR. YOKEL: I don't think any of the
37 decisions in this plan will affect the availability of
38 the lands for conveyance to village -- or regional
39 corporations.

40

41 MR. G. BROWER: Mr. Chair.

42

43 CHAIRMAN BROWER: Yes, Gordon.

44

45 MR. G. BROWER: What was your name?

46

47 MR. JOHNSON: Carl Johnson.

48

49 MR. G. BROWER: Mr. Chair. I would
50 take the advice of Carl Johnson and that we consider

1 creating a working group to form comments in what we've
2 been deliberating and talking about in terms of the
3 NPR-A final alternative and bring to a vote in front of
4 the entire group; is that what you were alluding to, as
5 a final -- then maybe I was misunderstanding.

6

7 MR. JOHNSON: Mr. Brower. What the
8 motion would be would be to name the members of the
9 working group and then empower them to draft
10 correspondence on behalf of the Council so there
11 wouldn't be a further requirement for the Council to
12 approve that because that would have to be done at a
13 publicly noticed meeting and the next one you have
14 available would be after, as Mr. Yokel suggested, after
15 the record of decision is actually released, or
16 expected to be released.

17

18 Thank you, Mr. Chair.

19

20 CHAIRMAN BROWER: Gordon.

21

22 MR. G. BROWER: If we could identify a
23 few folks that want to be on a working group that's
24 authorized by the entire group to form the comments for
25 this and if that is the wish of the Commission I would
26 move to that.

27

28 MS. AHTUANGARUAK: As a way to move
29 forward with our objective of trying to get some
30 further discussion and identifying what we want to put
31 forward as recommendations I think this is an adequate
32 alternative to what I recommended earlier and I would
33 be willing to work as a member of that working group.

34

35 CHAIRMAN BROWER: We have a motion to
36 identify the.....

37

38 MR. R. NAGEAK: Second.

39

40 CHAIRMAN BROWER:number -- I
41 guess you didn't say a number -- the members of this
42 Council to be formed as a committee to work on
43 responses to this environmental impact statement.

44

45 MR. G. BROWER: Mr. Chairman, I would
46 also include that it be members that are -- community
47 members of villages, Wainwright, Barrow, Nuiqsut.....

48

49 CHAIRMAN BROWER: Bob, Gordon.....

50

1 MR. SHEARS: How about the NPR-A
2 subsistence advisory panel.
3
4 CHAIRMAN BROWER: Excuse me.
5
6 MR. SHEARS: The NPR-A subsistence
7 advisory panel, our surrogates.
8
9 MR. R. NAGEAK: That's right, we do
10 have an NPR-A, Mr. Chair.
11
12 CHAIRMAN BROWER: Both of those groups,
13 is that what you're saying Bob.
14
15 MR. SHEARS: Work them into the working
16 group.
17
18 MR. R. NAGEAK: Who are they?
19
20 MR. G. BROWER: Mr. Chair, I would
21 think they would have to come from this body that's
22 appointed.
23
24 MS. AHTUANGARUAK: Yeah.
25
26 CHAIRMAN BROWER: I was trying to focus
27 on this body only.
28
29 MR. SHEARS: Oh, okay.
30
31 CHAIRMAN BROWER: If we could identify
32 some members.
33
34 MS. PATTON: Mr. Chair, if I may.
35 Because that feedback, that formal response would be
36 coming from the RAC, the members of the working group
37 need to be RAC members.
38
39 CHAIRMAN BROWER: Okay.
40
41 MS. PATTON: So when those comments
42 come forward they're from the RAC.
43
44 MR. G. BROWER: So Bob.
45
46 MR. SHEARS: Uh-huh.
47
48 CHAIRMAN BROWER: So I was identifying
49 what Gordon was referring to, it'd be Bob, Gordon and
50 Rosemary. James, did you want to be part of it too, I

1 don't want you saying you're being left out.

2

3 MR. J. NAGEAK: I know we get always
4 left out because we're non-NPR-A, and we have some
5 things to tell you to, or talk about.

6

7 CHAIRMAN BROWER: Then you too.

8

9 MR. J. NAGEAK: One of the things that
10 the working group would work on would be an MOU between
11 the (indiscernible) and the caribou.

12

13 (Laughter)

14

15 MR. G. BROWER: All right, there's four
16 of us.

17

18 MR. J. NAGEAK: It'd be a good
19 exercise.

20

21 MR. SHEARS: Yep.

22

23 CHAIRMAN BROWER: So James, seriously
24 do you want to be involved in this.

25

26 MR. J. NAGEAK: Right.

27

28 CHAIRMAN BROWER: Okay, so there's four
29 members of the Regional Advisory Council. There's
30 James Nageak, Rosemary Ahtuanguaruak, Gordon Brower, Bob
31 Shears as members to this committee. Yes, Gordon.

32

33 MR. G. BROWER: I'd like to find out
34 what the time table is, it seems like there's a short
35 window here that we're dealing with in that we form an
36 opinion on these comments in the next.....

37

38 CHAIRMAN BROWER: 24 hours.

39

40 MR. G. BROWER: What would be your
41 recommendation on the timeline.

42

43 MS. AHTUANGARUAK: We need to give
44 Staff some time to help them pull together some
45 information to support some of the recommendations
46 we're putting forward so we need to work with our Staff
47 on that. I think Eva will be the one working with us
48 on it so that's definitely something that needs to
49 occur.

50

1 MR. G. BROWER: So we'll directly with
2 Eva.
3
4 MS. AHTUANGARUAK: Yeah.
5
6 MR. SHEARS: We'll deal with the email
7 system.
8
9 MS. AHTUANGARUAK: Yep.
10
11 CHAIRMAN BROWER: By email, so we'll
12 include this, I hope in a form of a motion that we
13 adopt, or accept the nominations of Bob Shears, Gordon
14 Brower, Rosemary Ahtuanguaruak, James Nageak.....
15
16 MR. J. NAGEAK: Nageak.
17
18 CHAIRMAN BROWER: What'd I say.
19
20 (Laughter)
21
22 CHAIRMAN BROWER: James Nageak, I must
23 be getting tired, sorry.
24
25 MR. R. NAGEAK: Second.
26
27 MR. G. BROWER: Call for the question.
28
29 CHAIRMAN BROWER: All in favor of the
30 motion signify by saying aye.
31
32 IN UNISON: Aye.
33
34 CHAIRMAN BROWER: Opposed, say nay.
35
36 (No opposing votes)
37
38 CHAIRMAN BROWER: None noted. So we
39 have our working group to discuss the matters before
40 us.
41
42 MS. AHTUANGARUAK: I would also like to
43 make sure Staff includes the rest of the Board in the
44 correspondence so that they're aware of our progress as
45 we're moving forward and can also email communications
46 to Eva if need be.
47
48 CHAIRMAN BROWER: Okay.
49
50 MR. G. BROWER: We'll be done in a

1 couple days, right.

2

3 MR. R. NAGEAK: Not to you guys, this
4 is about caribou.

5

6 (Laughter)

7

8 MR. R. NAGEAK: You're still on or
9 you're done.

10

11 CHAIRMAN BROWER: Before we go any
12 further, Dr. Yokel, do you have any other information
13 that you want to present before us.

14

15 DR. YOKEL: No, I think I've used up my
16 share of the time.

17

18 CHAIRMAN BROWER: Okay. I'm just
19 looking at the time again and we've taken quite a bit
20 of time to address this subject regarding the draft
21 NPR-A, environmental impact. So moving along into our
22 next agenda item, James, Item 5, the ones that we need
23 to discuss before you leave, the ones with the
24 asterisk. Maybe I'll look to Eva to -- no.

25

26 MR. R. NAGEAK: I just.....

27

28 CHAIRMAN BROWER: Go ahead Roy.

29

30 MR. R. NAGEAK:caribou migration
31 and I know that Porcupine went through Barrow and
32 disappeared because they're always moving. I've always
33 waited for the Western Arctic Herd which takes over
34 after Porcupine goes through but they're not here,
35 that's why there's no caribou close to Barrow and I was
36 wondering what's happened to them, and I saw a little
37 report on that.

38

39 MR. SHEARS: Yeah, who put this on our
40 desk.

41

42 MR. R. NAGEAK: Because that's what
43 picks up the activity after the Porcupine Herd comes
44 through, Western Arctic Herd comes right along side the
45 coast and they're not here, they stopped someplace.

46

47 CHAIRMAN BROWER: Thank you, Roy.
48 Anyway I would like to get back to the agenda and thank
49 you for your information, Dr. Yokel.

50

1 DR. YOKEL: Thank you, very much, Mr.
2 Chair. I'll be glad to leave the table.

3
4 (Laughter)

5
6 CHAIRMAN BROWER: But I wasn't trying
7 to keep you from leaving the table right away but Eva,
8 I was trying to have you identify the next topic that
9 we needed to discuss but she's chartered a whole bunch
10 of stuff on her agenda.

11
12 MS. PATTON: Sure, so OSM Staff are
13 here, we don't need to travel anywhere, if there was an
14 opportunity to hear another brief update before we have
15 -- we have somebody from Subsistence Division and also
16 Fish and Wildlife Service.

17
18 CHAIRMAN BROWER: Are these the ones
19 that are in regards to the asterisks.

20
21 MR. SHEARS: Dave, you're going to get
22 to check in.

23
24 MS. PATTON: Right. And I'll check in
25 with Carl here on this, so we do have, you know, OSM
26 presentations, if the Council is willing to stay, we
27 are here and can address those topics.

28
29 I think we have just a brief period of
30 time before people need to leave to catch their flights
31 anyway, if there was an opportunity to hear, briefly,
32 as the Council wishes so.....

33
34 MR. JOHNSON: And, Mr. Chair, I'll just
35 reiterate most of those asterisk items are purely
36 administrative matters that we can handle fairly
37 quickly and I'll suggest that we move ahead with any
38 agency personnel that have information of value for the
39 Council at this time.

40
41 Thank you, Mr. Chair.

42
43 CHAIRMAN BROWER: Thank you.

44
45 MS. PATTON: I believe Subsistence
46 Division had -- Subsistence Fisheries research updates
47 to provide. And that might give some input, too, to
48 the questions that people had earlier on impacts and
49 changes to subsistence fisheries.

50

1 CHAIRMAN BROWER: There's a lot of
2 materials still that we need to consider.
3
4 MR. SHEARS: Yeah.
5
6 MR. J. NAGEAK: Mr. Chair.
7
8 CHAIRMAN BROWER: Yes, James.
9
10 MR. J. NAGEAK: I'm going to have to
11 get going here.
12
13 CHAIRMAN BROWER: Well, I have to say
14 thank you for your participation during this meeting,
15 James. Safe travels home.
16
17 MR. G. BROWER: Yeah, thank you, James,
18 always good discussion with James.
19
20 MR. R. NAGEAK: Get the Western Arctic
21 Herd here, get an MOU with the caribou.
22
23 MR. G. BROWER: Send an MOU to the
24 Western Arctic Caribou Herd.
25
26 (Laughter)
27
28 (Pause)
29
30 CHAIRMAN BROWER: So if we could
31 continue with -- where were we, subsistence fisheries,
32 is that what we were talking about?
33
34 (Pause)
35
36 CHAIRMAN BROWER: Alaska Division of
37 Subsistence.
38
39 MS. RUTHERFORD: Yeah, let me just
40 figure out -- does anyone know how to make it so it's a
41 regular view.
42
43 CHAIRMAN BROWER: Alaska Department of
44 Fish and Game, Division of Subsistence Research update
45 on Arctic projects.
46
47 (Pause - trying to work PowerPoint)
48
49 MS. AHTUANGARUAK: There you go.
50

1 MS. RUTHERFORD: All right, thank you
2 all. My name is Brittany Rutherford, I work for the
3 Department of Fish and Game, Division of Subsistence
4 and I'll be providing you all with a -- sort of a
5 general research update and I'll try to move kind of
6 quickly through this but there's some important things
7 that I wanted to let you all be aware of. This is
8 actually the first time I've ever had a chance to talk
9 to you all so I'm kind of looking forward to it, so let
10 me know if you have any questions.

11
12 The first thing that I wanted to
13 mention was we're kind of excited, we actually had some
14 restructuring in our division and we have a dedicated
15 Arctic team right now so we'll have a chance to
16 hopefully address some research needs on the North
17 Slope and also in Northwest Alaska. This is our team.
18 And we have some other personnel that we're also
19 bringing on board in the next couple of months.

20
21 The first project that I want to talk
22 about is what I call the Arctic Salmon Project, it's a
23 project that has been going on since 2008, 2009,
24 although I didn't get involved until 2010. And it's
25 sort of been a collaborative type of project between
26 the Division of Subsistence Commercial Fisheries and
27 Habitat and through them, also the North Slope Borough
28 and a few other entities. We've had a lot of help from
29 tribal councils and the borough as well. And what
30 we're trying to do -- these are some of the objectives,
31 overall objectives of this project. We are focusing on
32 the Chukchi Sea and three communities over on the
33 Chukchi Sea, though, only two for subsistence research.
34 So basically a quick rundown of those objectives.

35
36 We're planning to try to estimate
37 subsistence harvest levels of fish, including salmon in
38 two Chukchi Sea communities, Wainwright and Point Lay.
39 Documenting TEK about these fisheries resources in
40 Wainwright. And Point Lay and then we're also doing
41 biological research trying to document specifically
42 salmon species present in rivers that are draining to
43 the Chukchi Sea and also trying to figure out the
44 abundance of adult salmon and some locations of
45 juvenile salmon and establish a suite of index streams
46 for continued monitoring of salmon. This all sort of
47 arose out of some observations that people in Chukchi
48 Sea communities and Beaufort -- all across the North
49 Slope people were reporting catching more salmon so we
50 wanted to try to address some concerns about what that

1 would maybe mean for subsistence fishermen and also
2 just to develop a better understanding about those
3 resources as a whole.

4
5 This is a quick overview, just what's
6 been going on so far. Basically we work to train
7 technicians to collect biological samples in Point
8 Hope, Point Lay and Wainwright. This has worked fairly
9 well in Wainwright because we've had a chance to focus
10 more of our efforts there and we've had fewer
11 opportunities to work in Point Lay and in Point Hope,
12 but we've still developed some good collaborations with
13 the tribal councils in Point Lay and with the borough
14 in Point Hope. And we have started collecting
15 biological samples in rivers that we have heard support
16 salmon, not all of the rivers of course, but some of
17 them that are supporting salmon. And then conducting
18 aerial surveys each August and September in river
19 drainages from Point Hope to essentially Barrow. And I
20 have some slides that can show you some of the
21 research, or the data from last year. Some of this
22 information might be repetitive to you, it was
23 presented a couple of years ago, I think it was in 2010
24 when we initially had some good results to show.

25
26 And then the part that the Division of
27 Subsistence has been mostly involved in is helping to
28 conduct the TEK interviews with subsistence fishermen
29 in Point Lay and Wainwright and then we're also going
30 to establish a subsistence harvest monitoring program
31 and trying to assess subsistence harvest levels in some
32 of these communities.

33
34 So like I said the Division of
35 Subsistence, which is who I work for, we've been
36 developing a plan to -- and implementing a plan to
37 document TEK, which, as everyone here knows is very
38 important in terms of helping to compliment some of the
39 research that can be understood by biological sampling.
40 So these are some of the kinds of things that we
41 collect, of course, salmon species that have been
42 harvested, the timing of run and harvest, gear types,
43 estimates of harvest levels, knowledge about spawning
44 locations, relative abundance and changes in salmon
45 usage.

46
47 This has been some interesting work
48 we've been able to do, repetitive interviews with
49 people over the course of the last couple of years,
50 which has drawn out quite a bit more information and

1 given more opportunities to have a deeper understanding
2 of what people's knowledge is.

3
4 Just a quick overview of some of that
5 research in Wainwright and Point Lay, we conducted
6 interviews in the spring of 2009 and summer 2010.
7 Interviews, of course, were recorded and transcribed
8 with the consent of the individuals. We also conducted
9 mapping of historic and current harvest areas and
10 marked several areas that were considered to be
11 important or significant in the drainages by
12 individuals. And then we also went back to the
13 communities and presented preliminary results at a few
14 different meetings held throughout the last -- this
15 summer and then the summer before last.

16
17 In Wainwright we're finding a few key
18 observations that people are noticing. One thing that
19 is pretty consistent is the idea of some things related
20 to harvest timing, so people are catching salmon and
21 whitefish a lot of times together and they're primarily
22 caught using gillnets in July on the lagoon and with a
23 net and rod and reel at camps and cabins in August. So
24 some of this is kind of fluid especially depending on
25 the weather. Also salmon migration happens to coincide
26 with harvest of other species, which may play a role,
27 for example, in some of the historic harvest levels.
28 So people may be catching more salmon now, for example,
29 because they have maybe more of an opportunity to do it
30 because they're able to travel quicker from place to
31 place because of having a boat with a motor. Those are
32 just some ideas that people have mentioned.

33
34 People are also catching -- noticing
35 catching more salmon but in general salmon is not
36 entirely new. Several elders that I spoke with
37 recalled catching salmon at fish camps at various
38 places throughout the Kuk River drainage. And they
39 also remember catching salmon in gillnets on the beach
40 near town. And people have also showed me several
41 pictures of salmon that was caught back in the '70s and
42 '80s.

43
44 Some people are specifically targeting
45 salmon, even buying salmon, that's just something I
46 noticed in Point Lay as well and some -- king salmon,
47 of course, is one of the species that is -- people are
48 very interested in and not just subsistence fishermen
49 but lots of different groups are interested in the
50 migration of king salmon and what's going on with them,

1 and people have reported catching them in a notable
2 spot as the Kougra River near Wainwright. And overall
3 the primary gear type that people are using is a
4 gillnet and rod and reel.

5
6 A few things in Point Lay that -- some
7 things were similar but the geography of Point Lay is a
8 little bit different. One thing that several
9 respondents noted was that fish harvests overall are
10 very heavily influenced by weather conditions, even
11 more so than Wainwright because of the location of
12 Point Lay, wind can completely prevent people from
13 going out and up the river, and in Wainwright it's a
14 similar issue but they're a little bit more protected.
15 Access, in general is an issue, low water has been
16 reported in several rivers and that's prevented people
17 from getting to certain places where they used to fish.

18
19 But overall compared with whitefish,
20 grayling and smelt, salmon are still less commonly
21 caught. And, again, people are beginning to
22 specifically target salmon.

23
24 And one thing I noted that was kind of
25 exciting in Point Lay is, is some people who seem to be
26 fishing in fly fishing.

27
28 Let's see here, and this actually could
29 go also similar -- been going on in Wainwright, most
30 people are catching salmon, or humpies, and chum
31 salmon, which I think is what people are calling
32 silvers. Many people call silvers the fish that are
33 ocean bright.

34
35 MR. SHEARS: Silver salmon.....

36
37 MS. RUTHERFORD: What's that?

38
39 MR. SHEARS: Isn't the silver salmon
40 specifically called coho, though, right?

41
42 MS. RUTHERFORD: Uh-huh.

43
44 MR. SHEARS: But the chum that we're
45 catching is the one with spots on the tail?

46
47 MS. RUTHERFORD: Yeah, from what I've
48 noticed and from what my co-worker, Rich, has noticed
49 is that what people tend to be calling silvers, they're
50 actually chums. Though, I do think people could be

1 catching some cohos as well.

2

3 So last year we came up with a fish
4 identification card. Essentially it's a waterproof
5 guide to help people be able to distinguish between
6 cohos and chums, but it's still kind of tricky if
7 you're not really looking at all the -- well, if you're
8 -- it's just kind of -- it can be tricky so that's one
9 thing that we're trying to work to do a little bit
10 more, is to help -- show people the difference between
11 the cohos and the chums.

12

13 MR. SHEARS: Yeah, because the chums
14 are, you know, they have a different coloring, like
15 when you typically see them.

16

17 MS. RUTHERFORD: Yeah. And people are
18 catching those in like the lagoon so before they're
19 heading up river.

20

21 This year was a little bit different.
22 We, the Division of Subsistence responded to one of the
23 calls for research for the fisheries harvest monitoring
24 -- or Fisheries Monitoring Program and we received
25 funding to expand this project to include TEK and
26 subsistence harvest data collection for all fisheries
27 resources in both these communities. This was kind of
28 exciting for me because one thing that I was noticing
29 having a hard time with when I was conducting
30 interviews and trying to understand what was going on
31 with the salmon resources in Point Lay and Wainwright
32 was that most people wanted to actually talk more about
33 all the other fish, and so I decided that it would be a
34 good opportunity to respond to some of the needs that
35 the RAC Had mentioned in their last call for research
36 to try to better document some of those fish resources,
37 like smelt and grayling and some of the other fish that
38 are commonly caught in both these communities. And
39 then we're also going to begin a fisheries harvest
40 monitoring program that'll last the next three years in
41 both of these communities.

42

43 This year we've gotten support from the
44 local governments. It's our policy always to get
45 approval from village councils and we've also held a
46 few community meetings, both in Point Lay, just this
47 last week and then in Wainwright in June, both were
48 well attended, people seemed to like to talk about
49 fish. And I also distributed some fishing log books,
50 both in Point Lay and Wainwright. That'll happen every

1 year for the next three summers and this is sort of the
2 experimental summer. I have some different ideas of
3 how best to record that information so I'm curious to
4 see how this will work this year.

5
6 I'm conducting some additional TEK
7 interviews and mapping sessions. This is something
8 that I'd really like to get maybe some students
9 involved with. I talked to the college here and also
10 to some teachers in Wainwright to be able to help get
11 research.

12
13 CHAIRMAN BROWER: Brittany, I'm going
14 to have to ask you to stop for a couple minutes because
15 we need to accommodate another person that's leaving on
16 tonight's flight. If you could take a short break and
17 then.....

18
19 MS. PATTON: Oh, she's also on the same
20 flight.

21
22 CHAIRMAN BROWER: I wasn't sure what
23 you were, you were whispering and I was trying to
24 listen -- and now.....

25
26 MS. PATTON: If there was an
27 opportunity to provide conclusion for the Council and
28 then Vince would have an opportunity for a brief update
29 as well before the flight.

30
31 MS. RUTHERFORD: Okay.

32
33 MR. SHEARS: Are you on the plane
34 tonight Brittany.

35
36 MS. RUTHERFORD: Yeah, I am.

37
38 MR. SHEARS: Well, when are you coming
39 back up here?

40
41 MS. RUTHERFORD: That's a good
42 question. I will -- I'm not sure.

43
44 MR. SHEARS: January.

45
46 MS. RUTHERFORD: Maybe, probably
47 sooner.

48
49 MR. SHEARS: Okay.

50

1 MS. RUTHERFORD: Probably sooner.
2
3 CHAIRMAN BROWER: I was going to say
4 you're counting fish research and you're going to leave
5 the community now.
6
7 (Laughter)
8
9 MR. R. NAGEAK: They just want to make
10 sure, it might be commercially biased.
11
12 CHAIRMAN BROWER: Continue, please.
13
14 MS. RUTHERFORD: And here's some
15 pictures, I'll flip through some of these. This is
16 some of the genetic work that we're doing, like I had
17 mentioned, this is the other half of the study where
18 we're trying to understand where the fish stocks are
19 coming from.
20
21 And a lot of these slides you can see
22 in your information packet, we've -- actually one thing
23 that was kind of exciting for us this year was that we
24 hired three crews in Wainwright to help us do the
25 sampling so we're trying to actually reduce some of the
26 helicopter use and stuff like that in the area and
27 involve local subsistence fishermen.
28
29 This is some results from aerial
30 surveys last summer. This is new information. These
31 are the -- the red dots are salmon that are moving up
32 these rivers that were counted. And I'll just -- these
33 are, again, in your packets, but these are new data
34 points so we do know that there is salmon in these
35 rivers. So if anyone is interested I can also show you
36 the data from the previous years. I think that that
37 was part of a presentation a couple of years ago but
38 I'd be happy to show -- to send that to anyone.
39
40 MR. SHEARS: What are the green dots?
41
42 MS. RUTHERFORD: That's the difference
43 between the -- the green dots are dead salmon that was
44 counted on the banks and then the red is the live
45 salmon that's swimming.
46
47 MR. SHEARS: Okay.
48
49 MS. RUTHERFORD: As you can see we
50 moved from the Kougra River all the way to Point Hope.

1 And these are just some -- some milestones for that
2 part of the project this year which I kind of already
3 went over.

4

5 MR. G. BROWER: I got a question.

6

7 MS. RUTHERFORD: Yeah, go ahead.

8

9 MR. G. BROWER: On your red dots and
10 your green dots.....

11

12 MS. RUTHERFORD: Uh-huh.

13

14 MR. G. BROWER:the green ones
15 being dead, were you able to figure out why they were
16 dead, were they spawned out or.....

17

18 MS. RUTHERFORD: I think they were
19 spawned out.

20

21 The second project that I just wanted
22 to mention and I'll be quick on this one is one thing
23 that our division does is we conduct community baseline
24 subsistence harvest surveys, we go into communities and
25 we do essentially a census and we try to contact every
26 household and ask them about their subsistence harvests
27 for the entire year, previous year, for every single
28 resource that you could -- that the community could
29 use, including plants and berries. And we are hoping
30 to conduct a few of these in Wainwright and Point Lay
31 and Point Hope in the next three years. One was
32 conducted in Anaktuvuk Pass in the last -- last year,
33 for 2011 and this is just some results from that
34 project, there was 73 percent of households that
35 responded to interest in -- or conducted the survey.

36

37 CHAIRMAN BROWER: I have a question in
38 regards to how this research got started in terms of
39 dealing with fisheries and monitoring salmon and other
40 fish and now it becomes a household survey of
41 collecting much more information other than fish, and
42 then how do you propose to use this information once
43 you've collected that? You started as a fisheries
44 project, started collecting information on fish and
45 subsistence use resources and fish that are harvested
46 and then as you're continuing along with your project
47 then you changed your objective to start collecting
48 household surveys of all resources other than fish.

49

50 MS. RUTHERFORD: Yeah, and that's a

1 good question. I guess I wasn't entirely clear. This
2 is actually a separate project. And this is funded --
3 this proposal is actually funded by the Coastal
4 Improvement Opportunities Program, I think I've got
5 that wrong, but it's -- we're proposing to conduct nine
6 of these types of harvest surveys in Northwest and
7 North Slope communities in the next three years.

8

9 CHAIRMAN BROWER: So I have a concern
10 over that in regards to what we've identified with as
11 an agenda item regarding fish research and now we've
12 overlapped it with some other research that's being
13 performed coinciding with this research conducting
14 household surveys and collecting information other than
15 fish. It's not something that we were identifying with
16 and that's kind of misinterpreting what we're being
17 asked to consider or hear from or learn about, so it
18 changed the scope of things in terms of the objectives
19 that we're presented.

20

21 MS. RUTHERFORD: I think -- I'm trying
22 to understand, I'm not sure what I.....

23

24 CHAIRMAN BROWER: If you go back to
25 your objective and talk about documentation of salmon
26 species, juvenile salmon, index stream.

27

28 MS. RUTHERFORD: Oh, you're talking
29 about at the beginning of my presentation?

30

31 CHAIRMAN BROWER: I mean you're outside
32 of your scope of your objectives now when you're
33 talking about.....

34

35 MS. RUTHERFORD: Right, this is a
36 separate.....

37

38 CHAIRMAN BROWER:harvest
39 documentation.

40

41 MS. RUTHERFORD:this is.....

42

43 CHAIRMAN BROWER: How do you combine
44 that with the presentation that we're supposed to be
45 learning of and now you just go right into another
46 study that we're not even informed of ahead of time.
47 You know that's compounding your information that's to
48 be presented or discussed here. Now, it's gone beyond
49 -- outside the scope of what you were identified to
50 present.

1 MS. RUTHERFORD: Okay. I apologize if
2 that's confusing. I think when I had initially.....

3
4 CHAIRMAN BROWER: It's not confusing
5 for me, it's how you're presenting your information.

6
7 MS. RUTHERFORD: I guess when I had
8 initially hoped to present I had brought forth the idea
9 of presenting about a project that's been ongoing and
10 then presenting just an overview of this proposal that
11 has not yet been approved by villages at all.

12
13 CHAIRMAN BROWER: So that's two
14 different subjects?

15
16 MS. RUTHERFORD: So it's two different
17 -- it is completely two different subjects, I just was
18 hoping to use this as an opportunity to get some
19 information.

20
21 CHAIRMAN BROWER: I think I'd like to
22 stop it here in regards to your presentation and we'll
23 have to come back at some other time to discuss your
24 other subject that you're trying to incorporate here
25 while we're being introduced to this Arctic salmon
26 project. I'll just stop it at that and then we can let
27 Vince present for the couple minutes that's left, and
28 you can write to Eva about maybe another opportunity to
29 provide the information on the other project.

30
31 MS. RUTHERFORD: Okay, that sounds
32 good.

33
34 MR. R. NAGEAK: And, Mr. Chair, one of
35 the reasons why is we're real leery especially if it's
36 funded by Coastal Impact Assistance Program and by the
37 State of Alaska, who we don't trust at all in regards
38 to the subsistence data gathering that they tend to use
39 against us.

40
41 MS. RUTHERFORD: I'd like to learn more
42 about your concerns with -- we haven't done a whole lot
43 of subsistence harvest information gathering on the
44 North Slope.

45
46 MR. R. NAGEAK: Well, the ones that I
47 saw in Anaktuvuk Pass are caribou, as being the number
48 1, and how did you get that information?

49
50 MS. RUTHERFORD: You're talking about

1 the project that's mentioned in the slides.

2

3 MR. R. NAGEAK: Anaktuvuk Pass. From
4 fisheries, like he said, then it went to subsistence,
5 like in Anaktuvuk Pass.

6

7 MS. RUTHERFORD: That was a research
8 project that was conducted last year in Anaktuvuk as
9 part of the Alaska Pipeline Project, that was the
10 funding for that project.

11

12 MR. R. NAGEAK: Okay.

13

14 MS. RUTHERFORD: And I just was
15 thinking -- I thought it would be a good opportunity to
16 show some results that came out of that because there's
17 a representative from Anaktuvuk here.

18

19 CHAIRMAN BROWER: So as I stated, I'd
20 like to stop the discussion in regards to the other
21 subject and we'll stop it at that. As you know, we
22 have a long list of agenda items that we've been trying
23 to consider here and you're inserting another set of
24 studies that we're not even really familiar with yet
25 but it's happening outside the scope of what the intent
26 of this project was. I'd like to stop it at that and
27 maybe give Vince the opportunity to do his
28 presentation, the information that he needs to present.

29

30 MS. RUTHERFORD: All right, that sounds
31 good. Thank you.

32

33 MS. AHTUANGARUAK: I'd be willing to
34 receive some of your questions by email and see what we
35 could help to forward some communications with you, I
36 think that's what we can do at this point.

37

38 MS. RUTHERFORD: Okay, thank you so
39 much.

40

41 MR. SHEARS: I'll catch up with you
42 this winter in Wainwright.

43

44 MS. RUTHERFORD: Okay, thank you, Bob.
45 And anyone, please, if you have any questions or
46 comments please feel free to contact me as well, I left
47 my contact information there.

48

49 CHAIRMAN BROWER: Okay, thank you,
50 Brittany.

1 So, Vince, go ahead.
2
3 MR. MATHEWS: I'll make it real quick,
4 Mr. Chair.
5
6 CHAIRMAN BROWER: Okay.
7
8 MR. MATHEWS: Mr. Chair, I can give you
9 some advice real quick here because I was a coordinator
10 for many years and at these meetings.
11
12 CHAIRMAN BROWER: Uh-huh.
13
14 MR. MATHEWS: Open up a little bit,
15 when you open up your agenda for approval and ask Staff
16 if they have additions because she was caught, you were
17 caught and you both started locking heads.
18
19 CHAIRMAN BROWER: Uh-huh.
20
21 MR. MATHEWS: So that would be one
22 suggestion. The other suggestion would be is to allow
23 Staff, if they have information, data, whatever you
24 want to call it, that relates to an action item on your
25 agenda, that they be allowed to present that even
26 though they were probably on the agenda at the end, for
27 example, Roy caught it, summary about the caribou, or
28 moose -- I should say moose in 26B and C, that's in my
29 summary, so if we could be a little bit more flexible.
30 I won't go over the summary, you guys are very tired,
31 it would be ineffective to do it, but you have it in
32 front of you.
33
34 All I'm going to ask you, you can get
35 it through your coordinator back to me, is this what
36 you want? I know from past meetings with you, the few
37 I've been here, and it's not in here, Robert, was
38 discussion about guides, and air taxi operators, if
39 that's what you want in your summary, please let me
40 know that. I'll explain why it's not in the summaries
41 because those are being reviewed. And let's be brutal
42 about it, you're timing doesn't match with the field
43 work on the Refuge so it's difficult to pull this
44 together. So look it over and see if it's too long,
45 too short.
46
47 I will apologize that when I cut and
48 paste, I cut and paste twice, okay, because I was
49 waiting for a supervisor to catch my mistakes and they
50 didn't and of course they'll read the transcript and

1 I'll suffer later.

2

3 (Laughter)

4

5 MR. SHEARS: I didn't even see that.

6

7 MR. MATHEWS: The other thing is, is
8 you guys have talked about migratory birds. I do work
9 with the migratory bird process, I'm on the harvest
10 survey committee. If that's something you want
11 discussed with concurrence of OSM, then that topic
12 could be added, and an appropriate time scheduled, on
13 your agenda, because I heard you guys talk about that.

14

15 And then, Gordon, you talked about
16 barrels being markers for traversing, you know, on
17 hillsides and antlers for traplines?

18

19 MR. G. BROWER: Yeah, I did.

20

21 MR. MATHEWS: What area were you
22 talking about because if that's with the Refuge I need
23 to know to convey that maybe they need to be looking at
24 these barrels in a different way but I don't know where
25 you were talking about, those barrels.

26

27 MR. G. BROWER: Mr. Chair.

28

29 CHAIRMAN BROWER: Yes, Gordon.

30

31 MR. G. BROWER: Yeah, the barrels I was
32 talking about and the antlers are in NPR-A.

33

34 MR. MATHEWS: Okay.

35

36 MR. G. BROWER: They're in NPR-A and
37 this area is by far the largest use area for
38 subsistence related activities, probably on the North
39 Slope for many, many years the people have established
40 trails, traditional use areas that they frequent and
41 over the course of many, many years put little certain
42 markers, you know, they might be five miles apart but
43 if you see one you can reorient yourself in a blizzard
44 real quick, you know.

45

46 MR. MATHEWS: No, that's -- I just
47 needed locations, if it was on the Refuge then I would
48 get back to them.

49

50 I think I'll leave it at that but do

1 look it over because this is based on past meeting, and
2 I'll be honest with you the question in the office --
3 not to hoodwink you, is, well, do they need to know all
4 the stuff that's going on in the Refuge or just stuff
5 related to subsistence. I'm an information junkie, I'm
6 a meeting junkie, which way do I push it, well, you got
7 it. So you guys got to give us some direction on that
8 because -- not speaking directly for all agencies, but
9 working with them for many years, we also want to
10 prevent these things from becoming a problem. The
11 first step is communication. So we need to know what
12 you need to know and then we can say well we can
13 provide it or maybe we can't provide it. For example,
14 if you wanted to know law enforcement actions and names
15 associated with that, we cannot provide that, but if
16 you wanted to know the level of law enforcement or what
17 law enforcement is doing, that's in here. These are
18 issues that I know come up a lot.

19

20 MR. G. BROWER: I got one, Mr. Chair.

21

22 CHAIRMAN BROWER: Yes, Gordon.

23

24 MR. G. BROWER: Being a land manager
25 myself for the North Slope Borough we often see the
26 need to be able to coordinate well; with other land
27 managers, specifically NPR-A land managers, ANWR
28 managers, especially when it relates to guides,
29 recreational users, which are permitted in these areas.

30

31 And I had the opportunity to attend a
32 big game services board meeting a couple years ago and
33 also emphasized the need to look at local laws and
34 ordinances because we do have juris -- we have
35 concurrent jurisdiction and I don't think ever been
36 challenged in any way, in fact, been worked -- worked
37 with BLM, DNR and some other folks but when it comes
38 time for those folks to be in compliance and they're
39 conducting their operations thinking that the only
40 permit that they need is the Fish and Wildlife
41 Service's permit or a DNR permit, never-minding the
42 local governing body, the North Slope Borough, and the
43 need to get commercial recreational permits, it's a big
44 deal. I mean in front of the big game services board
45 meeting some of these guys are very, very arrogant
46 about their ways.

47

48 MR. SHEARS: Yeah.

49

50 MR. G. BROWER: And it's hard to come

1 across. I was complimented by one guy, he said, you
2 know, I always knew the North Slope Borough was there
3 but I never gave a darn hoot about getting their
4 permit, our enforcement regime was pretty much non-
5 existent, being able to go out and do our enforcement,
6 which we're getting better at now days, but it just
7 goes to show the climate that these guys exist in.
8 It's a cowboy type atmosphere.....

9

10 MR. SHEARS: Wild west.

11

12 MR. G. BROWER:that these guys
13 operate. I mean the guy, Mike McClurry, is just one of
14 those kind of guys I know that has had trouble adapting
15 to seeking permits from a local organization, local
16 government body.

17

18 MR. MATHEWS: Right, we have similar
19 problems, because I work for three Regional Councils
20 because there's three Refuges and the options they have
21 is trespass and that's an option but it's not the
22 strongest to get enforcement on but that is an action
23 on village corporation lands and we're trying to work
24 out other ways to address that issue. And you've
25 already brought up your controlled use areas and things
26 like that, those are options that have to be worked
27 through.

28

29 MR. G. BROWER: Mr. Chair.

30

31 CHAIRMAN BROWER: Gordon.

32

33 MR. G. BROWER: Yeah, I would just
34 suggest maybe there needs to be a way for your
35 permitting, DNR's permitting, North Slope Borough
36 permitting to have a workshop on this particular issue
37 on itself.

38

39 MR. MATHEWS: I think I'll bring that
40 -- I will bring it up back at the office about our
41 activities, research, et cetera, et cetera, done by the
42 Refuge and how is that communicated to the North Slope
43 Borough as well as the village. I know it's
44 communicated fairly well with Kaktovik and I know it's
45 communicated with Arctic Village, but I don't know with
46 the North Slope Borough so I will ask that. But I
47 think that's a very good suggestion to have a work shop
48 on it, realizing Rosemary will bring this up, it takes
49 a while to pull that off but I think that needs to be
50 done, partially because of reduced budgets and et

1 cetera, so if we're all communicating from the same
2 sheet of music, this two minutes we're talking about
3 now would not exist. And that two minutes could have
4 been talking about the Anaktuvuk Pass baseline study or
5 whatever the issue was. I mean that sounds funny but
6 those minutes -- I remember I worked on the Board of
7 Game, one of the Board of Game members figured out per
8 minute how much it cost, it was \$800 to \$900 a minute,
9 I think it was even higher than that. But the point he
10 was making is, that time is very valuable and it needs
11 to be used wisely and that's the same with you guys.
12 You guys are not at home right now.

13

14 CHAIRMAN BROWER: In light of those
15 communications that we're just having, I think our
16 Kaktovik representative had voiced some of the concerns
17 in terms of the contents of what you're talking about,
18 in terms of guiding, operators on the south side of the
19 Brooks Range and they have a concern with the level of
20 interference -- unintentional interference, I think,
21 but there have -- in reference to their cabins,
22 subsistence use areas and getting close to being
23 confrontational in the sense that they were trying to
24 voice the concern and to learn more about how they are
25 permitted in those areas.

26

27 MR. MATHEWS: Right.

28

29 CHAIRMAN BROWER: Because there's a lot
30 of guides that work off of the south side of the Arctic
31 National Wildlife Refuge and some do go up into the
32 northern side of the Brooks Range, and there's concerns
33 that had been voiced by representatives from Kaktovik
34 as well and not knowing that the Arctic National
35 Wildlife Refuge has been communicating, like Gordon was
36 saying.

37

38 MR. MATHEWS: Well, I think what you're
39 getting at is we have a basic map of the guide use
40 areas and which ones are open and closed, I did not
41 bring that today because it didn't surface but if
42 that's what you would like, and then we can have Staff
43 either on line or present to deal with that -- not deal
44 with it, but to discuss it.

45

46 CHAIRMAN BROWER: Okay.

47

48 MR. MATHEWS: Because guiding -- right
49 now guiding is up for BLM areas, looking at that, so
50 from my other areas that's a high interest. But I

1 don't want to take up more of your time. Do read it
2 over, I know it's a lot of words, I will add pictures
3 the next time but I didn't get to it. Meaning I'll
4 make it more easy to focus on what you need to focus
5 on. Pictures can reach that -- it can be done in
6 different ways, and we'll try next time -- next time in
7 the winter meeting, I can usually meet the timeline for
8 your booklet, this time all the Staff were out doing
9 field work.

10

11 MS. AHTUANGARUAK: Mr. Chair.

12

13 CHAIRMAN BROWER: Yes, Rosemary.

14

15 MS. AHTUANGARUAK: This also correlates
16 with the discussion that we had earlier this year on
17 the Red Creek, Sheep Creek proposal on the dall sheep
18 and there was a lot of discussion about these issues in
19 that process and the difficulty it was for Kaktovik to
20 get that process to be a successful process. It was
21 many, many years in the making and it's not something
22 that was easily moved forward and this was a very
23 narrow area that you would think would work well, but
24 with all of the layers of convolutedness it was very
25 very difficult for that community to get that. So I
26 just wanted to make sure we added that.

27

28 CHAIRMAN BROWER: Thank you, Rosemary.

29

30 MR. MATHEWS: Out of respect to Arctic
31 Village, they sent in a lot of people to testify, et
32 cetera, and that was hard for them, due not only
33 financially but that was a culturally sensitive area.

34

35 CHAIRMAN BROWER: Uh-huh.

36

37 MR. MATHEWS: That area is always going
38 to be underneath the bright lights, let's just call it
39 what it is. But that was a tremendous amount of effort
40 on that village, a lot of villages can't pull that off,
41 so that's where you guys come in and we won't go down
42 that path but that's really where you guys come in as
43 well as Advisory Committees and others.

44

45 CHAIRMAN BROWER: Thank you, Vincent
46 for providing your information.

47

48 MS. PATTON: Park Service.

49

50 MR. MATHEWS: I think the Park Service

1 left, they were next.

2

3 (Laughter)

4

5 MR. MATHEWS: I bumped them out.

6

7 (Laughter)

8

9 MS. PATTON: Yeah, they went to catch
10 the flight. The updates for the Park Service, I've
11 handed out.

12

13 CHAIRMAN BROWER: Uh-huh.

14

15 MS. PATTON: And I wanted to just make
16 sure that his -- his taxi's here so he can catch his
17 flight -- we had one other presenter if the Council is
18 willing to hear them.

19

20 (Laughter)

21

22 CHAIRMAN BROWER: Alaska Department of
23 Fish and Game, Geoff Carroll.

24

25 MR. CARROLL: Thanks, Harry. At the
26 risk of making Harry mad I'd like to talk about one
27 real quick thing that's not on the agenda.

28

29 (Laughter)

30

31 CHAIRMAN BROWER: Wolves.

32

33 (Laughter)

34

35 MR. CARROLL: Something that came up at
36 your last meeting, which is, I think, Bob brought up,
37 people are really confused about moose seasons and
38 whether they needed to have furs sealed and things like
39 that and then Nuiqsut actually had some law enforcement
40 issues two years in a row. So I felt like we really
41 needed a real straightforward little poster that would
42 explain exactly what the regulations are, and that's
43 what these are.

44

45 Every village is usually a little bit
46 different so I have specific ones for specific
47 villages, actually Atqasuk, Wainwright and Point Lay
48 are all about the same but Nuiqsut's different because
49 they hunt the borderline of 26A and B and Anaktuvuk's
50 different because they're on another borderline but

1 anyway that's what these are all about.

2

3 Either I have mailed or I will mail
4 soon copies of these to the village coordinators and
5 people to post in the villages.

6

7 So, you know, it just kind of clears up
8 some misconceptions and I think a lot of people on the
9 North Slope think that if you're a subsistence caribou
10 hunter you don't need a license and, you know, the fact
11 of the matter is by law everybody that's over 16 that
12 hunts is supposed to have a license, wolves, wolverines
13 and lynx, you know, are all supposed to be sealed and
14 tanners won't take them if you don't. We've actually
15 really liberalized the grizzly bear seasons, it used to
16 be you needed a tag or a special permit in order to
17 harvest a bear, now we have a 12 month a year season,
18 the season's never closed, you don't need a -- if you
19 have a hunting license you're good, you can just take a
20 bear any time and then bring it in and get it sealed
21 afterwards and all the moose regulations are different
22 in each of the areas but we actually have a summer
23 season for the western villages, we have a winter
24 season on the Colville and muskox hunting isn't really
25 open anywhere.

26

27 So, anyway, that's kind of it in a
28 nutshell.

29

30 So, any questions on that?

31

32 MR. G. BROWER: Yeah, Mr. Chair.

33

34 CHAIRMAN BROWER: Gordon.

35

36 MR. G. BROWER: Yeah, how long is a
37 hunting license, is it an annual license or is it one
38 that can last for 10 years?

39

40 MR. CARROLL: It's on the calendar
41 year.

42

43 MR. G. BROWER: Oh.

44

45 MR. CARROLL: It starts the first of
46 January and ends on December 31st. If you buy it
47 halfway through the year it still only lasts until
48 January 31st. But when you get to be a geezer like me
49 you can get one for free for the rest of your life,
50 once you're 60 or older.

1 MR. SHEARS: Dude, you really get one
2 for free?
3
4 MR. CARROLL: Yeah.
5
6 (Laughter)
7
8 MR. R. NAGEAK: I got one, once I
9 turned 60.
10
11 (Laughter)
12
13 MR. CARROLL: Roy's got one. Even
14 Harry's been coming in and buying a license.
15
16 MR. G. BROWER: Yeah, I've never got a
17 license to hunt but, you know, I hunt and hunt and
18 hunt.
19
20 (Laughter)
21
22 MR. CARROLL: Yeah.
23
24 MR. G. BROWER: You know, and I just
25 thought it was my god given right to keep shooting.
26
27 (Laughter)
28
29 CHAIRMAN BROWER: The thing about
30 buying a license, my wife wants me to get my hides
31 tanned.
32
33 MR. CARROLL: Yeah.
34
35 (Laughter)
36
37 CHAIRMAN BROWER: That's the only
38 reason why I buy a license.
39
40 (Laughter)
41
42 MR. CARROLL: They kind of left the
43 last slide show up, does anybody know how to work this
44 thing.
45
46 (Laughter)
47
48 MS. AHTUANGARUAK: I wanted to also
49 comment that in my visit to Nuiqsut there was a lot of
50 discussion from many community members about that, the

1 legal reactions that had happened in that village. We
2 really need to do a better outreach process to better
3 inform our subsistence users and what they need to do
4 to keep themselves legal.

5

6 MR. CARROLL: Sure, yes.

7

8 MS. AHTUANGARUAK: That process was
9 very effective and decreasing the public willingness to
10 participate in that village, there are a lot of
11 concerns over the repercussions as well as the
12 generational impacts that come from those type of
13 activities. So whatever we can do within our
14 department -- our State process to decrease that level
15 of conflict that has occurred for two years in that
16 village needs to be done more effectively because we've
17 got this rippling across multiple communities now with
18 the changes to our lands and waters and efforts to put
19 in a lot of regulations at the conflict of our
20 traditional and cultural activities of subsistence
21 users.

22

23 MR. CARROLL: Yeah, I'll just -- that
24 whole enforcement thing was kind of unfortunate the way
25 it came about. I mean the one with the guys going out
26 and blasting the muskoxen, I mean there wasn't much
27 excuse for that, but, you know, last year the
28 enforcement guy just happened to end up in Nuiqsut and
29 happened to run into some guys that did not have the
30 right, you know, they harvested furbearers that --
31 anyway, I contacted him shortly after that and we had a
32 pretty serious discussion about the right way and the
33 wrong way to do things and he actually took it as
34 somewhat educational, you know, that he probably really
35 -- what he'd done there was quite counterproductive
36 actually and anyway that particular Trooper has left
37 the North Slope and they moved him off the North Slope
38 and now he's in Glennallen or something, now we just
39 don't have anybody in Coldfoot, which is good in some
40 ways and not in others.

41

42 Okay. So we'll move on to caribou.

43

44 I was asked to give kind of a rundown
45 on the status of North Slope caribou and muskox
46 populations which I -- you know, if there's anything
47 specific that you're after you can let me know but
48 otherwise I'll just kind of give you the status of the
49 different caribou herds and the two muskox populations.

50

1 Oh, shoot, okay, we've got the wrong
2 show up here. There was one with my name on it but she
3 put another one here.

4
5 (Pause)

6
7 MR. CARROLL: There we go. Okay, all
8 right, thanks. Okay, sorry for the delay.

9
10 Okay, first we'll talk about the
11 Teshekpuk Herd, kind of our most important subsistence
12 herd in this area.

13
14 MR. R. NAGEAK: Western. Western.

15
16 (Laughter)

17
18 MR. CARROLL: I'll get on it.

19
20 (Laughter)

21
22 MR. CARROLL: Okay, Teshekpuk Herd,
23 after, you know, it's been growing at a pretty steady
24 rate, quite rapidly actually since during the -- you
25 know, since 2000 and kind of peaked out at about 69,000
26 but our most recent count in 2011 they dropped back
27 down to about 55,000 so we're -- you know, one, two
28 year interval there, and we'll see if there's a
29 continuing trend.

30
31 Kind of reasons for the decline is this
32 is like an index of recruitment, every year we go out
33 and count how many calves survived the winter and
34 yearlings then are added to the population as adults
35 and that percentage has been getting steadily lower for
36 many years and it looks like it's finally dipped to the
37 point where there's more -- the mortality rate is
38 actually higher than the rate that we're adding
39 caribou. So anyway that's kind of a brief explanation
40 of what's going on with the Teshekpuk Herd. And we
41 tried to count them again this summer, we didn't quite
42 get the right weather conditions, we'll try it again
43 next year and see what the trend looks like.

44
45 One interesting thing that we've been
46 seeing happen the last few years with the Teshekpuk
47 Herd is between 1994 and 2009, every year, over 50
48 percent of the caribou calved in that area to the south
49 and west of Teshekpuk Lake, or south and east, I'm
50 sorry. And in 2010, the first time they calved much

1 farther to the west, I mean clear over by Atqasuk, a
2 lot of them, a lot of them over by the (indiscernible)
3 River and the Chip River and there was really quite a
4 change and somewhat similar in 2011, not as dramatic.
5 But it kind of provided us an opportunity when we had
6 them calving in two very different areas like that and
7 we were able to sample 70 calves in 2011 and trace
8 their survival. And, anyway what we found was that
9 well 80 percent of the calves survived, most of them
10 still surviving. The ones that were -- that did die,
11 most of those died of predation. But what was
12 interesting is the survival rate of the ones that were
13 born in what we call the traditional calving area, that
14 area southeast of the lake was twice as high as the
15 ones that were born outside of that area, farther to
16 the west. I think it was, you know, 84 percent of the
17 ones born in the calving area survived and something
18 like 35 percent of the ones born outside the calving
19 area survived so that does indicate that that calving
20 area is somewhat important.

21

22 We'll move on to the Western Arctic
23 Caribou Herd. And it's been on kind of a steady down
24 slide for, you know, a couple years. 2003 we counted
25 490,000, you know, just very close to a half a million
26 caribou in that herd. Four years later we counted them
27 again and there was 370,000 so we lost 120,000 caribou
28 between two of our surveys. And a lot of that was
29 particularly during one of the winters, we had one of
30 those real warming spells in the middle of the winter,
31 the snow all melted, it rained and it all froze solid,
32 so the rest of the year everything the caribou ate they
33 had to dig through the ice to get to. And so, you
34 know, we saw lots of mortality and the caribou that did
35 survive that winter just looked like walking racks of
36 bones, you know, and -- but -- so we lost a lot, you
37 know, I think probably climate change events were a big
38 cause of that. But the decline has really just
39 continued. We've been -- became quite concerned so we
40 started counted them every two years after that and,
41 yeah, you know, the next one down 350,000 then down to
42 325,000 is the most recent count. But, oh, like you
43 say it's still a big healthy herd of caribou, it's
44 still the largest herd of mammals on the continent. So
45 we're not that concerned about it, you know, I mean
46 it's like they couldn't grow forever and it might
47 almost be a good thing to reduce the numbers a bit and
48 let the habitat recover.

49

50 Part of the equation too, you know, is

1 the recruitment rate is just kind of steadily going
2 down, I mean you can see it jumps up and down from year
3 to year to year but the general trend is the
4 recruitment rate is getting lower and lower and
5 mortality is staying about the same so the recruitment
6 is a little bit lower than what the mortality is at
7 this state.

8
9 Calving area for the Western Arctic
10 Herd has -- you know, it's been pretty consistent, it's
11 over in that area, you know, I guess Point Lay is the
12 closest village there, they're out in an area that's
13 really pretty unaffected by any development or anything
14 like that and they're pretty consistent and calving in
15 that area kind of north of the Brooks Range and going
16 out towards the upper Udikok and upper Colville and
17 that area.

18
19 Well, I'll kind of move on to the
20 Central Arctic Caribou Herd. Now, they've been --
21 actually been kind of the fastest growing herd in the
22 state for the last several years, you know, after
23 concerns that -- you know, they kind of stayed about
24 the same for a long time between 1992 and 2002, they
25 were hanging in there about 30,000 caribou and then
26 they started exhibiting real high calf production and
27 real high calf survival and the population has really
28 grown pretty rapidly. And let's see the most recent
29 count is 71,000 caribou, so the herd's doing pretty
30 well.

31
32 Their calving area is kind of split
33 between the -- you know, they're both east and west of
34 the Haul Road, and they -- they're habituated enough
35 that they seem to move back and forth across that thing
36 without too much trouble. And more and more in the
37 summer they've been going quite a ways to the east and
38 I think Kaktovik people have been doing pretty well
39 harvesting Central Arctic Herd caribou.

40
41 Okay, then Porcupine Caribou Herd. We
42 actually were unable to -- well, count them for 10
43 years. The population trend had been going, you know,
44 since '91 to 2001, had been a steady decline and, you
45 know, we were just afraid that that decline was going
46 to probably continue and we finally pulled off a census
47 in 2011 and there were actually 179,000 caribou so --
48 but, anyway, the Porcupine Herd ended up doing better
49 than we were expecting.

50

1 This is the calving area of the
2 Porcupine Herd, that's pretty interesting, I mean
3 remember it used to be over in the 1002 area and that's
4 what -- a lot of concern with ANWR development was
5 about, this year they're way, way over into Canada and
6 most of them calved way over there and that's really
7 been the trend in recent years is they've been calving
8 quite a bit farther east than they had back in the
9 '90s.

10
11 Okay. And you also wanted a rundown on
12 muskoxen.

13
14 CHAIRMAN BROWER: Before you go into
15 the.....

16
17 MR. CARROLL: Uh-huh.

18
19 CHAIRMAN BROWER: Is that something
20 changing into the more recent times, since the '90s and
21 now we're in 2012, and the population's growing; is
22 that what you indicated for the Porcupine caribou?

23
24 MR. CARROLL: Yeah, well, it's -- it
25 definitely -- they -- actually they don't know how long
26 it's been growing, you know, we knew that in 2001 they
27 were down to about 120,000 and then the next time we
28 were able to have a successful count was in 2011 and
29 there were 179,000 so I'm not quite sure where it
30 turned the corner there.

31
32 CHAIRMAN BROWER: And the calving
33 grounds kind of shifted over into the Canadian North
34 Slope and not so much.....

35
36 MR. CARROLL: Yeah.

37
38 CHAIRMAN BROWER: I wonder how the
39 folks from the Gwich'in think about that now, you know,
40 we've argued over many many years about that -- in the
41 1002 lands are the calving grounds for the Porcupine
42 caribou but now if it's shifted.....

43
44 MR. SHEARS: Maybe they should support
45 oil field development there now.

46
47 (Laughter)

48
49 MR. R. NAGEAK: Mr. Chairman.

50

1 CHAIRMAN BROWER: Yes, Roy.
2
3 MR. R. NAGEAK: Are they going back in
4 wintertime around the Gwich'in, like Arctic Village or
5 Venetie?
6
7 MR. CARROLL: Yeah, they do. You know
8 it's different every year and sometimes it's even the
9 Central Arctic Herd that's getting over near Arctic
10 Village in that area too, so -- but last year, I mean
11 for some reason even the Teshekpuk Herd, most -- a
12 majority of the herd wintered way down there south and
13 east of Anaktuvuk Pass on that south side of the
14 mountains and for some reason all three herds kind of
15 came together in that area last year.
16
17 CHAIRMAN BROWER: Uh-huh.
18
19 MR. CARROLL: There were hundreds of
20 thousands of caribou down in that area.
21
22 MR. SHEARS: Wow.
23
24 MR. R. NAGEAK: That's when we were
25 catching the fat caribou last year.
26
27 MR. CARROLL: Yeah. I guess one thing
28 Bob commented that you weren't seeing many big bull
29 caribou around.
30
31 MR. SHEARS: Right. On the Western
32 Herd.
33
34 MR. CARROLL: Yeah, you know, the --
35 let's see I guess it's, yeah, two winters ago, a lot of
36 the cows from the Teshekpuk Herd wintered on the Slope
37 over towards -- well, just in the fall they moved over
38 there towards -- between kind of Atqasuk and Wainwright
39 and the bull -- I mean all of our collared bulls went
40 straight for the mountains, they were right along the
41 ridge of the Brooks Range having a big stag party up
42 there or something.
43
44 MR. SHEARS: Yeah.
45
46 MR. CARROLL: But anyway all the cows
47 are down there and all the bulls are up in the mountain
48 so I'm not sure if it's a behavioral thing or if we
49 really are having a lack of bulls -- I mean somehow,
50 you know, the calf production was just as good the next

1 year, they all seemed to get bred okay but I mean it
2 was just striking to look at those maps. I mean I know
3 we have 10 collars on, you know, 30,000 bulls but --
4 so, you know, but you just think -- they usually are a
5 pretty good representation of where the animals are
6 going it just looked funny, you know, the bulls go over
7 there and the cows go over there, but, anyway.

8
9 MR. SHEARS: I know they kind of
10 separated and went their own way during the off season
11 but just.....

12
13 MR. CARROLL: yeah.

14
15 MR. SHEARS:the dramatic
16 geographical distance is unbelievable.

17
18 MR. CARROLL: Yeah. Okay, any more
19 questions on caribou?

20
21 MR. R. NAGEAK: What happened to
22 Western, they're not here, usually they're here by now?

23
24 MR. CARROLL: Well, you know, I don't
25 know exactly why they aren't coming up here better at
26 this time, you know, looking at the satellite color
27 maps, again almost all of the Western Arctic Herd is
28 moving down the crest of the Brooks Range right now,
29 that's where almost all the satellite collars are. But
30 I know usually this year -- at least a batch of them
31 kind of move up the coast here but.....

32
33 CHAIRMAN BROWER: Too many hunters.

34
35 MR. CARROLL: Yeah, I don't know.

36
37 MR. R. NAGEAK: Or they're eating
38 better so they could come here for the winter.

39
40 MR. CARROLL: Yeah, right, maybe so.
41 You know, and you mentioned earlier you had a concern
42 about having the locations accessible so that people
43 could just fly into them and everything and actually we
44 do not give satellite collar locations out, I mean the
45 Western Arctic Caribou Herd Working Group, you know,
46 made it very clear that they didn't want to have
47 realtime information given out, so that really isn't
48 available to sportshunters or anything.

49
50 You know somebody from Anaktuvuk calls

1 me and says, where the heck are the caribou, how come
2 they're not here yet, you know, I can look on the map
3 and, you know, often I'll just send them a map so they
4 can see where the caribou are compared to, you know,
5 where the satellite collared caribou are and, you know,
6 that's an indication of why they aren't getting them
7 yet. But that really isn't available to the general
8 public.

9

10 MR. R. NAGEAK: I spent a couple weeks
11 in -- Mr. Chairman.....

12

13 CHAIRMAN BROWER: Yes, Roy.

14

15 MR. R. NAGEAK:in Anaktuvuk Pass
16 and the comments that I was hearing where they located
17 the sewage lagoon and the trash was further north about
18 two miles and then ever since then they don't have the
19 sheeps on the other side of the mountain where they
20 used to be. And then the caribou that used to come
21 down through there and I could see why, there's that
22 sewage lagoon and the trash right where their migratory
23 route used supposed to be.

24

25 MR. CARROLL: Yeah, so.....

26

27 MR. R. NAGEAK: And I don't know
28 whether we could help Anaktuvuk Pass because they could
29 accommodate and make a holding tank so that sewage
30 won't be dumped over there right in the middle of their
31 migratory path and it's just a minimal cost and then
32 have an incinerator for their trash and burn it -- not
33 burn it there, and that's what's been happening.
34 Mitigate some of the things that we could do or
35 recommend to the Borough that, you know, we could help
36 Anaktuvuk Pass people by doing these projects and
37 making it cleaner and safer for them.

38

39 MR. CARROLL: Yeah, that -- well,
40 everything we can do to help, you know, will probably
41 make a difference.

42

43 I guess just one thing I'd like to say
44 as a caribou biologist and I think as hunters, too, I
45 mean I'm pretty happy with BLM's preferred alternative,
46 I mean they really -- they did what the Borough and
47 everybody's been asking them to do for years, they've
48 really protected the calving area, they protected the
49 insect relief area, they protected those corridors on
50 both sides of the lake, you know, and I mean also

1 protected the whole Chip River area, you know, the area
2 where the hunting camps are and -- and the Western
3 Arctic Herd calving area, you know, I think they did a
4 pretty good job of protecting the wildlife habitat and,
5 you know, people's hunting areas as well. I think
6 there'd be real problems with trying to run the
7 pipeline north of the lake, I mean it would compromise
8 both of those corridors which we warned against and up
9 along the coast like that, it would keep the caribou
10 from being able to get out to the coast where they like
11 to get for insect relief and, you know, end up running
12 kind of right through that, you know, the brand molting
13 areas and goose nesting areas and right out to the
14 calving area.

15

16 So, I don't know, you know, I keep
17 getting asked what would be a good place to run the
18 pipe and I don't think there is a good place, wherever
19 you do it is going to bisect, you know, the coastal
20 plain but, I don't know, I just think there'd be a lot
21 of problems with trying to run it up north of the lake.

22

23 So, anyway.....

24

25 MR. E. NAGEAK: Are these population,
26 actual caribou counted or do you guys add a certain
27 percentage for missed herd or, you know, because it's a
28 short period of time to get a -- some herds could be up
29 north.....

30

31 MR. CARROLL: Well, I haven't been
32 giving credit for the right people, this is work that
33 -- I was smart enough to bring along a real good
34 student intern while I was working here and I worked
35 with Lincoln and he's right off of graduate school and
36 he's kind of half a genius anyway, so -- but, anyway,
37 now he's our main Arctic Caribou specialist and he's
38 really improved our technique for counting caribou. So
39 what you see there is the -- the red X is how many
40 caribou we actually saw and the blue diamond thing
41 there is, you know, figuring everything in for missed
42 caribou and everything, that's how many there probably
43 really are, but then the line is, you know, somewhere
44 between the top and the bottom, we know is the right
45 number and that blue on is probably the closest to
46 that.

47

48 MR. G. BROWER: Mr. Chair.

49

50 CHAIRMAN BROWER: Gordon.

1 MR. G. BROWER: Just a question on the
2 Porcupine Herd.

3
4 Do you know when the trend started to
5 occur that they're calving more on the Canadian side?

6
7 MR. CARROLL: I don't right now but I
8 could -- you know, that's something we could look up
9 and figure out. It's not the herd that I work -- you
10 know I work with the Western Arctic Herd and the
11 Teshekpuk Herd and I know them a lot better but they do
12 most of the work on the Porcupine Herd out of the
13 Fairbanks office.

14
15 MR. G. BROWER: And one follow up. And
16 the Porcupine Herd still does come over from the other
17 side in reach of Kaktovik hunters?

18
19 MR. CARROLL: Yeah. Oh, yeah, they do,
20 yeah. But it's a pretty brief period, you know, they
21 -- even when they came over and calved there, you know,
22 they kind of sweep through there and pretty soon after
23 they got done calving, you know, they head out into
24 their insect relief areas and off into the mountains.

25
26 MR. G. BROWER: Have a built in GPS on
27 those ones.

28
29 MR. CARROLL: Yeah.

30
31 MR. R. NAGEAK: When I was there, Mr.
32 Chairman, last summer.....

33
34 CHAIRMAN BROWER: Roy.

35
36 MR. R. NAGEAK:the caribou are
37 bigger and longer legged and they says, when they were
38 shooting at them like from the beach it's like they
39 just looked at them and says, what was that.

40
41 (Laughter)

42
43 MR. R. NAGEAK: They didn't even scare
44 like regular caribous, like they never had contact with
45 people before.

46
47 MR. CARROLL: Wow, yeah.

48
49 MR. R. NAGEAK: And they were just
50 dropping them and then they'd go like 50 yards and then

1 they stopped and kept eating.

2

3 MR. CARROLL: Right. Yeah, I wonder if
4 those are porcupine if they look different.

5

6 MS. AHTUANGARUAK: Mr. Chair.

7

8 CHAIRMAN BROWER: Rosemary.

9

10 MS. AHTUANGARUAK: This is also
11 important to look at the boundary and the different
12 management regimes that we have. In Alaska we have one
13 management regime and in Canada they have a different
14 management regime. There were meetings where some of
15 this discussion had come out of a stronger tribal
16 process on the Canadian side versus the Alaska side.
17 This is something that should be looked at as we're
18 looking at some of these things. Is there management
19 processes that are occurring on the Canadian side is
20 more conducive to supporting the calving process than
21 on the Alaska side, I don't know that answer, but it's
22 something to look at. The process on the Canadian side
23 is a better process for the tribal people involved in
24 their process in some ways. And one of the meetings
25 that I went to a few years ago they had talked about
26 the differences. I haven't seen any of that discussion
27 in this process but it is something for us to consider.
28 If we can learn a process that is helping our caribou
29 in ways that can help our communities have hopes to
30 continue we should look into that and bring it into our
31 process also.

32

33 Thank you.

34

35 CHAIRMAN BROWER: Thank you, Rosemary.

36

37 MR. R. NAGEAK: Mr. Chair.

38

39 CHAIRMAN BROWER: Roy.

40

41 MR. R. NAGEAK: That was going to be my
42 next question. Is out of those herds, what percentage
43 could be taken like from us to keep it healthy?

44

45 MR. CARROLL: So what percentage could
46 be harvested?

47

48 MR. R. NAGEAK: Yeah, like Porcupine on
49 the downward -- I mean not Porcupine, but Teshekpuk, a
50 little bit on the downward trend.

1 MR. CARROLL: Well, we hunt.....

2

3 MR. R. NAGEAK: What is the comfort
4 level of five a day or 10 a day and Western Arctic, for
5 us we don't want to overhunt a species that we want to
6 have keep going, that it won't impact the person, or
7 it's done by natural causes or the weather and stuff
8 like that, we're very aware of that but if it comes
9 down to the level of are we going to start impacting
10 what would we consider and I know there's harvest
11 levels being reported too.

12

13 MR. CARROLL: You know, before I answer
14 let me just mention to you one of your handouts is this
15 -- on the first page it says muskox update but back
16 inside it, you know, it has a rundown on the Central
17 Arctic Caribou Herd and you were asking earlier about
18 how many caribou were harvested by hunters that come up
19 the road, the Haul Road, and it's like Page 6 in that,
20 and out of the Central Arctic Herd there's about --
21 well, in 2011 there were 1,080 caribou harvested, 2010
22 there were 1,200, and so -- but, anyway, the point is,
23 is, you know, and that's -- are you looking at that
24 graph now.

25

26 MS. AHTUANGARUAK: Uh-huh.

27

28 MR. CARROLL: Okay, see up to -- they
29 made that regulation change after 2009 and you can see
30 that the harvest level was staying pretty steady there
31 at, oh, I don't know, around 800 caribou, and then they
32 liberalized their season where people could take five
33 caribou and it jumped up to 1,200 and then there was
34 1,080 -- well, I guess that's a partial count, but
35 anyway then down on the next little table it shows how
36 many -- you know, even though a hunter can take five,
37 you know, 611 of them only took one, you know, there's
38 still -- you know, most of the hunters only take one
39 and only 10 hunters took five, so -- so -- but the
40 point is is that it hasn't increased the harvest a
41 whole heck of a lot, and that's compared to the
42 Teshekpuk Herd where we take, you know, about 5,000 a
43 year, which is now getting to answer your question that
44 the Teshekpuk Herd is probably harvested at a higher
45 rate than any other herd in the state, and we've
46 harvested them at that rate for a long time and, you
47 know, actually the herd kept increasing during all that
48 time. I know we've had a recent dip but, you know, so
49 we're harvesting at a rate of almost 10 percent some
50 years and that seemed to work okay, we were getting

1 away with it, but it's -- it's very -- you know,
2 there's a lot of other factors involved. I think one
3 reason we can harvest the Teshekpuk Herd at a pretty
4 high rate is they have a very low rate of predation.

5

6 MR. SHEARS: Yeah.

7

8 MR. CARROLL: They get up and they
9 calve north of where the wolves are and everything, you
10 know, like the herds farther south in the state, the
11 wolves a lot of times get just about every calf.

12

13 MR. SHEARS: There's a lot of human
14 interaction with the Teshekpuk Herd.

15

16 MR. CARROLL: Yeah. Yeah. So, anyway,
17 it's -- you know, it's a complicated equation but we
18 can get away with harvest in the Teshekpuk Herd
19 probably at about 10 percent whereas you sure couldn't
20 do that with some other herds but that's -- I mean if,
21 you know, if they keep going down, down, down, you
22 know, I guess we might have to rethink that but -- but
23 we've been hunting them at that rate for a long time
24 and generally they've been doing pretty well.

25

26 MR. R. NAGEAK: The thing that I always
27 hear from my elders that if you stop utilizing a
28 species it will diminish. And I always remember and I
29 always point out the (In Inupiat), which used to be so
30 many, hundreds of them along the beach, and I think you
31 caught part of that when you first came up to Barrow
32 and then we stopped eating them and the next thing you
33 know they're like not that much anymore.

34

35 MR. CARROLL: Yeah. Yeah, there's
36 probably something to that, it seems like if you press
37 a population they kind of produce more and do that much
38 better so, yeah, I don't know.

39

40 MR. R. NAGEAK: But I've always heard
41 from our elders that if you stop utilizing a species of
42 animal like we stopped eating (In Inupiat) and then the
43 next thing you know there's hardly any around.

44

45 MR. CARROLL: Yeah. Well, all right,
46 let's keep utilizing them.

47

48 MR. R. NAGEAK: We still eat eider
49 ducks and there's still lots of them.

50

1 MR. CARROLL: Yeah. The rundown on
2 muskoxen will just take a minute.

3
4 The muskox population on the east side
5 of the North Slope, the one that was originally
6 reintroduced to ANWR, you know, went through a pretty
7 steady growth after they were reintroduced and getting
8 up in the range of 680 total muskoxen in 1994 and '95
9 and then they started on a pretty steady slide down.
10 We started counting fewer and fewer each year and
11 particularly within ANWR itself and to the point they
12 basically disappeared from ANWR, we went in one year
13 and counted one muskoxen -- well, I didn't the Fish and
14 Wildlife Service people did while we were counting them
15 farther to the east. The population within 26A and B,
16 you know, it's gone down but it's kind of hanging in
17 there at around 200 or so and then down to 190.

18
19 There's a -- this report, I don't want
20 to go into this too much but they initiated a bear
21 control project last year and they basically targeted
22 grizzly bears that were getting into the muskox and
23 rather than try to decrease the entire bear population
24 -- I mean it was kind of a tough decision to start
25 with. I mean the muskox population is going down,
26 down, down, it looked like they might just go --
27 completely disappear and should we just say, well, they
28 obviously aren't.....

29
30 MR. SHEARS: Good riddance.

31
32 MR. CARROLL: Yeah, they aren't, you
33 know, able to survive at this time, this age and time
34 for some reason, just let them go away or make an
35 attempt to kill a few bears and try to maintain the
36 population but, anyway, the conclusion was to try to --
37 try to maintain the population so the first year they
38 liberalized the bear season to try to reduce the number
39 of bears but this year changed the policy to targeting
40 bears that were obviously killing muskoxen. And one
41 bear in particular that had a radio collar that had
42 been tracking had killed 24 muskoxen in three years, so
43 that one bear basically killed, you know, a tenth of
44 the population during that time. So anyway he's one of
45 the ones that got knocked off and then three others and
46 all of a sudden this year the calf survival was much
47 much better than it's been for many years. And so I
48 don't know it might actually work.

49
50 MR. SHEARS: Oh, no.

1 MR. G. BROWER: Yeah, Mr. Chair.
2
3 CHAIRMAN BROWER: Go ahead, Gordon.
4
5 MR. G. BROWER: In the wintertime in
6 December we see quite a few muskox around Chip 9 area
7 and when we looked at them some of them were raw around
8 the tail, no more fur in that area and then we
9 concluded on our own that they'd been severely harassed
10 by wolves.
11
12 MR. CARROLL: Uh.
13
14 MR. G. BROWER: And that was our only
15 conclusion, because there's a lot of wolf tracks all
16 around and these muskox were hiding in willow stands.
17
18 MR. CARROLL: Uh. How many muskox were
19 there?
20
21 MR. G. BROWER: This was -- when we
22 encountered this, there was maybe about eight in a
23 group and the ones that we saw that, you know,
24 sometimes they circle and put their back to you or
25 something.
26
27 MR. CARROLL: Yeah.
28
29 MR. G. BROWER: But I don't know what
30 we saw -- you know, predators, that time of year bears
31 are sleeping and it's wolves.
32
33 MR. CARROLL: Well, yeah, wolves
34 definitely can get -- you know, I always picture them
35 getting calves mostly but, oh, yeah, wolves are big and
36 tough and can take about anything.
37
38 MR. G. BROWER: There's some really big
39 wolves out there.
40
41 MR. CARROLL: Yeah.
42
43 MR. G. BROWER: There's some big
44 wolves.
45
46 MR. CARROLL: Okay, then on the other
47 side of the North Slope we have, what's called the Cape
48 Thompson Muskox population. And for years kind of --
49 where all those green lines are, count the muskoxen in
50 there and the population was, you know, staying about

1 the same, something around 300 or so. And then for the
2 first time, you know, we knew that they were starting
3 to expand out of that area and so we did a pretty
4 thorough count, well, two years ago, around 2011. And
5 we included part of Unit 26A and so anyway we found a
6 substantial number of muskoxen up in that area as well,
7 so it looks like that population is kind of estimated
8 between four and 600, something in that range. So that
9 population is doing pretty well. The biggest muskox
10 population is down on the Seward Peninsula, they got up
11 to, you know, 2,200 or so but they're starting to have
12 a lot of bear mortality there, too, and starting to see
13 a decrease in numbers on the Seward. At this point
14 this one seems to be kind of expanding into that area
15 north of the mountains.

16

17 The farthest east one is a place called
18 Sniff Mountains (ph) near one of the tributaries of the
19 Colville, so they're kind of down into the Upper
20 Colville. And the groups on the North Slope, you know,
21 there are three really -- there were like 30 muskoxen
22 and they're more in each of those each of those groups
23 and, you know, maybe that's a good strategy for
24 surviving against predators and things like that.
25 Maybe that's working for them.

26

27 CHAIRMAN BROWER: Are any of them
28 available for subsistence?

29

30 MR. CARROLL: Well, I guess that'd be,
31 you know, if somebody makes a proposal for that then
32 that would be a possibility.

33

34 CHAIRMAN BROWER: Okay.

35

36 MR. CARROLL: It'd be a long way to
37 travel, I guess.

38

39 MR. R. NAGEAK: Mr. Chair.

40

41 CHAIRMAN BROWER: Roy.

42

43 MR. R. NAGEAK: The muskox in that area
44 and then the Western Arctic Herd, the relationship
45 between muskox and caribou, it's like they don't get
46 along.

47

48 MR. CARROLL: Well, that's what people
49 say, I don't know.

50

1 MR. R. NAGEAK: And that's what I want
2 to find out, whether the relationship is bad, if there
3 are that many then the Western Arctic Herd is using the
4 path but then there's like 30 or 40 in their way but I
5 don't want to be around there.

6
7 MR. CARROLL: Yeah, well, those spots
8 take up a big chunk on the map but, man, when you're
9 out there looking for a muskoxen, it's like a needle in
10 a haystack, there's an awful lot of empty space out
11 there and very few muskoxen really, so, any caribou's
12 chance of running into a muskox out there is very low.

13
14 MS. AHTUANGARUAK: Mr. Chair.

15
16 CHAIRMAN BROWER: Rosemary.

17
18 MS. AHTUANGARUAK: We were able to
19 harvest a number of muskox when they were available in
20 Nuiqsut, it is a good resource. We had many people who
21 liked the fur to use in various craftmaking
22 opportunities as well as collecting some of the Qiviut
23 from the bushes and what not to incorporate into other
24 activities. It is a resource that is more territorial
25 and when we have communities that are facing
26 difficulties in harvesting caribou it is something that
27 could be considered. If we can sustain a hunt and
28 maintain the population we should consider the areas
29 where it's available.

30
31 CHAIRMAN BROWER: Thank you.

32
33 MR. CARROLL: Yeah, they became a
34 pretty good subsistence species in Nuiqsut. People
35 took them awhile to get used to it but there were
36 several families that really liked getting a muskox
37 every year and then the darn population crashed.

38
39 MR. R. NAGEAK: Mr. Chair.

40
41 CHAIRMAN BROWER: Roy.

42
43 MR. R. NAGEAK: It just so happened I
44 was in Palmer last year and I took the muskox tour of
45 the muskox farm, and the lady that was leading us and
46 we were with some other people, and the comment that
47 she made really surprised me. They said we're a non-
48 profit organization that takes donations and she says
49 we want to grow these muskox and within 25 to 30 years
50 from now we're going to transplant these on the North

1 Slope and we're going to make muskox farmers out of the
2 Eskimos.

3

4 (Laughter)

5

6 MR. R. NAGEAK: And I'm going you're
7 going to make me a muskox farmer, and I said I'm from
8 Barrow and see they have this grand plan to have
9 Inupiats become muskox farmers.

10

11 MR. CARROLL: Okay. Well, that's all,
12 kind of the status of the caribou and muskoxen.

13

14 CHAIRMAN BROWER: All right, thank you
15 Geoff.

16

17 MS. AHTUANGARUAK: Thank you.

18

19 MR. G. BROWER: Very enriched.

20

21 MR. SHEARS: Always interested to hear
22 your information, Geoff, thank you.

23

24 MR. CARROLL: All right, thank you.

25

26 MR. SHEARS: Oh, Mr. Chair, how is the
27 moose population doing on the Colville?

28

29 MR. CARROLL: Well, yeah, I don't know
30 if -- it was real steady, you know, a good solid
31 population until early '90s, they crashed, they went
32 from about 1,600 down to about 300, they had a severe
33 crash and then let's see starting 1997, then they
34 started coming back. We had like two years where there
35 were almost no calves surviving that we -- well, I
36 don't know there were a bunch of things happened,
37 brucellosis, and leproprosis in the population, a
38 couple of diseases and predation got pretty high.

39

40 MR. SHEARS: Uh-huh.

41

42 MR. CARROLL: But anyway they started
43 working their way back up, started about 2000, they got
44 up to 1,400 muskoxen [sic] by 2006 and then they took
45 another nose dive and then headed down to about 700 and
46 now I think it bottomed out and they're starting to
47 crank back up a little bit. And a lot of that is
48 related to the wolf predation and I don't know.

49

50 CHAIRMAN BROWER: I asked you this same

1 question back in February when we had our meeting and
2 you were indicating there that it looked like it was
3 hopeful that they were starting to come up but you were
4 seeing a lot of wolf predation.

5
6 MR. CARROLL: Yeah. Well, the wolf
7 hunters from Nuiqsut and Barrow and Anaktuvuk really
8 hit the wolves pretty hard for two years and kind of
9 turned things around. The calf survival became a lot
10 better. And then last year we had really cold weather
11 in the winter.

12
13 MR. SHEARS: Yeah. Yeah.

14
15 MR. CARROLL: And the Barrow hunters
16 got down there and none of their machines would run.

17
18 MR. SHEARS: Yep.

19
20 MR. CARROLL: Our best wolf hunter from
21 Anaktuvuk broke his arm real bad and couldn't hunt
22 wolves all winter.

23
24 MR. SHEARS: Yeah.

25
26 MR. CARROLL: And then our enforcement
27 officer went in and kind of messed things up in Nuiqsut
28 and nobody really wanted to go wolf hunting there, so I
29 don't know the wolf numbers seemed to kind of really
30 come back this most recent year so, anyway, yeah, I'm
31 curious to see how the moose calves will survive.

32
33 MR. SHEARS: Thank you.

34
35 MR. CARROLL: So, anything else?

36
37 CHAIRMAN BROWER: I'm not sure.

38
39 (No comments)

40
41 MR. CARROLL: Okay, thank you.

42
43 CHAIRMAN BROWER: If there's no other
44 questions, thank you Geoff.

45
46 MS. AHTUANGARUAK: Thank you, Geoff.

47
48 MR. CARROLL: Thank you.

49
50 CHAIRMAN BROWER: In regards to the

1 next agenda item, Eva, something about the Council
2 charter and time and place of next meeting.

3

4 (Pause)

5

6 MS. PATTON: I'm sorry.

7

8 CHAIRMAN BROWER: We're having some
9 hand signals going around here but.....

10

11 MR. JOHNSON: Mr. Chair, my hand
12 signals aren't making things very clear.

13

14 CHAIRMAN BROWER: Yeah.

15

16 MR. JOHNSON: I would suggest perhaps
17 maybe next Pat Petrivelli from BIA could bring the
18 Council up to speed on the finalized tribal council
19 consultation policy and then the next steps for
20 drafting the implementation guidelines for that policy
21 and how the Council can be involved in that process.

22

23 CHAIRMAN BROWER: Is that on the
24 agenda, is that within the Council charter, or -- I
25 have the Council charter next on the agenda.

26

27 MR. JOHNSON: Well, you know, if it'd
28 please the Chair Ms. Petrivelli can do the tribal
29 consultation policy and then I can be on deck for the
30 rest of it, all the other remaining agenda items.

31

32 CHAIRMAN BROWER: Okay. If that's okay
33 with the Council, I guess.

34

35 (Council nods affirmatively)

36

37 CHAIRMAN BROWER: So we'll continue.

38

39 MR. JOHNSON: Okay.

40

41 MR. G. BROWER: Is there any more soda,
42 Bob, maybe you could ask Eva, my throat is getting dry.

43

44 MR. R. NAGEAK: I don't drink pop but
45 somehow I'm drinking one, don't tell mom.

46

47 (Laughter)

48

49 MS. PETRIVELLI: Well, Mr. Chair, my
50 name is Pat Petrivelli again, and I'll be real brief.

1 I think you saw this in the wintertime with the tribal
2 consultation policy and the Board adopted it. Well,
3 actually I guess -- well, they adopted it, in, hum, in
4 July they adopted the tribal consultation policy on
5 July 18th with all the changes that had been
6 incorporated from -- the one thing they didn't do was
7 work on the corporation policy and that's because we're
8 waiting for the Department of Interior to finalize
9 their corporation policy and I think someone said that
10 happened yesterday, but once we know what those changes
11 are then because we're supposed to be just a step down
12 from the big DOI policies and so.....

13

14 MR. R. NAGEAK: The big what?

15

16 MS. PETRIVELLI: The big -- the DOI
17 umbrella policies. Because the -- the Department of
18 Interior umbrella policy, so they have a policy and
19 then we have to follow those policies. So we're just
20 -- and that's what the tribal consultation policy did,
21 it had all the things about evaluation, about notice,
22 about being respectful, and how we're supposed to in
23 the follow up, in training, so we put all those things
24 in the subsistence Board tribal consultation policy.

25

26 Now, with the corporations, the
27 Department of Interior, you know, held meetings across
28 the nation -- well, actually they held meetings
29 throughout the state with ANCSA corporations and tribes
30 and then they finalized their policy and the Federal
31 Board will look at that and make it their own policy to
32 consult with the corporations based upon what the
33 Department of Interior said.

34

35 And then the other thing they have left
36 to do is have the actual implementation guidelines and
37 they sent a letter and that's on Page 48, I think it's
38 Page 48 of the book -- oh, actually maybe -- oh, it's
39 on 57, on Page 57 of the book they sent letters out
40 asking for nominations to be on the work group, and
41 Rosemary was a member of the other work group. Now,
42 that there's less funding I think our meetings will all
43 be by teleconference but there'll be less frequent face
44 to face meetings with all the budget cuts. One thing
45 that was pointed out was to have more inclusive
46 representation on that work group when it actually got
47 down to implementation guidelines and it was not only
48 by throughout the tribal regions and the corporations
49 but also on the part of the agencies because we could
50 sit in the room and say we'd do this but the people who

1 we wanted to do weren't really at the table so we were
2 going to involve some field staff from the various
3 agencies like Fish and Wildlife Service, National Park
4 Service and BLM on this work group to make those steps
5 because they have to do that. And then the other piece
6 that was missing was the Native Liaison with OSM, and
7 he's been hired -- or that person that's been hired is
8 Jack.....

9

10 REPORTER: Lorrigan.

11

12 MS. PETRIVELLI:yes, Lorrigan,
13 thank you, Tina, and he's from Southeast Alaska and he
14 had previously worked with Sitka Tribe and he's a fish
15 biologist but he's the new Native Liaison and used to
16 work with -- I think he worked with EPA on developing
17 policies. So -- and since it'll be his job to
18 implement and oversee, it'll be really useful to have
19 him in the room also because on the work group -- I was
20 on part of that work group because my boss, Glenn Chen,
21 wasn't able to attend, and we had a lot of fun making
22 up tasks for people to do but it'll be different to
23 have the people who are actually going to do them, to
24 have them at the table and it'll be more realistic so
25 -- but as soon as all the players are together we'll
26 have those steps.

27

28 The one thing our policy does have is
29 the recognition that whatever we hear from the tribes
30 we have to share with the Councils. And so we'll be
31 keeping that in mind as we make every implementation
32 guidelines.

33

34 This letter also, it had two subjects,
35 the nominations to the work group and then it had the
36 opportunity for consultation on proposed changes to
37 fishing regulations. And since there were no proposals
38 that directly affected you, the Board has scheduled two
39 tribal consultations on fisheries proposals, September
40 18th and 19th, but those affect other areas, the Yukon
41 drainage Southeast, Chignik, Kodiak and Cook Inlet, so
42 there were none that directly affected your area. If
43 there had been we wouldn't have scheduled that
44 consultation, you know, after your RAC meeting but
45 since there were no proposals that directly affected
46 your region then -- but I'm sure -- if they say
47 anything that it affects the North Slope region or the
48 Northwest Arctic we would definitely try to share it
49 with the Councils.

50

1 CHAIRMAN BROWER: I have a question.
2 I'm trying to figure out how this North Pacific Marine
3 Fisheries -- or Council has been -- fisheries up in the
4 Arctic and then there's that moratorium that's in place
5 and once the timing has lapsed, what was that, a 10
6 year period, are we going to be subjected to fisheries
7 regulations -- when the fisheries -- I'm thinking
8 they'd be moving.....

9
10 MS. PETRIVELLI: Wasn't that part of
11 that Bering Sea Elders group that was researching some
12 of those uses and, yes, there was a moratorium before
13 the North Pacific Fisheries Council moved and they
14 wanted to gather more data to see what the actual use
15 was and I'll have to admit I heard of -- they gave a
16 presentation at the Provider's Conference two years
17 ago.....

18
19 CHAIRMAN BROWER: Yes.

20
21 MS. PETRIVELLI:and I think they
22 were just finishing up data gathering. I don't know
23 where their report state is now, and it looks like Eva
24 might know the answer.

25
26 MS. PATTON: Mr. Chair, if I might, I
27 might be able to address the question.

28
29 CHAIRMAN BROWER: Yes, Eva.

30
31 MS. PATTON: So there were actually two
32 Arctic fishing issues. The one that Pat is referring
33 to was flat fisheries are moving further north and so
34 the YK-Delta Council had requested a moratorium off the
35 coast of Kuskokwim Bay. And I believe perhaps what
36 you're referring to, Mr. Chair, is the Arctic Fisheries
37 Moratorium that was put in place to investigate
38 commercial fisheries on the North Slope region, and
39 that was National Marine Fisheries Service, NOAA, is
40 that what you referring to.

41
42 CHAIRMAN BROWER: Yes. Yes.

43
44 MS. PATTON: So the commercial
45 fisheries moratorium for the North Slope region,
46 Chukchi Sea/Beaufort Sea.

47
48 MS. PETRIVELLI: So do you know when
49 that will end, Eva, the moratorium?

50

1 MS. PATTON: I would have to go back to
2 the records and look at how long a period that was for,
3 and I can get back to you.

4
5 CHAIRMAN BROWER: I think it was for 10
6 years.

7
8 MS. AHTUANGARUAK: Yeah.

9
10 CHAIRMAN BROWER: I think it was for 10
11 years but I don't know the start date and the end date.

12
13 MS. PETRIVELLI: And I think it takes
14 them like four years to make a change.

15
16 CHAIRMAN BROWER: Uh-huh.

17
18 MS. PETRIVELLI: So if they were going
19 to propose a new activity, I think they would probably
20 -- I think there'd be enough time for you to get
21 involved and hopefully they would come to you.

22
23 When they were doing the chinook
24 bycatch, some of the North Pacific Fishery Council
25 members were coming to the Council meetings, the
26 affected Council meetings. They went to the YK
27 meeting, the Seward Penn, and actually listened to the
28 Council member's concern, so they are trying to be
29 responsive to local people, I think.

30
31 CHAIRMAN BROWER: Again, just going
32 through the learning curves, all the research that's
33 going on out here I'm not sure how this is going to
34 influence the data collection from this research and
35 how the North Pacific research board learn of these
36 number of salmon increasing up in the Arctic may think
37 about -- start commercial enterprises up north, you
38 know, that remains to be seen but, you know, I'm just
39 raising the flag for your information.

40
41 MR. R. NAGEAK: Mr. Chair.

42
43 CHAIRMAN BROWER: Yes, Roy.

44
45 MR. R. NAGEAK: I concur with you, that
46 when I saw Alaska Department of Fish and Game, Division
47 of Subsistence with her update and being there with the
48 State of Alaska and how subsistence study and then it
49 started going into different areas of subsistence and
50 how these studies tend to sometimes impact policymaking

1 and whether that commercial fisheries 10 year
2 moratorium and whether this is something that in wary
3 way a study is being done to say that they don't catch
4 enough fish, we could do commercial in the Arctic.

5
6 MS. PETRIVELLI: I know what -- I'm an
7 anthropologist also, like the subsistence division
8 are.....

9
10 MR. R. NAGEAK: Every person I ever met
11 in the BIA was always an anthropologist.

12
13 (Laughter)

14
15 MS. PETRIVELLI: But I know they have a
16 policy and one thing, like all the fisheries research
17 programs have a policy the informed consent, where they
18 have to go to the community and they hold a meeting and
19 then they say, we're doing this research now --
20 whenever I conduct research I say, I don't know what
21 people will do with the results of the study. The
22 study results will be known to the public and the only
23 thing I know is my goal is accurate information as much
24 as possible. Now, who could use that information,
25 anybody can use the information, that's just the
26 danger. But before research is undertaken I think
27 those subsistence division anthropologists have to go
28 to the community and ask for permission before they
29 conduct the studies. Now, it's up to the community,
30 whether they allow someone to come in and conduct that
31 research, and some communities have refused to do it, a
32 community organization or only 25 percent of the
33 households will give them answers, too, you know, the
34 community households don't cooperate but they do --
35 they are required to go to the community and ask them
36 -- or tell them what they're going to do with the
37 results and their results are on the web for everyone
38 to see, you know, with all the numbers and everything
39 else. But it's a community decision, or a community
40 council decision anyway.

41
42 CHAIRMAN BROWER: Any more questions or
43 comments.

44
45 MS. AHTUANGARUAK: Mr. Chair.

46
47 CHAIRMAN BROWER: Rosemary.

48
49 MS. AHTUANGARUAK: The concerns that
50 are being brought forth are really important for our

1 region. We need to be abreast of some of these
2 organizations that are initiating research on our
3 fishing resources and what they're doing with the
4 information and making sure that we have a presence to
5 that process to affect the way some of these decisions
6 are being made. So that is something that is very
7 important for us to look at, how we are going to
8 address this as a region with that other organization
9 that is affecting decisions on our subsistence
10 resources.

11
12 CHAIRMAN BROWER: Thank you. Gordon.

13
14 MR. G. BROWER: Yeah, Mr. Chair, just
15 talking about fish and things like this, I like to fish
16 quite a bit for our community and sometimes I look at
17 what happened in Kuskokwim and think we should pay more
18 attention to other regions.

19
20 We've always had this mentality of not
21 looking at what's happening in the other regions and
22 let them figure out for themselves the consequences of
23 how they make their regulations and stuff. But it
24 seems to me what's happening down there with, you know,
25 Fish and Game and closures on subsistence resources,
26 could potentially happen to us around here and that's
27 how come I wanted on the agenda, and had sent an email
28 to Eva and said, can we hear more about what's going on
29 with the Kuskokwim fishing stuff that's in the news,
30 because it starts to scare me, in thinking that these
31 types of events and regulatory control will be upon us
32 sometime if we're not careful.

33
34 So it's just alarming to me.

35
36 I get worried about listening to North
37 Pacific Fisheries and they're saying that they'll have
38 an Arctic moratorium, but for how long, about
39 commercial fisheries, as the ice retreats availability
40 of the resource area kind of opens up to look at these
41 and we better claim these fish in the ocean as
42 subsistence resources and do our own demonstration
43 fishing that it'll be our subsistence resources before
44 they go in the rivers and get the big hooks on them and
45 turn ugly on us, then we can get them offshore while
46 they're very fresh.

47
48 CHAIRMAN BROWER: Thank you, Gordon.

49
50 MR. R. NAGEAK: Mr. Chairman.

1 CHAIRMAN BROWER: Roy.

2

3 MR. R. NAGEAK: The tribal consultation
4 for subsistence issues. There's a lot of other stuff
5 that the Federal government needs to consult tribes
6 with especially before, like with the offshore
7 permitting process that was done. I don't think nobody
8 contacted the tribe before the Federal government
9 started leasing the ocean that was made for us to live
10 off of but now this is only for subsistence.

11

12 MS. PETRIVELLI: This -- what you have
13 before you is just the consultation policy with the
14 Federal Subsistence Board and each agency creates their
15 own policy.

16

17 There is the directive from the
18 Department of Interior, then the Department of
19 Agriculture has one, the Department of Commerce, they
20 all have separate tribal consultation policies and I
21 guess -- I guess -- we have talked about the idea of
22 maybe trying to figure out all the agencies that do
23 consult about subsistence issues and at the BIA
24 Providers we are going to have a training and we were
25 going to bring in all the comanagement agencies and
26 have Fish and Wildlife Service -- well, for subsistence
27 and then ADF&G -- and then someone said, well, we have
28 to have about halibut and the North Pacific Fisheries
29 Management Council, but I didn't think of discussing
30 tribal consultation, but maybe we should include a
31 component of that and just to make it available.
32 Because if we made the training PowerPoint then you
33 could see all these other agencies that are supposedly
34 doing tribal consultation, so we could try to add a
35 component of that, but that'll be on Wednesday and
36 Thursday of the BIA Provider's Conference.

37

38 And I noticed Tanana Chiefs keeps
39 putting their PowerPoints up on the websites about
40 self-governance, and so maybe I'll try to figure out a
41 way that our subsistence PowerPoints could go up on the
42 website and that way you could have access to all that.
43 But I wanted to put links to all the different agencies
44 so you could have questions and answers and just go
45 right to their website. Because I was amazed at how
46 many marine mammal comanagement groups are on but there
47 are quite a few of those.

48

49 MR. R. NAGEAK: And looking at that
50 aspect on how many different Federal agencies have

1 their own subsistence consultation or whatever, think
2 of all the money that they could save if they just put
3 it under BIA.

4

5 (Laughter)

6

7 MR. R. NAGEAK: You could be the tribal
8 consultation and put you back in the government to
9 government with BIA and then you could be the clearing
10 house, that if anything needs to happen from a Federal
11 agency, that BIA with their tribal consultation and
12 your Bureau of Indian Affairs, they need to contact you
13 guys before they come into our region to enforce or our
14 region to research or our region to do whatever because
15 that's what BIA was made.

16

17 MS. PETRIVELLI: Well, I don't think a
18 lot of tribes would like BIA to have that control.

19

20 (Laughter)

21

22 MS. PETRIVELLI: But they certainly
23 would like us to help, you know, and to provide the
24 assistance. But the Provider's Conference will be the
25 last week of November and we'd have to consult with the
26 tribes before we ever took on the mission.

27

28 MR. R. NAGEAK: And the other thing,
29 are we considered sovereign or like the other tribes
30 that are under BIA in the reservations, what's our
31 status because is it something about corporation
32 policies on consultation, subsistence consultation,
33 which don't need to be -- it needs to be with the
34 tribes.

35

36 MS. PETRIVELLI: Tribes -- the villages
37 are considered tribes. The tribal governments, there's
38 Federally-recognized tribal governments and there's a
39 list produced by the Bureau of Indian Affairs that are
40 tribes. The corporations are not on those lists.

41

42 MR. R. NAGEAK: Right.

43

44 MS. PETRIVELLI: They're recognized as
45 ANCSA Corporations.

46

47 MR. R. NAGEAK: Right.

48

49 MS. PETRIVELLI: But there's
50 legislation that was passed, I forget what year, but

1 that legislation said that we have -- the government
2 has to consult with the corporations as they do the
3 tribes but the agencies, and the Federal Board and the
4 Department of Interior has taken the stance that they
5 will consult with tribes on a government to government
6 basis, and so -- and treat the tribes on a government
7 to government basis but with the corporations they will
8 consult, they will just consult. Like if they say with
9 fisheries.....

10

11 MR. R. NAGEAK: They could be advisory.

12

13 MS. PETRIVELLI: Yeah, that's kind.....

14

15 (Laughter)

16

17 MS. PETRIVELLI:of like that.

18 It's not a -- it's government to corporation, so it's
19 not a government to government, but government to
20 corporation, and they know the difference. And they
21 recognize corporations are landowners and so there's
22 some agency activities that do affect them, but it's a
23 government to corporation basis, not a government to
24 government basis. So -- but the DOI umbrella policy
25 will make that distinction and we'll be passing that
26 down.

27

28 MR. R. NAGEAK: That's why knowing that
29 the corporations got their own lands, an unlimited
30 amount but I always remember when the Borough was
31 created that they used the boundaries of the Inupiat
32 Community Arctic Slope regional tribe and those are the
33 boundaries of the Borough and with that it covers and
34 passes -- it covers all the different Federal agencies,
35 Gates of the Arctic, that they attempted to divide up
36 and say that's not our responsibility but under BIA,
37 you being the clearing house or some -- you guys need
38 to go through us if any Federal agencies need to do
39 what they need to do on the North Slope, they need to
40 consult the tribe if it's going to impact their well-
41 being, their subsistence way of life, or whatever.

42

43 I hope, right.

44

45 MS. PETRIVELLI: I hope so, too.

46

47 CHAIRMAN BROWER: Thank you, Roy, and

48 Pat.

49

50 Just looking at the time it's getting

1 to be past my curfew here and we're still.....

2

3 MR. G. BROWER: We're going to have to
4 start issuing pillows here pretty soon.

5

6 (Laughter)

7

8 CHAIRMAN BROWER: Yeah, we still have
9 some remaining items to address.

10

11 MR. JOHNSON: Speed round.

12

13 CHAIRMAN BROWER: I'm not sure if I can
14 stay awake any longer. We'll try to finish up with our
15 agenda at this time with the remaining items that are
16 before us so we can have Carl begin -- I'll give him
17 the floor to address those remaining items.

18

19 MR. JOHNSON: Thank you, Mr. Chair.
20 And since it's been awhile since I first introduced
21 myself, Carl Johnson, with OSM.

22

23 MR. R. NAGEAK: You were well shaved
24 this morning, now you got a little bit of growth.

25

26 (Laughter)

27

28 MR. JOHNSON: Yeah, I think I've got a
29 few more grey hairs since then too.

30

31 (Laughter)

32

33 MR. JOHNSON: I'll first start just by
34 briefly covering what's on the agenda under 11A. As
35 you know this fall we'll enter another recruitment
36 cycle for reaching out to the communities to identify
37 people to be appointed to the Regional Advisory
38 Councils. There has been a universal decline among all
39 of the Councils in recent years for applications but
40 there has historically been a low number of
41 applications from the northern regions, you know,
42 particularly North Slope Council, Northwest Arctic
43 Council, Seward Penn. And even under the best case
44 scenario, after this years appointment cycle you're
45 still going to have one vacancy on this Council.

46

47 So a big push for this fall, as an
48 office, will be to work with the Councils, work with
49 tribal leaders to encourage you all as leaders in your
50 community, to not only yourselves, identify and reach

1 out to people who you think would be good potential
2 Council applicants, but to encourage other leaders in
3 your community to do the same. And I also want to
4 encourage everybody to use, what is an under utilized
5 part of this process, and that is actually to nominate
6 people to serve on the Council. That's a very under
7 utilized option, only four or five nominations were
8 forwarded this year out of 67 applicants. So it's not
9 just people applying for themselves but you, or other
10 leaders in your community, tribal leaders can identify
11 people who you think would be good Council members and
12 you can personally nominate them. I'd just encourage
13 that you actually let those people know you're
14 nominating them or else they might get a phone call
15 from somebody at OSM and decline, so as long as you
16 communicate with them and they understand that they're
17 being nominated, but I really encourage you, as
18 community leaders and then reach out to other community
19 leaders to do the same.

20

21 MR. G. BROWER: Mr. Chair.

22

23 CHAIRMAN BROWER: Yes, Gordon.

24

25 MR. G. BROWER: Can you point out which
26 communities are under represented? Is that Atqasuk and
27 Point Hope and Point Lay, or.....

28

29 MR. JOHNSON: Yeah, that whole western
30 area, everything west on the coast of Wainwright,
31 there's no representation out there. And, you know,
32 it's very -- and there are Councils who have
33 communities that dominate, you know, Bethel dominates
34 YK-Delta, Kodiak dominates the Kodiak/Aleutians, Barrow
35 dominates this Council, and unfortunately we get what
36 we get each year as far as applications are concerned.
37 So, I mean a targeted outreach to community leaders in
38 those communities that are under represented -- and we
39 can get together some data based on recent applications
40 as to how often people apply or don't apply from
41 certain communities on the North Slope, and then Eva
42 can communicate that to you and maybe we could work on
43 a targeted effort to reach out to those particular
44 communities to increase the likelihood of an
45 application or a nomination from those communities.

46

47 But I think overall our goal is to make
48 a much more personal directed outreach because we do
49 send out a mailer, every year we send out the
50 applications and the announcement to some 1,500

1 individual, tribal organizations, Native organizational
2 mailings that go out but, you know, we all get a bunch
3 of stuff in our mail, and I think it's much more
4 meaningful to be personally asked just sort of then to
5 be dropped a note in the mail with 1,500 other people.

6

MS. AHTUANGARUAK: Mr. Chair.

7

8

CHAIRMAN BROWER: Rosemary.

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Eva.

MS. PATTON: I'm sorry, Mr. Chair, new
information?

MS. AHTUANGARUAK: Both Lee and I put
in our Council applications at the last meeting so
that's what I'm asking, did you get that?

MS. PATTON: Do you want to speak to
the process, Carl?

MR. JOHNSON: Yes. Through the Chair,
yes. Nominations process for this year's cycle is
ongoing. Your names were forwarded for consideration
for reappointment and that process is moving along and
we'll find out in December when the Secretary issues
the appointment letters as to who exactly will be the
new Council members and reappointed Council members.

MR. G. BROWER: Yeah, Mr. Chair.

CHAIRMAN BROWER: Gordon.

MR. G. BROWER: Just a question, what
happens when a representative from one community moves
to another community, are we still able to represent
the community that we moved out of?

MR. JOHNSON: Through the Chair,
essentially you represent -- on this Council, you
represent all users in your region, but you bring the
knowledge from the particular part of the region that
you come from to contribute to the Council's overall
knowledge about subsistence resources. So there's no

1 requirement that you represent a particular community,
2 you just have to reside within the region in order to
3 serve on that Council.

4

5 CHAIRMAN BROWER: Gordon.

6

7 MR. G. BROWER: Yeah, I think it's good
8 to know. That means I should put a nomination of
9 somebody I think would be a good fit, you know, to join
10 the Regional Advisory Council, but I just have concern
11 of particular sets of issues that may be -- a Point
12 Hope region issue.....

13

14 MS. AHTUANGARUAK: Exactly.

15

16 MR. G. BROWER:that I may not
17 know the particular details of their particular
18 subsistence utilization in that -- I probably know,
19 since we're Inupiat, but just like when I went to the
20 Elders Youth Conference in Point Hope, there are ways
21 of cutting whale that's alien to me.

22

23 MR. SHEARS: The devil is in the
24 detail.

25

26 MR. G. BROWER: Very different. Yeah,
27 very different way of distributing whale, based on
28 their original eight crews from thousands of years ago.

29

30 MR. SHEARS: If you touched it with
31 your paddle.

32

33 (Laughter)

34

35 MR. G. BROWER: And you got to touch
36 that share with the first crew -- and race to that
37 whale.

38

39 (Laughter)

40

41 MR. G. BROWER: So there's very
42 differences in detail. We're of the same -- I think we
43 understand and can talk in Inupiat, one another
44 understand, but the customs are a little tweaked.

45

46 MR. JOHNSON: And as a result that
47 Point Hope resident would have unique knowledge of
48 customary and traditional practices that they could
49 bring to this Council in deliberating issues in your
50 region.

1 MR. SHEARS: Yes.
2
3 MS. AHTUANGARUAK: Mr. Chair.
4
5 CHAIRMAN BROWER: And that's what we've
6 voiced since we started the Regional Advisory Council
7 trying to have representation from each of our North
8 Slope communities to help their concerns, their voices
9 within the North Slope. Just like Gordon said, you
10 know, we have our regional differences and particularly
11 when it comes to methods and practices in our defined
12 areas. There may be some similarities but, you know,
13 sometimes there are differences.
14
15 MR. R. NAGEAK: Mr. Chair.
16
17 CHAIRMAN BROWER: Roy.
18
19 MR. R. NAGEAK: I think they're more
20 tribal, not to make a tribal -- tribes to Federal
21 government consultation, much more strong for them and
22 when they see this, it's an Advisory, they have more
23 connections than what we do, what they do is more
24 tribal and have more access to the Federal government
25 than this Advisory Council has. And I think that they
26 look at that and say, why mess with that Advisory
27 Council when we got the tribe itself having
28 consultation with the Federal government.
29
30 MS. AHTUANGARUAK: Mr. Chair.
31
32 CHAIRMAN BROWER: Yes, Rosemary.
33
34 MS. AHTUANGARUAK: This also comes up
35 with some of the discussions Ray Koonuk had brought out
36 in previous meetings. He had a lot of difficulty with
37 the split of the region and the reality of multiple
38 units for their need to participate and effectively
39 submit communications. I don't think we had a good
40 resolution to his concerns and we should put some
41 effort into identifying what the concern is and
42 facilitating the process to improve their subsistence
43 issues and trying to address their concerns.
44
45 CHAIRMAN BROWER: Thank you, Rosemary.
46
47 MR. R. NAGEAK: That's why -- that's
48 why, Mr. Chair, when our tribes and our Native people
49 with different issues and they're told to go to this
50 one agency, it's like Gates of the Arctic, no, that's

1 not mine, ANWR, no it's not mine, it's NPR-A, no it's
2 not mine, and then you get this run around and that's
3 why we want one stop shopping with BIA that would have
4 that tribal authority to do the consultation and
5 everything needs to go through them and to the tribe.

6

7 CHAIRMAN BROWER: Thank you. Can you
8 continue Carl.

9

10 MR. JOHNSON: Yes, Mr. Chair, thank
11 you.

12

13 I think to organize things in a
14 cohesive -- in a coherent manner I'm going to jump next
15 to the Council charter review, Item G under new
16 business.

17

18 CHAIRMAN BROWER: Okay.

19

20 MR. JOHNSON: And this is a process
21 that begins this fall but doesn't conclude until
22 December of 2013. So every two years the Council has
23 an opportunity to revise its charter, every two years
24 the Secretary has to approve a new charter for the
25 Council.

26

27 This Council, the charter was --
28 basically how this Council's organized is administered
29 under the Federal Advisory Committee Act, so that's
30 really what drives kind of the content of the charter
31 and in conjunction with some of the language of Title
32 VIII of ANILCA, but particularly the issue -- so it's
33 -- there are a lot of limitations as to what the
34 Council can actually change about its own charter.
35 That's limited to the name of the Council, the number
36 of members to serve on the Council, because we have
37 some Councils that have 10, we have some Councils that
38 have 13, and then also methods for removal of Council
39 members can be included in the charter. But a lot of,
40 really, the nuts and bolts of how the Councils function
41 we actually preserve in the Regional Advisory Council
42 operations manual. So the charter really is more of a
43 -- strictly an administrative document for this
44 Council.

45

46 CHAIRMAN BROWER: So just a question,
47 like some of the changes that have occurred from a
48 directive from other organizations in regards to
49 inclusion of sporthunting representatives or commercial
50 guides and that, where is that in regards to the

1 changes that we're going to be considering in regards
2 to the charter of the Council?

3

4 MR. JOHNSON: Well, that's -- that's
5 not something that actually is something you can
6 change. The courts have concluded that the Federal
7 Advisory Committee Act requires that all of the
8 Councils have a goal of 70 percent subsistence user, 30
9 percent commercial/sport users. Obviously in some
10 regions there's not as much of a demand for
11 commercial/sport representation. This Council, for
12 example, you know, is typically going to be mostly
13 subsistence users.....

14

15 MR. R. NAGEAK: Mr. Chair.

16

17 MR. JOHNSON:applying to the
18 Council.

19

20 CHAIRMAN BROWER: Okay, thank you.

21

22 MR. R. NAGEAK: Mr. Chair.

23

24 CHAIRMAN BROWER: Roy.

25

26 MR. R. NAGEAK: This is something I
27 don't want to go into. You're trying to regulate to
28 the subsistence a form of governance that really --
29 where it lies on the tribes on how they will handle
30 their subsistence activities, their way of life.

31

32 CHAIRMAN BROWER: Well, that's why I
33 brought it up, Roy, I think we may be able to address
34 it.

35

36 MR. R. NAGEAK: I don't think we have
37 the authority to tell our people that we're going to go
38 and, we, as an Advisory Council, will delegate -- will
39 be the representatives to represent the tribes, or the
40 people and tell them -- we're limited because -- what
41 did you call them, charter?

42

43 MR. JOHNSON: Charter, correct.

44

45 MR. R. NAGEAK: Charters without the
46 local tribes mission and their strategic plans in
47 regards to how they want their subsistence way of life
48 being handled.

49

50 MR. JOHNSON: Well, that implicates

1 more the tribal consultation process, that the
2 agencies.....

3

4 MR. R. NAGEAK: No, the way of life
5 that the tribes need to present to everybody that wants
6 to come here and direct them how to live their
7 subsistence way of life, no, we can't do that. It
8 needs to come from the tribes on how their subsistence
9 way of life needs to be handled by the tribe and by the
10 people.

11

12 MR. JOHNSON: Okay, well.....

13

14 MR. R. NAGEAK: And that'll be their
15 charter, that'll be their mission, that'll be their
16 mission statement on how their subsistence way of life
17 needs to be handled and developed within themselves
18 because they own the subsistence way of life, we don't
19 own their subsistence way of life, being Advisory
20 Council. And I think that through this process it's
21 convoluted with the State laws, and I think that -- and
22 that's why I keep going back to the tribal regional
23 organizations that have a tribal to Federal government
24 relationship and now you're trying to put it on us to
25 have these charters on how we need to handle our
26 subsistence way of life basically.

27

28 MR. JOHNSON: Mr. Chair, if I may, a
29 couple points in response.

30

31 CHAIRMAN BROWER: Go ahead, Carl.

32

33 MR. JOHNSON: First, I don't think it's
34 correct to say that you are imposing a way of life on
35 the people in your region but rather you are a forum
36 through which the people of your region can voice their
37 concerns about resource issues.....

38

39 MR. R. NAGEAK: We're only advisory.

40

41 MR. JOHNSON: If I may, Mr. Chair.

42

43 CHAIRMAN BROWER: Go ahead.

44

45 MR. JOHNSON: Exactly, you, you're
46 advisory, but under ANILCA, the Federal Subsistence
47 Board is required to defer to your recommendation under
48 -- with the exception of very limited circumstances.
49 And as Rosemary, I'm sure, can attest, at the January
50 Federal Subsistence Board meeting this year when the

1 Board considered, you know, over 100 wildlife
2 proposals, the number of times that the Federal Board
3 agreed with and adopted the recommendations of the
4 Councils was very high. So your influence in
5 subsistence management in your region is not
6 insignificant. So you are a valuable and meaningful
7 voice for the people in your region to express to the
8 Federal Board on subsistence matters. And I really
9 wouldn't look at the charters as anything more than an
10 administrative requirement that you, as an entity under
11 the Federal Advisory Committee Act, simply have to
12 review once every two years, but meaningfully what
13 makes this Council important is what goes on at these
14 meetings and what goes on with its recommendations to
15 the Federal Subsistence Board on proposals that are
16 brought before it.

17

18 MR. R. NAGEAK: Again, the tribe itself
19 would be authoritative in how to protect their own
20 subsistence way of life.

21

22 MR. JOHNSON: That is correct. And I
23 -- it is definitely the goal, the overarching goal, I
24 would say of the tribal consultation policy is to
25 engage tribes who are affected by Federal regulations
26 and that they learn to use these Councils as a place
27 where they actively engage in dialogue with you.....

28

29 MR. R. NAGEAK: At the Federal
30 government.....

31

32 MR. JOHNSON:so that their voices
33 -- but they'll -- they'll consult directly with the
34 Federal government, but they also have an opportunity
35 to have a discussion with you so that it's very clear
36 to everyone in this room, because everyone might not
37 have the opportunity or the connections to meet with
38 tribal leaders but if they're here at this meeting then
39 they have an opportunity to be heard with you, and,
40 again, if they convince you to go a certain way on a
41 proposal your recommendation goes up to the Board and
42 then the Board will listen and does listen to the
43 Council's recommendation.

44

45 MR. R. NAGEAK: I think the Federal
46 government, like I stated earlier, needs to start
47 recognizing the tribes that they need to consult with,
48 period.

49

50 MR. JOHNSON: I think we can all agree

1 to that.

2

3 MR. R. NAGEAK: And that's what I mean.

4

5 CHAIRMAN BROWER: Okay.

6

7 MR. R. NAGEAK: Their way of life. And
8 when I look at, especially the MOU and where the State
9 is involved and by the auspices of the Fish or the Game
10 Board, that they have a handle in how their rules and
11 regulations will, in a sense, affect us too.

12

13 CHAIRMAN BROWER: Thank you, Roy.

14 Gordon.

15

16 MR. G. BROWER: Yeah, I think -- yeah,
17 I just wanted to mention, you know, there's a distinct
18 role that the tribes play and there is a distinct role
19 that the Regional Advisory Council does. And I think
20 we wanted to just point that out in the MOU between the
21 State and Federal management regimes for their plans to
22 communicate, to recognize that as well, because we have
23 a distinct role to play. We make advisory language for
24 the Federal Subsistence Board and the tribe is a
25 government and they have their own role to play, and we
26 just need to make -- I thought -- I was uncomfortable
27 just for that language alone because we are advisory
28 and they are a government.

29

30 CHAIRMAN BROWER: Thank you, Gordon.

31 Continue Carl.

32

33 MR. JOHNSON: So this is an item, just
34 wanted to flag you, the Council members on, so that as
35 we move forward to the next winter meeting, if you have
36 any substantive changes you would like to make to your
37 charter, make sure to forward those on to Eva any way
38 that's convenient for you.

39

40 MR. R. NAGEAK: And the charter was
41 created by who?

42

43 MR. JOHNSON: The charter -- well,
44 these charters have been in place since the beginning
45 of the program.

46

47 MR. R. NAGEAK: And they were created
48 by who, the language?

49

50 MR. JOHNSON: Well, they were -- the

1 language, a lot of it comes from Title VIII of ANILCA,
2 particularly, if we can we'll go to Page 37, if you
3 look at paragraph number 4, description of duties, that
4 language comes right out of Section .804 of ANILCA. It
5 actually ties in a lot, too, with the discussions the
6 Council has been having today about the scope of its
7 duties and what it should and should not be involved
8 with. But if you look at the language it's very broad,
9 particularly paragraph B, provide a forum for the
10 expression of opinions and recommendations by persons
11 interested in any matter related to the subsistence
12 uses of fish and wildlife on public lands within the
13 region.

14

15 So this does give this Council a lot of
16 opportunity to weigh in on these EIS processes or
17 activities that are going on on your land that you
18 believe impact subsistence fish and wildlife uses in
19 your region.

20

21 So a lot of this language, Roy, comes
22 directly from Title VIII of ANILCA.

23

24 Some of it comes from requirements in
25 the Federal Advisory Committee Act as to, you know,
26 certain things that this Council has to do, for example
27 it has to have a public -- publicly noticed meeting
28 whenever it has a meeting so that way the public has an
29 opportunity to listen and provide feedback to this
30 Council on issues of concern. This designated Federal
31 officer, that's your Council coordinator, so that
32 basically just says there has to be a Council
33 coordinator at this meeting to assist the Council in
34 accomplishing its business. And that you have to keep
35 records. And a few other things in here, again, these
36 are all basically coming out of either the Federal
37 Advisory Committee Act or ANILCA, Title VIII.

38

39 MR. R. NAGEAK: Which was original
40 ANCSA language?

41

42 MR. JOHNSON: Not -- not ANCSA
43 language, oh, oh, the ANILCA language that was -- a
44 good example was paragraph number 4, description of
45 duties and that comes right out of Section .804 of
46 ANILCA.

47

48 MR. R. NAGEAK: ANCSA.

49

50 MR. JOHNSON: ANILCA.

1 CHAIRMAN BROWER: ANILCA.

2

3 MR. JOHNSON: ANILCA. I'm sorry, not
4 Section .804, .805, particularly paragraph 3.

5

6 MR. G. BROWER: So 4A gives us the
7 willingness to comment on an EIS, a very big impact to
8 Federal, you know, subsistence activities on Federal
9 public lands.

10

11 MR. JOHNSON: Well, 4A is more your
12 kind of traditional role in reviewing proposals that
13 are going before the Federal Board, but 4B definitely
14 is much more broader about expressing, providing a
15 public forum for people to express concerns or
16 interests on any issue related to fish and wildlife
17 subsistence uses in the region.

18

19 MR. R. NAGEAK: If this charter, the
20 way that I read it, Mr. Chairman, if this charter is
21 available then why didn't the State come to the
22 Regional Advisory Council when they increased the size
23 of their take on the North Slope.

24

25 CHAIRMAN BROWER: It was represented by
26 the area biologists today, Geoff Carroll, they did have
27 some interactions, but did not -- not specific to the
28 proposal you're referring to.

29

30 MR. R. NAGEAK: Because the way that I
31 read A recommend, initiation and develop proposals for
32 regulations, harvest and management plans and other
33 matters relating to subsistence uses of fish and
34 wildlife and public lands within the region and we're
35 in the North Slope region, so when the State changed
36 their regulations and included people from the Interior
37 and the Anchorage area to rush up to the North Slope
38 and opened it up for five on public lands, State is
39 public land.

40

41 MR. JOHNSON: Well, this -- this
42 Council is empowered and other Councils have, to
43 provide written comment on State Board of Fisheries and
44 State Board of Game proposals so one of the things we
45 will endeavor to do, each of the Council coordinators
46 will endeavor to do and we have a State subsistence
47 liaison who also assists with this, is to identify
48 State regulatory proposals that affect your region and
49 then notify you of those proposals so you do have an
50 opportunity to provide comment in the future.

1 MR. G. BROWER: Mr. Chair.

2

3 CHAIRMAN BROWER: Yes, Gordon.

4

5 MR. G. BROWER: Does that mean we could
6 simply say on the State proposal on caribou take, that
7 non-resident hunters on the North Slope, Region 10, are
8 limited to one caribou per day?

9

10 MR. JOHNSON: You can -- you can not
11 only comment on existing proposals but you can also
12 submit your own proposals to the State Board of Game
13 and Board of Fisheries, so -- obviously you -- just
14 like if you were to submit a Federal proposal, you have
15 to kind of follow their format and their timeline.

16

17 MR. G. BROWER: Here's another example.
18 That rural residents within the Region 10 can harvest
19 10 caribou per day to provide for the adequate need for
20 their -- before the caribou start rutting; in that
21 reasonable thought and train of thought to make
22 regulation, to say that you are a rural resident,
23 rather than a resident of the State of Alaska?

24

25 MR. JOHNSON: Unfortunately going back
26 to an Alaska Supreme Court Decision in 1989 is they
27 cannot make a distinction between rural and non-rural
28 residents based on the Alaska Constitution, which is
29 the.....

30

31 MR. G. BROWER: But the Federal.....

32

33 MR. JOHNSON:but the Federal can
34 because the Federal government is not restricted by
35 what the Alaska Constitution says about what happens on
36 Federal public lands.

37

38 MR. G. BROWER: You know just to
39 generate ideas.

40

41 MR. JOHNSON: Well, I'm sure there's
42 nothing stopping you from submitting such a proposal
43 but it's likely hit of success would be pretty small,
44 about rural preferences.

45

46 MR. G. BROWER: Yeah, but I'm just
47 thinking of submitting to the Federal Subsistence
48 Management.....

49

50 MR. JOHNSON: Oh, Federal is another

1 story.

2

3 CHAIRMAN BROWER: So, Gordon, we've had
4 proposals of that nature before and we've had the
5 number of caribou take increased to 10 but there is
6 other people from outside the North Slope that
7 submitted proposals to change our customs and
8 traditional practices of getting 10, now, we're down to
9 -- I think the language reads five per day, so that's
10 something that has outside influence and got changed
11 through the State process as well.

12

13 MS. AHTUANGARUAK: Yeah.

14

15 CHAIRMAN BROWER: In terms of the
16 proposals that we've been submitted.

17

18 MR. JOHNSON: Sounds to me like good
19 fodder for a proposal at the winter meeting, Mr. Chair.

20

21 MS. AHTUANGARUAK: Mr. Chair.

22

23 CHAIRMAN BROWER: Yes, Rosemary.

24

25 MS. AHTUANGARUAK: I appreciate some of
26 the clarification we're getting in this charter and
27 these issues are very important. There has been
28 discussions in villages that relate to these issues
29 that have been halted by others interpretations of this
30 and that's very concerning when we're dealing with this
31 process.

32

33 CHAIRMAN BROWER: Right.

34

35 MS. AHTUANGARUAK: Right here it says
36 that we should have continued on with those concerns
37 and fully understood them, but efforts of the
38 regulatory process within the Federal and State process
39 halted those discussions and referred them to the BLM
40 SAP Process or other processes that are out there. So
41 this brings me to a lot of concern as well as the
42 strength to the clarification of some of the issues
43 that I've been trying to put forward in a decade of
44 meeting processes and getting the strength behind some
45 of these issues so it really gives me concern because,
46 you know, there was a lot of communications brought
47 over, over the last 10 years on some of these issues
48 but in our process those discussions were halted.

49

50 MR. JOHNSON: Mr. Chair.

1 CHAIRMAN BROWER: Yes, Carl.
2
3 MR. JOHNSON: If I may, through the
4 Chair, Rosemary. There still will be restrictions as
5 to what will be handled through the Federal Subsistence
6 Board but this Council is capable of, with an adequate
7 discussion on the record, of authorizing your Council
8 coordinator to draft written comments or letters
9 through these other channels to still address these
10 issues that are of concern for subsistence use in your
11 region.
12
13 CHAIRMAN BROWER: You know we've been
14 making comparisons to State regulations an Federal
15 regulations and now we see that under Region 10 we have
16 subunits A, B and C in regards to management of all the
17 resources on the North Slope, and, you know, when you
18 get to B it's all State -- it's controlled from
19 Fairbanks that makes all these proposed changes to --
20 for consideration.....
21
22 MS. AHTUANGARUAK: Right.
23
24 CHAIRMAN BROWER:by our
25 communities, through their what they call their ACs.
26
27 MR. R. NAGEAK: Advisory Committees.
28
29 CHAIRMAN BROWER: Thank you. And that
30 we see the differing proposals in the number of take
31 for subsistence or for other uses and then we have a
32 little bit of friction at times and when we get to the
33 State proposals we rarely get our proposals addressed
34 because of the nature of how the Alaska Board of Game
35 operates.
36
37 MS. AHTUANGARUAK: Yes.
38
39 MR. G. BROWER: Mr. Chair.
40
41 CHAIRMAN BROWER: Yes, Gordon.
42
43 MR. G. BROWER: Yeah, I would concur,
44 you know, the moose issue is just one of those issues.
45
46 MS. AHTUANGARUAK: Exactly.
47
48 CHAIRMAN BROWER: Yes.
49
50 MR. G. BROWER: And trying to convince,

1 even the State biologist to take his hat off and become
2 a resident and telling us the moose is a transient
3 inhabiter, the moose comes from over there and
4 competes, replenishes (In Inupiat) and then put his hat
5 back on and say, well, I think they should just get one
6 moose, though, how could you say those kind of things
7 and encourage that because we were right.

8

9 MS. AHTUANGARUAK: Uh-huh.

10

11 MR. G. BROWER: Because of the
12 background information, we have the ability to adjust
13 these things and to recommend an alternative to these
14 things and change them, we just got to be informed,
15 just like the examples I was just giving for rural
16 residents within Region 10, that a harvest limit of 10
17 to adequately address the family's need for their
18 survival and continued living is essential before the
19 rut takes place, for one thing, and -- I don't like to
20 eat rutted up animals. I mean those are reasonable
21 solutions and just by giving an example that opens your
22 eyes to hear about what the biologists are saying,
23 especially the ones that can take their caps off and
24 side with you for a moment, and then give you the gusto
25 to say I don't believe it, we're going to give them
26 six, you know.

27

28 CHAIRMAN BROWER: Thank you, Gordon.
29 Continue, Carl.

30

31 MR. JOHNSON: Certainly, thank you, Mr.
32 Chair.

33

34 I'm going to leave most of the OSM
35 briefings to what's in the printed materials. That's
36 just to provide you an update, although I do think it's
37 relevant to this discussion this evening, we're very
38 pleased to say that we're now fully staffed with
39 Council coordinators. We've been understaffed for
40 quite some time and now each Council coordinator has
41 only two Councils to handle and it is our goal, as I
42 think has been shown through the process that created
43 the agenda and the discussions for this meeting, that
44 our Council coordinators are going to be a much more
45 active part in informing the Councils and then helping
46 them to be a meaningful public voice and a body for
47 subsistence resources in their region.

48

49 CHAIRMAN BROWER: So, Eva, are you
50 going to move your office to Barrow.

1 (Laughter)

2

3 MR. R. NAGEAK: That's not a very bad
4 idea. Because I think -- like I stated, I happened to
5 sit right next to a Federal accountant and he says
6 there's so many Federal programs that just sit in
7 Anchorage and get salaries that need to go out into the
8 rural areas and do the job that they need to do, and
9 that's why -- and it's not maybe in the charter but
10 these are the issues the Federal programs, all the
11 Federal programs that tend to regulate and do things,
12 or regulate areas of our lives and they're not out
13 there 24/7 and seeing the impact on how they regulate
14 and manage a lot of things for us, and how they're
15 supposed to be up in our regions and in our areas to
16 help us with Federal or State regulations. And I'm
17 glad, we finally got BIA, which has been a missing
18 link, and that's why the relationship and recognition
19 of the tribes within the state is so far back and that
20 they want to deal with Advisory Councils, they want to
21 deal with the North Slope Borough, they want to deal
22 with the corporations much easier but they got to deal
23 tribe to tribe with the Federally-recognized entities
24 that's supposed to protect the subsistence way of life,
25 not in a round about way using Advisory Councils
26 through ANILCA and the intent of ANILCA or ANCSA, with
27 the protection of our subsistence way of life.

28

29 MR. G. BROWER: Mr. Chair.

30

31 CHAIRMAN BROWER: Thank you, Roy.
32 Gordon.

33

34 MR. G. BROWER: Maybe just my final
35 thing because I'm getting really tired. One time I was
36 an intern for BLM, the Department of Interior, back in
37 the '90s and I had a good opportunity to stay in
38 Fairbanks and in Anchorage and then down in D.C., for
39 periods of time, and I always thought there should be
40 employees up here in the Arctic because we have so much
41 land mass that is Federal public land and for the
42 amount of stewardship that Fairbanks Northern Field
43 Office was doing for the White Mountains area, that
44 they developed these little safety cabins, I could see
45 BLM having safety cabins out here and then maintaining
46 them in the same way they do in Fairbanks, a program up
47 here like that, a cabin maintained with heat, a heat
48 source, for emergency shelter and I could see, you
49 know, those kinds of programs that are missing up here
50 on Federal public land.

1 MS. AHTUANGARUAK: Well, as the amount
2 of change that is occurring to our lands and waters is
3 increasing the need for our subsistence users to travel
4 greater distances and the need for those cabins are a
5 reality of life, health and safety issues.

6
7 I also want to take this time to
8 encourage us to get a letter of thank you to Donald
9 Mike for covering, he was covering our RAC as well as
10 another RAC and this is a very difficult process, and I
11 just want to make sure we get a thank you into him for
12 working with us in the interim period.

13
14 CHAIRMAN BROWER: Thank you, Rosemary.
15 I think Eva could do that, get a letter of these
16 comments.

17
18 MR. R. NAGEAK: On the charter, who's
19 our designated Federal officer?

20
21 CHAIRMAN BROWER: Who? Me?

22
23 (Laughter)

24
25 MR. JOHNSON: That would be your
26 Council coordinator.

27
28 CHAIRMAN BROWER: Eva.

29
30 MR. JOHNSON: But we only call her that
31 at the meetings you can just call her Eva when you give
32 her a call on the phone.

33
34 MS. PATTON: Mr. Chair.

35
36 MR. R. NAGEAK: DFO, DFO.

37
38 (Laughter)

39
40 MS. PATTON: Mr. Chair. Technically
41 that means I am here at your service, that's my role is
42 to provide service to the Council and I'm very
43 interested in assisting the Council in being effective
44 to protect subsistence rights for your region.

45
46 CHAIRMAN BROWER: Well, that's very
47 noticeable today, we're still in session past 9:30 p.m.

48
49 Thank you.

50

1 (Laughter)

2

3 MS. PATTON: Mr. Chair, if I may, it's
4 really an honor to work with all of you, it really is.
5 Thank you so much for all of the comments and input
6 given by the Council today.

7

8 Thank you.

9

10 MR. R. NAGEAK: Already on Item 7, are
11 we using the rate for -- each different region's got a
12 higher cost of living, the 100,000, do we get the
13 Federal rate for Federal employees on the North Slope?

14

15 (Laughter)

16

17 MR. R. NAGEAK: Or is it like 100,000
18 for like every region, like if there's -- Kodiak
19 region, Ketchikan, or do they get that 100,000 too or
20 do they get less?

21

22 MR. JOHNSON: Well, nobody gets 100,000
23 for cost of living, that's something else.

24

25 MR. R. NAGEAK: No, it's not, it's more
26 expensive to do things, that's why we only get like two
27 meetings. Now, if you were on the road system I could
28 see where the Regional Council could meet more.

29

30 CHAIRMAN BROWER: Thank you, Roy, for
31 the comments. But maybe I think we need to continue.

32

33 MR. R. NAGEAK: I would be interested
34 in how each region is allocated the 100,000, is it each
35 or.....

36

37 MR. JOHNSON: It varies from region to
38 region based on the Federal rate for cost of living in
39 that region, the -- your per diem rate varies depending
40 on which community you're flying into for a meeting so
41 there's a variety of different factors go into that.

42

43 Mr. Chair, then I'll continue on. In
44 the interest of brevity, I want to call to the
45 Council's attention the regulatory cycle review
46 briefing. There was some Councils that expressed a
47 concern about the current regulatory cycle, having the
48 subsistence Board meeting in January when it's, in some
49 cases, an injurious time to travel, or a bad time to
50 leave families at home, and also the fall meeting cycle

1 for the Regional Councils, a lot of times it interferes
2 with some pretty important subsistence activity. So
3 there are some recommendations in there as to how to
4 change that.

5
6 The Federal Board will be wanting to
7 hear from the Councils by its January meeting, so I
8 would urge you all to communicate with your Council
9 coordinator any preferences or suggestions you may have
10 about those recommendations as to -- essentially one of
11 the recommendations would be to line up the regulatory
12 season so that both the fishery and the wildlife season
13 begin on July 1st which would allow a shift and when
14 the Board meets for its meeting -- instead of in
15 January it'd be April, and that would allow greater
16 flexibility as to when the Councils could meet in the
17 fall.

18
19 CHAIRMAN BROWER: Again, the question
20 of increasing the number of meetings for the Councils,
21 right?

22
23 MR. JOHNSON: That relates to the
24 travel budget issues, unfortunately.

25
26 The Federal Advisory Committee Act
27 allows this Council to meet as often as it would like.
28 It has to meet a minimum of two as required by ANILCA.
29 It could meet more if it wanted to but one possibility
30 is you could do telephonic meetings as long as they're
31 publicly noticed, so rather than meeting in person you
32 could have a teleconference meeting where you could
33 still discuss issues. But until the travel issues --
34 the travel budget issues are resolved we won't be able
35 to have any more in person meetings per year than we
36 currently do, unfortunately.

37
38 MR. R. NAGEAK: How effective do they
39 want us to be?

40
41 MS. AHTUANGARUAK: Exactly.

42
43 MR. JOHNSON: I will avoid going into a
44 discussion on Federal budget politics in an election
45 year, which that question would require a lot of
46 discussion.

47
48 CHAIRMAN BROWER: Uh-huh.

49
50 MR. R. NAGEAK: I'm an MSNBC person.

1 MR. JOHNSON: Okay.
2
3 MR. R. NAGEAK: I could tell you're a
4 Fox.
5
6 (Laughter)
7
8 MR. JOHNSON: I'll try.....
9
10 MR. R. NAGEAK: I'm just kidding. I'm
11 just kidding.
12
13 MR. JOHNSON: I'll try not to be
14 insulted by that Mr. Nageak.
15
16 MR. G. BROWER: So the regulatory cycle
17 is beginning, right, and then we need to make comments
18 on effectiveness if our meetings are to coincide with
19 others or something like that?
20
21 MR. JOHNSON: Essentially, yeah,
22 there's a lot of -- in this briefing that starts on
23 Page 43 there's kind of a lot of discussion about
24 historically when these meetings have been held and why
25 they're held when they are, and there are issues that
26 have been raised about how our current meeting cycle
27 does conflict with other like Board of Game or Board of
28 Fisheries meetings, and the hope is that aligning the
29 two cycles will eliminate a lot of those problems. And
30 there's a pretty good briefing in there prepared for
31 the Councils by Office of Subsistence Management.
32
33 CHAIRMAN BROWER: Gordon.
34
35 MR. G. BROWER: Yeah, it seems like
36 aligning them so that when these meetings occur, a fast
37 turnaround on the recommendation can directly be
38 effected to the next meeting.
39
40 MR. R. NAGEAK: The proposals. The
41 different proposals that we need to start making. I'm
42 trying to see what the timeframe is for the -- if we
43 need to make proposals for change especially wildlife
44 regulations, which tend to come from our tribes, right
45 or.....
46
47 MR. JOHNSON: They come from all over
48 the place.
49
50 MS. AHTUANGARUAK: Uh-huh.

1 MR. R. NAGEAK: Especially the Game
2 Board of State -- Board of Game.

3
4 MR. JOHNSON: So, again, just on that
5 issue, just make sure to communicate with Eva regarding
6 any suggestions you have about how the Board should
7 proceed on this issue.

8
9 The next item that we need to cover,
10 although one could say this entire day has been to the
11 discussion of this, is to identify your annual report
12 topics for your next annual report for this fiscal
13 year.

14
15 We've handed out to you, and just make
16 sure to review it, your Council had a fairly short
17 annual report from last year and so you have a copy of
18 the annual report reply from the Board. I won't go
19 over that in the interest of time, but we do need to,
20 you know, make sure that we have an identification of
21 topics so that at your winter meeting Eva can have a
22 draft letter prepared for you to review so that you can
23 approve that and we'll likely have a process we'll
24 institute this year to help make sure that we have a
25 really clear statement of the Council's annual report
26 when you do meet for your winter meeting.

27
28 CHAIRMAN BROWER: Just on that note,
29 we've used our minutes and identified the issues of
30 concern that were voiced in those meetings to reflect
31 what those important issues were that we had
32 discussions about. Some of them have been on the
33 proposed changes, you know, the most recent ones I can
34 think about are the brown bear regulations, change the
35 hunt cycles from one every four years to one every year
36 in terms of difference of the safety of the people up
37 in camp, and out hunting, and that interaction with
38 brown bears and the number of destructions that have
39 been going -- have been going around caused by brown
40 bears in camp sites. I mean multiple times cabins
41 being demolished by brown bears and that was a concern,
42 that was something that we addressed over -- that's one
43 I could recall we dealt with for two or three years,
44 because of the amount of destruction that was going on
45 by brown -- that was caused by brown bears.

46
47 MS. AHTUANGARUAK: Mr. Chair.

48
49 CHAIRMAN BROWER: Rosemary.

50

1 MS. AHTUANGARUAK: I would remind that
2 we should look at the transcripts of the meetings, not
3 just the minutes. The minutes have been summarized so
4 severely, the real detail is in the transcripts.

5
6 CHAIRMAN BROWER: Yes, thank you,
7 Rosemary.

8
9 MR. R. NAGEAK: Mr. Chair.

10
11 CHAIRMAN BROWER: Roy.

12
13 MR. R. NAGEAK: Already I'm thinking
14 about a proposal and the mention of what Gordon said
15 about these camps that are set up by BLM, like in the
16 Fairbanks area were funded by Federal and the issue of
17 the moose population and how if different areas around
18 Umiat where cabins could be made for wolf hunters, it
19 would help the moose population. And I don't know what
20 the Nuiqsut or the Barrow people use to -- there's a
21 need for that, and I think a proposal to help with the
22 moose population would -- with predatory control, I
23 think that's one proposal already that I want to look
24 at that would be funded through the same process.

25
26 Like I say there's always a lot of
27 Federal funding someplace that would help with
28 processes like these.

29
30 MS. AHTUANGARUAK: In the Nuiqsut
31 meetings there were discussions about needs of putting
32 additional cabins in place for life, health and safety.
33 Unfortunately the village was not able to complete that
34 objective. Those sites were included in some of the
35 meeting processes and can be recouped from that
36 process. There were discussions with our search and
37 rescue about areas of needs to go out and do rescue
38 missions and hire incidents of needs in those areas
39 that help guide that process as well as meeting with
40 the North Slope Borough wildlife department in some of
41 these discussions. So if we could recap some of that
42 information and bring it into this process, that would
43 be very helpful in Roy's comments.

44
45 CHAIRMAN BROWER: Thank you. If there's
46 no further comments, then continue Carl.

47
48 (No comments)

49
50 MR. JOHNSON: Okay, thank you, Mr.

1 Chair. Well, now we'll get to the last two items,
2 which is just confirming dates for future meetings.

3

4 MR. G. BROWER: Mr. Chair.

5

6 CHAIRMAN BROWER: Gordon.

7

8 MR. G. BROWER: Before we get to the
9 last two items.

10

11 CHAIRMAN BROWER: Yes, Gordon.

12

13 MR. G. BROWER: Earlier we discussed
14 proposed ways to say something about the Proposition 2,
15 Coastal Management.

16

17 MS. AHTUANGARUAK: Uh-huh.

18

19 MR. G. BROWER: I'd like to be on
20 record as supporting that because it is a Federal and
21 it promotes -- there's a little mosquito in here trying
22 to get me.

23

24 (Laughter)

25

26 MR. G. BROWER: That's not what it
27 promotes though. Not promoting little mosquitos.

28

29 (Laughter)

30

31 MR. G. BROWER: But it promotes the
32 creation of subsistence policy to be at the table for
33 these regions, district plans. So I'd like to see --
34 because I think our charter allows this, to voice an
35 opinion on a Federal plan that that the State is trying
36 to decide on whether to engage in, and I think the
37 Coastal Zone Management Plan is a good plan and I've
38 seen it work for many years that I've been with the
39 Borough and it promotes balance approach to a lot of
40 things, which is missing now days.

41

42 MR. JOHNSON: Mr. Chair.

43

44 CHAIRMAN BROWER: Yes, Carl.

45

46 MR. JOHNSON: I can see your desire to
47 comment on that. If there were an agency that were
48 submitting a plan that was subject to public comment
49 and may be well within the realm of this Council to
50 provide a written comment.....

1 MR. G. BROWER: Uh-huh.

2

3 MR. JOHNSON:unfortunately since
4 it is tied to an election, it involves a political
5 statement, which I believe this Council is prohibited
6 by the Federal Advisory Committee Act from making --
7 engaging in political activity.

8

9 MR. G. BROWER: Electionary.

10

11 MR. JOHNSON: Not necessarily
12 electionary, but any political activity. For example,
13 writing your Senator a letter to demand more funding
14 for this program, you can write a letter to the
15 Secretary of Interior but not to Senator Murkowski, so
16 that would be political activity. So if this is
17 something this Council believes strongly about, which I
18 get a sense it is, then I would just encourage you as
19 individuals to be active moving forward in that
20 process.

21

22 MR. R. NAGEAK: Again, who made the
23 regulations for that?

24

25 MR. JOHNSON: That would be the United
26 States Congress.

27

28 MR. R. NAGEAK: Ah, no wonder.

29

30 CHAIRMAN BROWER: An election year, if
31 it was next year it probably would have went through.

32

33 MS. AHTUANGARUAK: Mr. Chair.

34

35 CHAIRMAN BROWER: Rosemary.

36

37 MS. AHTUANGARUAK: On my notes I had
38 two additional letters. There was a letter requested
39 on the road to Umiat and also a letter related to the
40 Department of Transportation. I didn't write the
41 specifics of that but I do have that in my notes.

42

43 MR. G. BROWER: Yes, I do recall that,
44 Mr. Chair, it's an EIS progress, and there are
45 consequences of development, especially for Anaktuvuk
46 and the caribou -- the Western Arctic Caribou and the
47 availability of those resources or the continued
48 availability of those resources. But at the same time I
49 think we need to be able to emphasize an alternative
50 all the while and kind of stay engaged, that if there

1 is an alternative that we do not support, to be able to
2 have comments wide enough that are what we say is wide
3 enough to be inclusive, an alternative that we may not
4 support but to engage us.

5

6 MS. PATTON: Mr. Chair, if I may.

7

8 CHAIRMAN BROWER: Yes, Eva.

9

10 MS. PATTON: If the Council wishes to,
11 you can make a motion at this meeting to draft a letter
12 on the road to Umiat or about the road to Umiat to the
13 Federal Subsistence Board, Board of Fish, Board of
14 Game, and if I understand correctly that letter -- the
15 motion to draft that letter can be general in nature so
16 that there's an opportunity to work closely with the
17 Council over the next few months prior to the next RAC
18 meeting to draft a letter for your review to see if it
19 meets your interest and the community's concerns as
20 well.

21

22 MR. JOHNSON: And there will be
23 information provided by agencies at the winter meeting
24 that will supplement any information for that.

25

26 MR. R. NAGEAK: Mr. Chair.

27

28 CHAIRMAN BROWER: Roy.

29

30 MR. R. NAGEAK: Another one is our
31 concerns for the security of the Pipeline with so much
32 traffic and not knowing what's being brought up the
33 Haul Road or people with weapons, some form of security
34 control on the Haul Road with concerns of so many
35 vehicles and not knowing what is being brought forth
36 and with the high security of the Pipeline and the
37 Prudhoe Bay area, that we're concerned and somebody
38 needs to -- it's just like check or whatever point
39 you're guarding from and make sure they're not going to
40 be bringing things up to sabotage the Pipeline or what
41 not.

42

43 MR. G. BROWER: Yeah, Mr. Chair.

44

45 CHAIRMAN BROWER: Gordon.

46

47 MR. G. BROWER: Just along the same
48 lines there, a group of my inspectors, including myself
49 as a land manager, have frequented the Haul Road on
50 inspection and there's sections of that Haul Road

1 that's BLM and where I think we can suggest some
2 guidelines in there as recommendations, especially when
3 the rule is your harvest method is to use a bow and
4 arrow, there needs to be a level of bow and arrow, I
5 think, to be used because I've seen many caribou.....

6

7 MS. AHTUANGARUAK: Uh-huh.

8

9 MR. G. BROWER:with arrows stuck
10 on their sides walking around and somebody taking pot
11 shots with a bow and arrow from a long ways and just
12 let it stick on its back or on its rump and they're
13 walking around and getting infected and all that.
14 There was no adequate kill efficiency on these hunts,
15 just everybody take a shot and see if you get one.
16 Seems like there needs to be a humane aspect to the
17 hunting on the road, that when there is a shot made
18 that it actually is a life threatening shot to the
19 animal and it doesn't cause the inhumane treatment of
20 animals.

21

22 That's just what I thought. And this
23 is really very terrible, you know, watch animals, you
24 know, walking around with arrows stuck in them.

25

26 MS. AHTUANGARUAK: Mr. Chairman.

27

28 CHAIRMAN BROWER: Rosemary.

29

30 MS. AHTUANGARUAK: I wanted to support
31 Gordon and Roy's comments in that. These are very
32 important issues that do have impacts to our
33 subsistence as well as there is no mechanism to monitor
34 the additional vehicles that are coming up with towing
35 trailers with off road vehicles on them. We should
36 initiate a process in which we get some kind of
37 assessment. Now we have signage also on the Dalton
38 Highway on various tributaries of waterways that are --
39 they say they're not promoting increased access but the
40 signage sure as heck looks like a welcoming process for
41 those that are coming from other areas to come to our
42 water tributaries on the North Slope. So that's
43 another concerning factor, that scenic byways
44 designation brought those signage in.

45

46 CHAIRMAN BROWER: So, Carl, are we
47 ready to move forward to the remaining two items?

48

49 MR. JOHNSON: I believe so, Mr. Chair.

50

1 Currently, again, this is a two part --
2 part one, to confirm your dates for your winter meeting
3 and then also to select dates for your fall 2013
4 meeting.

5
6 Currently.....

7
8 MR. R. NAGEAK: It's going to be in
9 Barrow or Anchorage?

10
11 MR. JOHNSON: It'll be in Barrow.
12 Currently your winter meeting is scheduled for February
13 26th and 27th, that is in Barrow and that is two days,
14 Mr. Chair. And I'll just note for the record that
15 February 27th is my birthday so.....

16
17 (Laughter)

18
19 MR. JOHNSON:if I happen to be up
20 here I'd like to taste muktuk prepared the traditional
21 way.

22
23 (Laughter)

24
25 MR. G. BROWER: February 12 and 13 you
26 said?

27
28 (Laughter)

29
30 MR. JOHNSON: 26th and 27th.

31
32 CHAIRMAN BROWER: 26th and 27th, 2013.

33
34 MR. JOHNSON: Yeah, the schedule
35 incorrectly notes that the Southeast is meeting that
36 week, we told them they couldn't because we can't
37 support three Council meetings in one week. So you are
38 currently scheduled for the 26th and 27th in February
39 for your winter meeting.

40
41 CHAIRMAN BROWER: Okay.

42
43 MR. JOHNSON: And if that is still
44 acceptable to the Council we'll keep it on the calendar
45 for that. Thumbs up from Mr. Shears for the record.

46
47 CHAIRMAN BROWER: I'm getting a thumbs
48 up from Council members and then nods here and there so
49 I think that's acceptable.

50

1 MS. AHTUANGARUAK: Yep.
2
3 MR. JOHNSON: Mr. Chair.
4
5 MR. G. BROWER: It might be a stinky
6 month though.
7
8 (Laughter)
9
10 MR. G. BROWER: Especially if we (In
11 Inupiat)
12
13 CHAIRMAN BROWER: We also have -- I
14 noticed proposed for a Kivalliq 2013, I'm not sure if
15 it's within that timeframe but.....
16
17 MR. G. BROWER: What's the timeframe
18 for the Kivalliq, February something.
19
20 CHAIRMAN BROWER: It's usually around
21 the 14th, 15th, but I was told it might be later when
22 it gets warmer but I was trying to think if it was
23 going to be in June but somebody mentioned in their
24 recommendation March 1, 2 or 3 or something like that.
25
26 So I'm not sure what the decision has
27 been made to that, I think it's still floating.
28
29 But the 26th, 27th February 2013 for
30 our winter meeting sounds good to me.
31
32 MR. JOHNSON: Thank you, Mr. Chair.
33 And then I'll take the Council's lead as to when it
34 would like to schedule a fall 2013 meeting, and this
35 would be then to make your recommendations on whatever
36 wildlife proposals that are submitted for the North
37 Slope region next year.
38
39 CHAIRMAN BROWER: Same time, same
40 place.
41
42 MR. G. BROWER: So the fall meeting
43 opens August 19th, closes October 11th?
44
45 MR. JOHNSON: October 11th, correct.
46
47 CHAIRMAN BROWER: I think we had a
48 pretty lengthy discussion last year in regards to
49 trying to hold it before we start really getting active
50 with our subsistence -- fall subsistence activities and

1 the time was identified, but it looks like the window
2 is moving forward again for some reason.

3

4 MR. G. BROWER: October 10, the fish
5 are not running anymore.

6

7 MR. JOHNSON: If I could note for the
8 record, this meeting was actually held before the
9 window for the fall cycle this year officially begins
10 so there is some leeway, obviously you can't have it a
11 month before or a month outside of the window but there
12 is some leeway to have it a little bit before or a
13 little bit after.

14

15 MR. R. NAGEAK: When does the
16 Department have the most money?

17

18 (Laughter)

19

20 CHAIRMAN BROWER: What's that again?

21

22 MR. R. NAGEAK: When does the
23 Department have the most money?

24

25 CHAIRMAN BROWER: October.

26

27 MS. AHTUANGARUAK: Fiscal year.

28

29 MR. R. NAGEAK: Fiscal year.

30

31 MR. JOHNSON: The fiscal year ends on
32 September 30th but they shut down all travel
33 arrangements for an entire month starting around
34 September 23rd so we can obviously get those travel
35 arrangements made well beforehand.

36

37 MR. G. BROWER: September 10 and 11
38 sounds good to me.

39

40 CHAIRMAN BROWER: I was going to say
41 August 19th sounds good.

42

43 MR. G. BROWER: August 19 is pretty
44 good too. We should always block two days, these long
45 meetings are a killer.

46

47 MS. AHTUANGARUAK: I agree.

48

49 CHAIRMAN BROWER: It's going to be hard
50 to get up in the morning, I can tell you that much.

1 MR. G. BROWER: I got to catch a plane
2 to Prudhoe in the morning.

3
4 CHAIRMAN BROWER: I have a meeting I'm
5 supposed to be at tomorrow too but I don't think I'm
6 going to make it, I have a flat tire in my behind.

7
8 (Laughter)

9
10 MR. JOHNSON: So I'm hearing from the
11 Council perhaps an August 19th and 20th meeting for
12 fall of 2013.

13
14 MS. AHTUANGARUAK: Yeah.

15
16 MR. G. BROWER: Yeah, that sounds good.

17
18 CHAIRMAN BROWER: Sounds good to me,
19 two days.

20
21 MR. JOHNSON: Okay. One of the
22 advantages of having the first meeting is you get to
23 pick the perfect dates, Southeast is usually much later
24 and they end up getting the dates they want so.....

25
26 CHAIRMAN BROWER: Sounds good, August
27 19th, 20th, 2013. We'll continue moving forward on the
28 other items because I didn't hear any other motions to
29 -- what would be your suggestion.

30
31 MR. G. BROWER: Closing comments.

32
33 CHAIRMAN BROWER: Any closing -- that's
34 my closing comments, any other closing comments from
35 the Council members.

36
37 MS. AHTUANGARUAK: I would encourage us
38 to being in communication with Native Village of Barrow
39 and ICAS on the BLM SAP and support that process
40 because we do have a vacancy that's on that and I'm not
41 sure of the other vacant seats but we want to make sure
42 we support that process.

43
44 MR. R. NAGEAK: The BLM what?

45
46 MS. AHTUANGARUAK: The BLM SAP, the
47 subsistence advisory -- used to be SAP maybe it's
48 something else, it's the BLM -- okay, SAP.

49
50 MR. R. NAGEAK: Mr. Chairman, what was

1 the timeframe for the tribal -- we need to appoint some
2 people or who is appointing people to the tribal
3 government to government, or what was the ones that we
4 need to make available -- is that an action item this
5 time or do we need to start thinking about submitting
6 names or.....

7

8 CHAIRMAN BROWER: Do you mean for
9 nomination of Council members?

10

11 MR. R. NAGEAK: Or what was it, from
12 our Board or from the tribe or.....

13

14 MS. AHTUANGARUAK: Yeah, it's a
15 tribal.....

16

17 MR. JOHNSON: Mr. Chair.

18

19 CHAIRMAN BROWER: Under new business,
20 number 11, discussion of open Council application
21 nomination period for our region to increase the number
22 of applications or nominations for Regional Advisory
23 Council membership, I think that's what you're
24 referring to Roy.

25

26 MR. R. NAGEAK: Maybe there was another
27 one.

28

29 MR. JOHNSON: If I may, Mr. Chair.

30

31 CHAIRMAN BROWER: Yes, Carl.

32

33 MR. JOHNSON: I believe, Roy, you're
34 referring to the next step in developing the tribal
35 consultation implementation and there have been
36 nominations received from tribes and ANCSA Corporations
37 and that process is moving forward. The next action
38 item for this Council will be that in January at the
39 Federal Subsistence Board meeting the Board will be
40 reviewing and approving the draft implementation
41 guidelines so that at the winter Council meeting the
42 Council will have an opportunity to provide feedback on
43 that implementation guideline. So that'll be the next
44 action item for this Council related to the tribal
45 consultation process.

46

47 MR. G. BROWER: So currently it's at
48 the interim basis -- I was kind of reading through some
49 of that a little bit.

50

1 MR. JOHNSON: Yeah, there is an
2 implementation -- there is an interim implementation --
3 that's a mouthful, guideline that's in your meeting
4 material books and that's what we're operating on in
5 the meantime until we actually have an implementation
6 guideline in place.

7
8 CHAIRMAN BROWER: Does that help you,
9 Roy?

10
11 MR. R. NAGEAK: Yep. And there was
12 another item in regards to how predatory control over
13 the foxes is being done in the summertime, our
14 recommendation would be that they could do it in the
15 winter time. How do we -- it seems like the people
16 that work under that rather prefer going up to Barrow
17 when it's nice or use the monies that are being
18 utilized for these people that come from I don't know
19 what part of the country, to try to do predatory
20 control around Barrow -- that they use it as a, you
21 know, onus for catching foxes.

22
23 CHAIRMAN BROWER: And, again, that's
24 something that's out of our purview because it's up to
25 the resource managers to -- their determination, and
26 that's what you have iden.....

27
28 MR. JOHNSON: That is correct, Mr.
29 Chair. The predator control at the Federal level is
30 done directly by the land managers so that would be
31 either the Refuge manager or the Park superintendent,
32 but there would still be opportunity to communicate.
33 We can put the Council -- or Council members in contact
34 with who to speak with.

35
36 MR. G. BROWER: Well, on BLM lands, BLM
37 would be doing the predatory control and we couldn't
38 make a recommendation that they start a bounty program?

39
40 MR. JOHNSON: There are, as mentioned,
41 there are a lot of ways that this Council could -- this
42 Council can communicate directly with agencies.

43
44 MR. G. BROWER: Uh-huh.

45
46 MR. JOHNSON: It happens, you know,
47 Southeast quite often sends letter to the U.S. Fish and
48 Wildlife Service that are on issues outside of the
49 Federal Subsistence Program, so if there were something
50 that this Council wanted to send, it would just need to

1 be something that's, you know, discussed on the record
2 and approved by the Council and then the Council
3 coordinator would be empowered to draft that and get
4 approval from the Chair for sending out to the agency.
5

6 MS. AHTUANGARUAK: We also have our
7 tribal liaison, Ernest, sitting over here who is
8 listening to these discussions and can take it back
9 within his agency's process, to help us with that.
10

11 MR. E. NAGEAK: I had talked with my
12 supervisor and there's a reason they -- they said -- I
13 guess if they wipe them out all during the winter the
14 foxes will go recolonize in the summer and.....
15

16 REPORTER: Ernest. Ernest.
17

18 MR. E. NAGEAK: Get up to the mic
19 Ernest.
20

21 REPORTER: Ernest, yeah, thanks.
22

23 MR. E. NAGEAK: Yeah, I passed the
24 message on with my supervisor and I guess there is a
25 reason why they do it during the summer because even if
26 they say they wipe them out all winter the foxes will
27 recolonize an area in the summertime and I guess that's
28 the reason why they trap during the summer and after
29 the breeding, that's when they get all the dens and get
30 all the young pups.
31

32 I guess there's reasoning behind the
33 summertime because I guess even if they wiped them all
34 out during the winter they'll -- foxes are nomadic and
35 they'll come and recolonize the area and are
36 terrestrial so.....
37

38 CHAIRMAN BROWER: So the other side of
39 the coin would be maybe to try to work with local
40 people and not hiring from outside and bringing people
41 that are as capable -- and hiring people who are just
42 as capable.
43

44 MR. G. BROWER: Bounty, trapping.....
45

46 MR. E. NAGEAK: Yes, I know the -- I
47 asked the same.....
48

49 MR. G. BROWER:the trappers are
50 going to have a good time.

1 MR. E. NAGEAK: I asked the same
2 question, too, why do they bring fox trappers from out
3 of town when they could hire locals but they do hire
4 local students as interns to help the outsiders trap
5 but I'll also bring that question up to them, too, why
6 not hire local people.

7
8 CHAIRMAN BROWER: Thank you, Ernest.
9 So if we don't have any other items to cover.....

10
11 MR. JOHNSON: There's just one other
12 item, Mr. Chair.

13
14 CHAIRMAN BROWER: Carl.

15
16 MR. JOHNSON: I have it listed on the
17 agenda as adjourn.

18
19 CHAIRMAN BROWER: That's what I was
20 just going to note, a motion is in order for adjourning
21 the meeting at this time.

22
23 MR. R. NAGEAK: Put that in the
24 charter.

25
26 (Laughter)

27
28 MR. R. NAGEAK: Any time he thinks like
29 we're talking too much like me, we could say adjourn.

30
31 (Laughter)

32
33 CHAIRMAN BROWER: At least we can say
34 we put in our 11 hours for today.

35
36 MS. AHTUANGARUAK: Exactly.

37
38 MR. R. NAGEAK: When I'm in different
39 meetings and we go over 6:00 o'clock, they consider
40 that another meeting.

41
42 (Laughter)

43
44 CHAIRMAN BROWER: A motion to adjourn.

45
46 MS. AHTUANGARUAK: So moved.

47
48 MR. R. NAGEAK: Oh, I thought you made
49 it already.

50

1 CHAIRMAN BROWER: Motion on the.....
2
3 MR. R. NAGEAK: Second.
4
5 CHAIRMAN BROWER:floor to
6 adjourn, seconded. All those in favor signify by
7 saying goodnight.
8
9 IN UNISON: Goodnight.
10
11 MS. PATTON: Quyana.
12
13 CHAIRMAN BROWER: Okay, we're
14 adjourned.
15
16 (Off record)
17
18 (END OF PROCEEDINGS)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 2 through 272 contain a full, true and correct Transcript of the NORTH SLOPE FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically by Computer Matrix Court Reporters on the 14th day of August 2012, at Barrow, Alaska;

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

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

DATED at Anchorage, Alaska, this 27th day of August 2012.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/14