

1 NORTH SLOPE FEDERAL SUBSISTENCE REGIONAL
2
3 ADVISORY COUNCIL MEETING
4
5 PUBLIC MEETING
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9 VOLUME I
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11
12 Barrow Inupiat Heritage Center
13 Barrow, Alaska
14 February 19, 2014
15 9:30 a.m.
16
17

18 COUNCIL MEMBERS PRESENT:
19

20 Harry Brower, Chair
21 Rosemary Ahtuanguaruak - Telephonic
22 Gordon Brower
23 James Nageak
24 Robert Shears
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29 Regional Council Coordinator, Eva Patton
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P R O C E E D I N G S

(Barrow, Alaska - 2/19/2014)

(On record)

CHAIRMAN BROWER: Good morning everyone. I'd like to call the meeting to order of the North Slope Subsistence Regional Advisory Council. Thank you for taking the time to be here with us this morning, Council members and our Staff from the different agencies and the folks that are participating by teleconference. Good morning.

Again, my name is Harry Brower, Jr., I'm the Chairman of the North Slope Regional Advisory Council.

I'm not sure if our Secretary's here this morning.

MS. PATTON: Mr. Chair.

CHAIRMAN BROWER: Yes, Eva.

MS. PATTON: Lee Kayotuk has conflicting meetings. He had let me know when we rescheduled this meeting for the Council. So he won't be able to be attending.

CHAIRMAN BROWER: And to do the roll call we'll need one of our -- will you be doing the roll call to establish the quorum for our Council members, Eva.

MS. PATTON: Sure, I can go ahead and do the roll call.

And, again, to update both the Council and the public, we still have some appointments that are pending by the Secretary of the Interior, so we currently have seven appointed Council members. So at this time the Council makeup is seven members until the appointment process is complete.

MR. G. BROWER: Just on that particular note, is there nominations that are being considered at this point?

1 MS. PATTON: Mr. Chair. Yes, there are
2 still applicants that are being considered at this
3 point. So when the Secretary's office completes the
4 appointments we may have another Council member
5 appointed. It's still pending so nothing is finalized
6 yet. And we'll have an update in the meeting as well,
7 a formal update on that process.
8
9 MR. G. BROWER: Thank you.
10
11 MS. PATTON: Thank you. Okay, roll
12 call.
13
14 Gordon Brower.
15
16 MR. G. BROWER: Good morning.
17
18 (In Inupiat)
19
20 MS. PATTON: Robert Shears.
21
22 MR. SHEARS: Present.
23
24 MS. PATTON: We have our vacant seat, a
25 couple vacant seats. Harry Brower, Jr., Chair.
26
27 CHAIRMAN BROWER: I'm here.
28
29 MS. PATTON: James Nageak.
30
31 MR. NAGEAK: I'm here.
32
33 MS. PATTON: I spoke with Theodore
34 Frankson last night, they have just had a death in the
35 family, Teddy will not be able to here, he may call in
36 by teleconference during parts of the meeting if he's
37 able. He had asked when we begin the meeting if we
38 would have a moment of silence for Joe Frankson,
39 whaling captain from Point Hope; Teddy's uncle.
40
41 Rosemary Ahtuanguaruak.
42
43 MS. AHTUANGARUAK: I'm on.
44
45 MS. PATTON: Good morning, Rosemary.
46 So Rosemary will be joining us by teleconference this
47 morning. And we have quorum.
48
49 CHAIRMAN BROWER: Thank you, Eva, and
50 Council members.

1 Again, welcome you all to the North
2 Slope Regional Advisory Council meeting February 19 and
3 will continue through tomorrow, the 20th. We have a
4 fairly well rounded agenda at this time.

5
6 Maybe before going any further I'd like
7 to ask James to give us an invocation and keep in mind
8 that we've lost one of our whaling captains from Point
9 Hope and request for a moment of silence, but I'd like
10 to ask James to give us an invocation at this time.

11
12 James.

13
14
15 MR. NAGEAK: You could sit for this
16 one. I've got a special invocation that I wanted to
17 share with the community and those of you that are
18 listening here.

19
20 (In Inupiat)

21
22 The translation for that.

23
24 In order to have a substantial
25 lifestyle without subsidy, in the Inupiat culture, you
26 must have a subsistence lifestyle that has substance
27 for you to subsist with dignity.

28
29 And I asked -- I heard a speech that
30 was given to us as a whaling captain, and this is an
31 appropriate time to honor those that are whaling
32 captains, especially at Point Hope, and I heard a
33 speech given by Reverend Patrick Ahtuanguaruak on
34 February the 11th, 1985, and I transcribed the speech,
35 it was all in Inupiat and I transcribed it and I don't
36 -- I'm hoping that I did justice to the translation,
37 and here is what he said.

38
39 Because I am Inupiat, my Inupiat name
40 is King Narlook (ph), this is Patrick Ahtuanguaruak from
41 Point Hope. In English it is Patrick Ahtuanguaruak from
42 Point Hope. I will be speaking of things that I know
43 and of those things that I have seen and understand.
44 We are Inupiat on the shores of the seas. We are
45 living from the east to Barter Island all the way to
46 those we don't understand, the St. Lawrence Islanders,
47 reference to the Siberian Yup'ik. We eat the animals
48 of the seas and of the land, we exist because of those
49 older than we are. We live because we follow their
50 example. Our body fluids are mixed with the blood of

1 animals, with the oil of the animals, like the Inupiat
2 of all who use the same animals.

3

4 So when I grew up, when I became aware
5 of my surroundings, I followed the hunters. I learned
6 their hunting techniques. Maybe I was destined to be a
7 hunter. I did not follow the government rule that says
8 I must go to school. I did not do this. Today I am
9 very thankful I am Inupiat living near the seas. I am
10 thankful that there are people that can govern us to
11 help us live a cautious life. Because there are three
12 different groups, the Inupiat, the White people and the
13 animals.

14

15 When I became a whaler I found it was
16 hard to handle the equipment and the people that was
17 given to us generation after generation through the
18 Inupiat to follow their teachings from time immemorial
19 so far away changing, changing, changing.

20

21 After the changes from the old ways had
22 been made I became a whaler. I was destined to be a
23 whaler in harmony with my fellow whalers. I have to
24 have this harmony. When I catch an animal I have to
25 treat it with respect accordingly. Being a descendent
26 of the Inupiat of old I must give aid through
27 compassion to anybody regardless. Whaling is not easy,
28 everything has to be readied, the umiaq, the equipment
29 and the crew. Because of the Inupiat teaching we know
30 to depend on each other with the whaling activities.
31 Because of this dependence on one another the Inupiat
32 could catch the whale.

33

34 I am not going to talk about my whaling
35 activities but I want to present my thoughts to those
36 of Barter Island and St. Lawrence Island about the
37 animals of the sea, the whales, the walrus, and the
38 belugas, those big animals.

39

40 We understand at Point Hope, that these
41 animals travel to the east and stay awhile, to return
42 here they travel. I understand little from the book,
43 White Man's Holy Book called the Living Book, today in
44 the time of change of our lives, the Inupiat, the White
45 man, and the animals, all three have breath. They have
46 one life. All three have one source of living. They
47 all eventually die. The book makes us to understand
48 that the spirit does not die, but the body does, the
49 White man and the Inupiat die, and their spirit lives
50 on. The animals follow in their purpose for living

1 allow themselves to be killed. From the Inupiat of the
2 past a covenant has been passed down, this covenant, a
3 group of intelligent people who have a good sense of
4 perception is like a book to their people. They have
5 good memories and because of them we can hunt whales
6 today. This involves hunting together, we want our
7 descendants to follow this example. Those of us who
8 are getting older, even older than I want our
9 descendants to follow the teachings and to be obedient.
10 The Inupiat of the past have a legend that says when a
11 caribou gets caught and dies it's head is severed from
12 the body and the caribou's living being leaves and goes
13 to the other caribou because the other caribou know
14 this death, they surround us living, being and
15 clothing, making it a caribou once more. This leaves
16 the first body for food for the people.

17
18 Another legend from the Inupiat
19 ancestors, those from whaling villages such as Barrow,
20 Point Hope, and St. Lawrence Island explains that the
21 whale knows where these villages are and purposely stop
22 there during their travels, similar to a human's
23 camping spot, that's allowing themselves to be killed,
24 some of them keep traveling until they reach a whaling
25 village elsewhere such as Point Hope. They camp there
26 and allow themselves to be killed. Others travel as
27 far as Barrow to camp and die.

28
29 Another old legend explains that whales
30 do not die. When the whale was caught, just the body
31 dies, but the whole whale give itself to all the
32 people. The whale being, or spirit, goes into its
33 bladder and the whaler who catches the whale removes
34 the bladder from the dead whale and brings it to his
35 village. This is the story or legend that people of
36 Point Hope have. Those whales who stop in each of the
37 whaling villages, their whole being or spirit never
38 dies.

39
40 And when autumn comes to Point Hope
41 people have a holiday at the community center. They
42 stop working and sit around watching the whalers begin
43 work on the whale bladders. After they inflate the
44 bladder they hang it up from the main beam of the
45 community center. According to the calendar it starts
46 to freeze in our land in October, this is the time they
47 work on the bladders and the whales return.

48
49 These whales know of the one that
50 decided to camp here and when they get to the camp,

1 that that whale's spirit or being returns to the living
2 whales. The returning whales listen to the whale that
3 had been camping. He tells them that his hosts were
4 good to him. Some of the whales tell the returning
5 whales that their hosts did not treat them right. The
6 whale that had good hosts begin to wish, you know, that
7 it will camp there again the following year. The other
8 whale that did not have good hosts says that it will
9 not camp there ever again, but will go to a different
10 whaling crew next year.

11
12 To the White people, the stories of the
13 Inupiat are unbelievable. We, who are getting older,
14 believe these Inupiat stories. We believe when you
15 hunt the animals in harmony you won't have problems
16 catching the animals. This is what needs to be thought
17 about. If the hunters from Barter Island to St.
18 Lawrence Island hunt in harmony the animals will
19 continue to be caught.

20
21 Because of the change in our lives
22 today it's getting harder to do anything without an
23 education. So educate yourselves and govern yourselves
24 well in the correct way. Your fellow villagers will be
25 happy, they will commend you from everywhere when good
26 decisions for the people are made.

27
28 I say the White people's decision
29 governing regulations about all the animals have heard
30 us. It has been three, almost four years, we have done
31 what they have told us to do. We obeyed. I say that's
32 enough. You made us suffer long enough. You have made
33 us feel like, feel as though we were in jail, and this
34 is the reference to the International Whaling
35 Commissions quota limiting the whale harvest, we need
36 to be in harmony today making it easier concerning our
37 animals. We are hoping that harmony will come with the
38 hunt.

39
40 Thank you, that is all.

41
42 And my sister, Martha Akien, wrote a
43 poem about the whales and I want to end with that one.

44
45 The Whale, by Martha Nageak Akien,
46 December 20, 1983.

47
48 The whale is so big and so graceful.
49 Our fathers and their fathers
50 appreciated you. Your existence gave

1 them meaning for life, just to have
2 your visitation was all they wanted.
3
4 The whale is so mighty and yet so
5 gentle, he's an inspiration in a family
6 unity. Your visitation is so important
7 to all that any and important advice is
8 respected.
9
10 The whale is so huge yet admirable. In
11 order to claim your visitation,
12 singlehandedness was out of the
13 question, thus a man of eminence with a
14 crew was provided.
15
16 The whale is so tasty and edible, so
17 good and so essentially needed, thus
18 the story is foretold that the captain
19 and his wife will always be generous
20 and respected.
21
22 The whale is so big, yet playful.
23 Excitement begins to occur as your
24 arrival time draws near. Sleepless
25 expectancy hangs on when the whale goes
26 by so do not blame us when we get all
27 excited.
28
29 The whale is so big and so graceful.
30 What more can I ask for. If I can have
31 your piece of muktuk and every part of
32 you for me to nibble, I'm contented.
33 One whale, 10 whales, 20 whales will
34 last a little longer providing us with
35 some to share at (In Inupiat),
36 Thanksgiving and Christmastime.
37
38 Everyone is excited.
39
40 Thank you.
41
42 (Moment of silence)
43
44 CHAIRMAN BROWER: Thank you, James.
45 That's very inspiring and hopefully it reaches a lot of
46 people in the sense that we need to be respectful to
47 the animals that we subsist off of, and, thank you.
48
49 MR. NAGEAK: I wanted to share that.
50

1 CHAIRMAN BROWER: Uh-huh.
2
3 MR. NAGEAK: I asked you about that
4 whaling now and then you hadn't heard about it.
5
6 CHAIRMAN BROWER: Yes. Again, thank
7 you. And following our agenda before us we have the
8 review of the agenda at this time regarding the
9 contents of the agenda we have:
10
11 The election of officers.
12
13 Review and approval of previous
14 minutes.
15
16 Reports from Council member reports.
17
18 Chair's report.
19
20 Public and tribal comments on non-
21 agenda items.
22
23 Old business.
24
25 Road to Umiat, status update.
26
27 Wildlife regulatory proposals.
28
29 Customary and traditional use
30 determination update.
31
32 Rural determination process.
33
34 Briefing on Fisheries Resource
35 Monitoring Program.
36
37 Presenters under that Brendan Scanlon
38 on Dolly Varden.
39
40 Update from the North Slope Science
41 Initiative from Denny Lassuy.
42
43 Call for proposals.
44
45 Review and approve draft 2013 annual
46 report.
47
48 Tribal consultation implementation and
49 ANCSA consultation policy.
50

1 Council nomination process and
2 outreach.
3
4 Agency reports.
5
6 Special action requests.
7
8 Alaska Department of Fish and Game
9 caribou update regarding Teshekpuk.
10
11 Presentation on broad whitefish
12 pathology report for Nuiqsut. This is
13 going to be happening tomorrow at 9:00
14 a.m.
15
16 Tribal governments.
17
18 Alaska Native organizations.
19
20 On Thursday between 1:30 and 2:30 p.m.,
21 we have Pat Pourchot and Tommy
22 Beaudreaux, we'll have Lumpy here.
23
24 These are some of the changes to the
25 agenda that we've added on.
26
27 BLM, Bureau of Land Management.
28
29 United States Fish and Wildlife
30 Service.
31
32 National Park Service.
33
34 Alaska Department of Fish and Game.
35
36 Office of Subsistence Management.
37
38 Future meeting dates, confirm date and
39 location of fall 2014 meeting, select a
40 date and location for winter meeting
41 2015.
42
43 Closing comments.
44
45 Adjournment.
46
47 We also have participants on the
48 teleconference to be kept in mind. So we'll -- and
49 then we have a public comment timeframe that we'll also
50 be considering as we go through some of our proposals

1 or any of our agenda items.
2
3 MR. G. BROWER: Mr. Chair.
4
5 CHAIRMAN BROWER: Gordon.
6
7 MR. G. BROWER: Yeah, Mr. Chair, I make
8 a motion to accept the agenda as read with the changes.
9
10 CHAIRMAN BROWER: Motion on the floor.
11
12 MR. NAGEAK: I second the motion,
13 James.
14
15 CHAIRMAN BROWER: The motion's.....
16
17 MS. AHTUANGARUAK: Question.
18
19 CHAIRMAN BROWER:been seconded.
20 Any further discussion on the agenda.
21
22 (No comments)
23
24 CHAIRMAN BROWER: I'm sorry, Rosemary,
25 you were kind of broken up, I didn't quite hear what
26 you said.
27
28 MS. AHTUANGARUAK: Call for question if
29 we have no further discussion.
30
31 CHAIRMAN BROWER: Question's been
32 called on the motion to adopt the agenda with the
33 modifications included.
34
35 All in favor of the motion signify by
36 saying aye.
37
38 IN UNISON: Aye.
39
40 CHAIRMAN BROWER: Opposed, say nay.
41
42 (No opposing votes)
43
44 CHAIRMAN BROWER: Thank you, Council
45 members.
46
47 We have an agenda before us.
48
49 At this time we'd like to ask the
50 Council as to how you wish to proceed with the election

1 of officers. I just want to remind you that we have
2 five of us on line, and we have the remaining Theodore,
3 Lee who have been excused and then we have the pending
4 members yet to be brought in.

5
6 MR. G. BROWER: Mr. Chair.

7
8 CHAIRMAN BROWER: Yes, Gordon.

9
10 MR. G. BROWER: Maybe it would be
11 appropriate to ask our coordinator what is the protocol
12 here when we have folks that are not present and
13 pending nominations with -- I think we're barely making
14 a quorum today, and is an election in order at this
15 time or should -- I think maybe the need to table that
16 might be exercised.

17
18 MS. PATTON: Through the Chair.

19
20 CHAIRMAN BROWER: Yes, Eva.

21
22 MS. PATTON: It's at the wish of the
23 Council considering there are pending members who may
24 participate and also members who are elected officers,
25 so it's at the Council's wish, if you wish to table
26 that until the next meeting with a full Council
27 present.

28
29 MS. AHTUANGARUAK: I agree with Gordon,
30 I think we need to allow us to have a full quorum for
31 us to move forward -- or to continue with what we have
32 until we can do that.

33
34 MR. G. BROWER: Mr. Chair.

35
36 CHAIRMAN BROWER: Yes, Gordon.

37
38 MR. G. BROWER: I make a motion to
39 table the election of officers to the next meeting.

40
41 CHAIRMAN BROWER: Motion on the floor
42 to table the election of officers.

43
44 MR. SHEARS: Second.

45
46 CHAIRMAN BROWER: Seconded. Further
47 discussion.

48
49
50 (No comments)

1 MR. NAGEAK: I call for the question.
2
3 CHAIRMAN BROWER: Question's been
4 called on the motion to table the election of officers
5 at this time. All in favor of the motion signify by
6 saying aye.
7
8 IN UNISON: Aye.
9
10 CHAIRMAN BROWER: Opposed, say nay.
11
12 (No opposing votes)
13
14 CHAIRMAN BROWER: None noted. Thank
15 you.
16
17 So the election of officers has been
18 tabled.
19
20 Moving on to the next agenda item,
21 review and approve previous meeting minutes.
22
23 MS. PATTON: Mr. Chair, if I may.
24
25 CHAIRMAN BROWER: Yes, Eva.
26
27 MS. PATTON: We did some introductions
28 with folks on line before the Council convened, if
29 there would be a moment to introduce folks who are on
30 line and in the audience who have joined us here today.
31
32 Thank you.
33
34 CHAIRMAN BROWER: Yes, we can
35 definitely do that and thank you for that reminder,
36 Eva, I'm just looking to get started with our agenda
37 and we're falling behind some this morning, but we can
38 definitely allow that.
39
40 So we'll start with the folks that are
41 present here at this time.
42
43 DR. YOKEL: Good morning, Mr. Chair.
44 My name is Dave Yokel and I'm with the Bureau of Land
45 Management.
46
47 CHAIRMAN BROWER: Thank you, Dave.
48
49 MS. PETRIVELLI: Pat Petri.....
50

1 MS. INGLES: Palma Ingles, OSM.
2
3 MS. PETRIVELLI: Pat Petrivelli with
4 the Bureau of Indian Affairs.
5
6 CHAIRMAN BROWER: Thank you, Pat.
7
8 MR. CARROLL: I'm Geoff Carroll, Alaska
9 Department of Fish and Game.
10
11 CHAIRMAN BROWER: Thank you, Geoff.
12
13 MR. HOPSON: John Cody Hopson with ICAS
14 here in Barrow.
15
16
17 MR. MATHEWS: Vince Mathews with
18 Arctic, Yukon Flats and Kanuti Refuges.
19
20 CHAIRMAN BROWER: Thank you, Vincent.
21
22 DR. JENKINS: Good morning. I'm David
23 Jenkins, Policy Coordinator for Subsistence Management.
24
25 CHAIRMAN BROWER: Thank you, David.
26
27 MR. LEAVITT: Good morning. Isaac
28 Leavitt from Department of Wildlife.
29
30 CHAIRMAN BROWER: Thank you, Isaac.
31
32 MR. ADAMS: Good morning. Billy Adams,
33 North Slope Borough Wildlife Department.
34
35 CHAIRMAN BROWER: Thank you, Billy.
36
37 MR. G. BROWER: Good morning, Billy.
38
39 MR. ADAMS: Good morning Gordon.
40
41 CHAIRMAN BROWER: Then we had another
42 person that introduced theirselves but I couldn't catch
43 their name on the teleconference.
44
45 MR. BROOKS: Good morning, Mr. Chair
46 and Council members. My name is Jeff Brooks. I'm a
47 social scientist in the Office of Subsistence
48 Management here in Anchorage.
49
50 CHAIRMAN BROWER: Thank you, Jeff.

1 MR. BROOKS: You're welcome, sir.
2
3 MR. MCKEE: Chris McKee, wildlife
4 biologist OSM in Anchorage.
5
6 CHAIRMAN BROWER: Chris?
7
8 REPORTER: Yes.
9
10 MS. AHTUANGARUAK: Rosemary
11 Ahtuanguaruak, Barrow.
12
13 CHAIRMAN BROWER: I didn't catch the
14 other.....
15
16 MR. SHARP: Dan Sharp with Bureau of
17 Land Management, Anchorage.
18
19 CHAIRMAN BROWER: Rosemary and who?
20
21 MR. SHARP: Dan Sharp with Bureau of
22 Land Management, good morning.
23
24 CHAIRMAN BROWER: And Darryl?
25
26 REPORTER: Dan. Dan Sharp, BLM.
27
28 CHAIRMAN BROWER: Dan, okay, thank you,
29 Tina.
30
31 MS. YUHAS: Good morning, Mr. Chairman
32 and Council members. I apologize I'm not in Barrow
33 this time. This is Jennifer Yuhas with the Alaska
34 Department of Fish and Game calling in from Fairbanks.
35
36 CHAIRMAN BROWER: Thank you, Jennifer.
37
38 Did we miss anybody else on the
39 teleconference.
40
41 MR. HOPSON: John Cody Hopson with ICAS
42 here in Barrow.
43
44 CHAIRMAN BROWER: Thank you, John Cody.
45
46 MS. OKADA: Marcy Okada with National
47 Park Service in Fairbanks.
48
49 CHAIRMAN BROWER: Marcy?
50

1 REPORTER: Marcy Okada, National Park
2 Service.
3
4 CHAIRMAN BROWER: Marcy. Thank you,
5 Marcy.
6
7 Any other participants on the
8 teleconference.
9
10
11 (No comments)
12
13 CHAIRMAN BROWER: And then we have Eva.
14
15 MS. PATTON: Eva Patton, Council
16 coordinator.
17
18 CHAIRMAN BROWER: And our one and only
19 court reporter, Tina.
20
21 REPORTER: Tina.
22
23 (Laughter)
24
25 CHAIRMAN BROWER: Tina.
26
27 (Laughter)
28
29 CHAIRMAN BROWER: So did we get
30 everybody here -- okay, we have one more person if
31 you'd come up to the mic please.
32
33 MS. HYER: Good morning, Chairman and
34 Council members, I was busy making the coffee. I'm
35 Karen Hyer. I'm a fisheries biologist with the Office
36 of Subsistence Management.
37
38 CHAIRMAN BROWER: I think that pretty
39 much covers all our introductions at this time. I want
40 to thank you all for introducing yourselves, even those
41 ones that are invisible this morning, over the
42 teleconference.
43
44 So we'll begin with our next agenda
45 item, review and approval of the previous meeting
46 minutes. Maybe, Eva, if you could help me identify, I
47 think they're in our meeting document that we have this
48 morning.
49
50 MS. PATTON: Mr. Chair. Yes, beginning

1 on Page 4 of your meeting books are the previous
2 meeting minutes.
3
4 When we met yesterday James Nageak had
5 a couple edits to make to those minutes.
6
7 CHAIRMAN BROWER: Uh-huh.
8
9 MS. PATTON: If others have any edits
10 or additions.
11
12 CHAIRMAN BROWER: So these are the
13 minutes, the North Slope Regional Advisory Council
14 public meeting held at the North Slope Borough Savaat
15 Center, Barrow, Alaska, August 20 and 21, 2013, which
16 are on Page 4 of your meeting packet for your
17 consideration, Council members.
18
19 MS. PATTON: Mr. Chair. One edit that
20 Roy had noted was -- or James had noted.....
21
22 CHAIRMAN BROWER: Eva, I'd like to get
23 a motion and then get into discussion, maybe we'll do
24 that first Eva.
25
26 MR. NAGEAK: I move to accept the
27 minutes of August 20 and 21st 2013.
28
29 CHAIRMAN BROWER: Motion on the floor
30 to accept the.....
31
32 MS. AHTUANGARUAK: Seconded.
33
34 CHAIRMAN BROWER:August 20, 21,
35 2013 meeting minutes.
36
37 MS. AHTUANGARUAK: Second.
38
39 CHAIRMAN BROWER: Seconded for
40 discussion.
41
42 Eva.
43
44 MR. NAGEAK: Yes.
45
46 CHAIRMAN BROWER: Or James.
47
48 MR. NAGEAK: Mr. Chair. I was reading
49 the minutes and on the Council member present my name
50 was not on there and all of a sudden I'm talking in the

1 minutes.....
2
3 (Laughter)
4
5 MR. NAGEAK:so I want to make
6 that correction that I was here.
7
8 And also on Page 11 there was a typo
9 that I found in that first paragraph. It says that
10 Council member James Nageak shared from the community
11 and about five lines down it says; and school also
12 participate in working through big issues -- it should
13 be through big issues, okay, that's the one I found.
14 Other than that I didn't.....
15
16 CHAIRMAN BROWER: On Page 11 you said?
17
18 MR. NAGEAK: Yeah, on Page 11 there was
19 -- I think it's a -- I call it a typo.
20
21 MR. SHEARS: First paragraph, fifth
22 line.
23
24 MR. NAGEAK: Yeah, one, two, three,
25 four, five -- fifth line down, yeah; working through
26 big issues, should be, right.
27
28 MS. PATTON: Okay.
29
30 CHAIRMAN BROWER: Okay.
31
32 MR. NAGEAK: I took English through
33 freshman, sophomore, junior and senior year in high
34 school so.....
35
36 CHAIRMAN BROWER: Okay.
37
38 MR. NAGEAK:I learned English
39 through the -- what did they call that, the process
40 where you have a subject and a verb and the
41 prepositional phrases and all of those things; I
42 learned pretty well when I was going to school for the
43 English language.
44
45 (Laughter)
46
47 CHAIRMAN BROWER: Thank you, James.
48 Add on James' name to the Council members present and
49 then James identified Page 11, the fifth sentence on
50 the first paragraph; working through. So those are the

1 two that have been identified at this time.

2

3 MR. NAGEAK: With those corrections I
4 ask for the question.

5

6 CHAIRMAN BROWER: Question's been
7 called on the motion to approve the meeting minutes of
8 August 20, 21, 2013, all in favor of the motion signify
9 by saying aye.

10

11 IN UNISON: Aye.

12

13 CHAIRMAN BROWER: Opposed, say nay.

14

15 (No opposing votes)

16

17 CHAIRMAN BROWER: None noted. Thank
18 you, Council members.

19

20 We have approved the meeting minutes of
21 August 20, 21, 2013.

22

23 In regard to our next agenda item we'll
24 be going on to reports.

25

26 Council members, I'll give you all an
27 opportunity to provide reports within your respective
28 communities or activities that you wish to share with
29 the rest of the Council at this time.

30

31 MR. G. BROWER: Mr. Chair.

32

33 CHAIRMAN BROWER: Gordon.

34

35 MR. G. BROWER: This is Gordon Brower,
36 for the record, from Barrow, Alaska. I'll start off
37 with making a Council member report since I usually get
38 talkative in concerns.

39

40 My area, there's a few of us here that
41 could say my area, I guess, from here, but I'm
42 basically -- my subsistence around Barrow, around
43 Tsigaralik Lake on up to Ikpikpuk. I went up fall
44 fishing, fall caribouing. I did get like four caribou
45 in August but my September caribou, this is probably
46 the third or second year I am very troubled about where
47 the caribou went. Between Alaktak, Ikpikpuk, and
48 Topagoruk primarily between Alaktak and Chip going up
49 through Ikpikpuk, you know, that area, there's a common
50 area that goes -- very large movement of animals

1 through there. It's -- ever since I was a little
2 person to growing up to hunt in these areas, it's
3 always a sure thing, and I'm just alarmed that the
4 level of change in movement in this area. And, you
5 know, I usually have maybe 20 bulls by about October 5,
6 by that time, and I'm a whaling captain too, I don't
7 just hunt for myself, I hunt for feeding my crew on the
8 ice. I'm just highly alarmed that it was very difficult
9 to search for these animals. There's a major thru-way
10 right there.

11
12 I bring this to light because there's
13 conexes placed by USGS right in the middle between
14 PK13, Nageak Camp (ph) and Warren Matumiak's house by
15 Alaktak, in the middle right there and you go up and
16 take a elevation look from there you'll see tracks,
17 major highways that these caribous have made. And in
18 my own view as a hunter that's a -- to me, that's
19 alarming. We don't usually go putting infrastructure
20 where major areas are going back and forth, we're by
21 the rivers where they can follow along and on the other
22 side. I'm afraid that there are some impacts there.
23 When I take a look over there there's also, I think,
24 eight bright red dome tents with a whole bunch of young
25 scientists. You know it's good to have scientists and
26 students working out there but I wouldn't use real
27 bright orange/red tents, I'd be using camouflage stuff
28 and hide as much as possible, especially in an area
29 where major movement of caribou are expected to happen.

30
31 I think there's a perception that
32 you're not making an impact because you're not hunting
33 them but when you're seen and caribou make another
34 trail and then we got to figure it out, these trails
35 are thousands of years old that they use over and over
36 and over again. And I'm afraid that they're making new
37 trails elsewhere and then we have to figure that out.
38 Because once they make new trails then they're going to
39 start sticking with that trail.

40
41 Those are my concerns about caribou in
42 that area.

43
44 I'm highly alarmed. There's been
45 concerns from PK13 to 10.5 on the Chip and Ikpikpuk
46 about the availability of caribou for several years
47 now, and a lot of folks over there are blaming these
48 studies going on with their little airplanes. We see
49 dive bombing going on with these airplanes. I watched
50 one myself. I don't know if it was related to the

1 studies but it was like a camouflage Caravan and it was
2 circling, going down and up on these caribou and I
3 really don't know what's going on with these, what
4 folks are doing.

5
6 It should be alarming to other people
7 to hear these kind of things from subsistence folks.
8 And, I, as a land manager, too, am, you know, highly
9 alarmed at this kind of activity.

10
11 Other than that I just want to also
12 report that fishing, I do a lot of fishing for our
13 community, and I did get kind of a late start, the
14 freeze up is very different all the time. I'm always
15 so much teetering on whether I'm going to get them
16 during the peak time and the peak time to get the
17 prized fish for our community. I missed it last year.
18 I maybe only made two sacks. This year I went to
19 another river about maybe a mile down river to Qkwanaik
20 (ph), which is connected to Ikpikpuk so it'll get some
21 fish with eggs in there. And that's where I started my
22 fishing and, you know, it's always very -- you know,
23 you have to be very careful. But the freeze up, I
24 think, is affecting fishing. It's either the ice is
25 not stabilizing enough to go on top or there's just ice
26 flows that prevent us from fishing. Even though I made
27 a good catch, I made 40 sacks, but weather is not
28 cooperating, I need to do something to preserve the
29 eggs, you know, the way they need to -- the way the
30 community likes it anyway, they like to have it when
31 the eggs are bright yellow, not bloody orange.

32
33 (Laughter)

34
35 MR. G. BROWER: But I can't seem to
36 keep up with the weather. It's just -- I could
37 remember fishing, it's September 18, we got nets under
38 the ice and fish are frozen solid and we got sacks and
39 sacks and sacks of them. It's very difficult to
40 achieve that unless I start to use modern technology
41 and get some freezers up there and do some other
42 things. It's just getting difficult. But the fishing
43 part, I managed to be able to do some fishing, but
44 preserving them was very difficult.

45
46 With that, I will -- that would be my
47 report.

48
49 Thank you, Mr. Chair.
50

1 CHAIRMAN BROWER: Thank you, Gordon.
2 Any other Council members, any of them have some
3 questions or comments to Gordon's report.

4
5 (No comments)

6
7 CHAIRMAN BROWER: None. Otherwise,
8 James.

9
10 MR. NAGEAK: Mr. Chair.

11
12 CHAIRMAN BROWER: Yes, James.

13
14 MR. NAGEAK: My name is James Nageak.
15 I represent the Anaktuvuk Pass area, Gates of the
16 Arctic National Park, right in the midst of it.

17
18 And luckily we have been able to --
19 luckily we were there -- the people were there before
20 the Gates of the Arctic became a reality and we're
21 always thankful for the opportunity to subsist in that
22 area. But like Gordon mentioned, that there are some
23 environmental changes that are happening in the state
24 of Alaska, I guess, and all of the bad weather are
25 moving to the East Coast of United States and it's
26 affecting us.

27
28 The change in the migration of the
29 caribou is one concern that we have. Luckily the
30 Western Herd goes to south of us from the west and go
31 through there and circle around, right around August,
32 July, August, in that area when they became to be nice
33 and fat. Luckily we get that particular group of
34 caribou. But the main activity that the Inupiat people
35 always look for are the migration of the caribou going
36 into the valley in the falltime. It's getting to a
37 stage where the caribou are staying on this side of the
38 mountains and coming through Anaktuvuk Pass after the
39 bulls have rutted. So the Inupiat people don't hunt
40 the bulls when they are rutted, they have a distinct
41 taste that are not good for your tastebuds. And so
42 what happens then is that we start catching the cows
43 and the young bulls when they come through, late coming
44 through Anaktuvuk Pass.

45
46 That has been a concern.

47
48 And luckily this year the caribou that
49 came late stayed around. They're staying up in our
50 area. For the first time in quite a while I went out

1 on my snowmachine and went about a mile and a half from
2 the village and shot a caribou and it was fat. This
3 year the caribou are fat. They're really nice. And in
4 that group of caribou I saw one with a collar on it,
5 maybe Geoff could figure out where that caribou came
6 from and it's still around our area, at Anaktuvuk Pass.
7 So if that collar is being able to be recognized by the
8 scientists or the people who know how those things
9 work, they would know where that particular group of
10 caribou who are staying in our area this winter.

11
12 The other thing that happened this year
13 is that it's been so warm. We were hunting caribou
14 with eight-wheelers, ARGO, last part of August -- last
15 part of October, which is very unusual. By the first
16 week of October there's usually a lot of snow that we
17 cannot use the ARGO to go hunting but this year we did,
18 which was nice, but the caribou came late so we
19 couldn't get the big caribou that we get for drying
20 everybody likes the dry meat that comes out of
21 Anaktuvuk Pass but it's getting harder for us to
22 accumulate that dry meat because the bulls are coming
23 after they have rut. So we're sorry that we can't
24 provide the whaling captains an opportunity to have
25 some dried meat for your whaling crew when you go
26 whaling in the springtime.

27
28 And also this year, people, because it
29 was so nice in January, the people that like to jig,
30 ice fishing, went to Chandler Lake and normally, you
31 know, we use the augers that we start the engine and we
32 use those augers to go through the ice, normally have
33 -- we used to have three extensions on the three foot,
34 a meter long auger, we used to have three extensions to
35 go through the ice at Chandler Lake in the wintertime
36 but this year, last month, they said they didn't even
37 need -- in some areas they didn't even need extension,
38 the ice at Chandler Lake is so thin this year because
39 of the unusual falltime -- or unusual winter that we've
40 been having this year. And -- which is nice for us old
41 people, we don't have to work so hard to drill through
42 that ice, and in some areas you only need one extension
43 I hear.

44
45 Other than that we have -- of course we
46 have concerns about development around the northern
47 part of the Brooks Range. I'm glad that the road to
48 Umiat has been -- I don't know whether it's been
49 stopped or not, it's been delayed enough for us to not
50 have to worry about it very long.

1 Thank you.
2
3 (Cell phone ringing)
4
5 MR. NAGEAK: My dogs.
6
7 (Laughter)
8
9 CHAIRMAN BROWER: Thank you, James.
10
11 MR. G. BROWER: Mr. Chair.
12
13 CHAIRMAN BROWER: Gordon.
14
15 MR. G. BROWER: I just wanted to add
16 two things that kind of prompted from James' dialogue
17 here.
18
19 There's caribou around Barrow and I'm
20 having my son go out there and make fermented caribou,
21 and it's really good to eat that stuff. And I want to
22 really emphasize the caribou in September are very
23 different from the caribou in February, March, they're
24 very different. And most of the winter ones, they're
25 -- I like to use them like my dad used them, he liked
26 to make, they call it (In Inupiat) it's fermented
27 caribou. But the main hunt, just before the rut
28 starts, is the primary time to get the caribou, in its
29 prime. And I want to really emphasize that. Because
30 just because there's caribou around doesn't mean it's
31 the same, it's different. They've already gone through
32 rut. They've already struggled and the big bulls have
33 dropped their big antlers and their survival stage and
34 the female ones are pregnant during this time of
35 season. But they're very good for making (In Inupiat)
36 the fermented caribou.
37
38 And also I wanted to mention, when I
39 started hauling fish back from Ikpikpuk back to Barrow
40 -- excuse me, I got a little something in my -- maybe
41 an eyelash -- but we put nets going up on lakes. We go
42 up and put nets in Tsigaralik and we're at the cabin at
43 Ikpikpuk for a couple days looking around for critters
44 for a little bit and then we load up fish and we head
45 back, that's about -- it's about 140 mile round trip,
46 somewhere around there, it's just fun and fantastic to
47 do that, I invite you guys to go try it, and if you're
48 Office of Subsistence then what we do to help our
49 community to have resources. But I wanted to mention
50 the Tsigaralik Lake. I don't know if that lake is

1 stressed in some way, or if it's the level, but all
2 fishermen pull their nets early and I've talked to some
3 others and they're just not catching fish in there.
4 Maybe one in a week. It was not always a big fishing
5 hole but you could get easily, you know, 20 fish on a
6 net but when we're down to just one and then some folks
7 are saying they didn't get anything in a week. To me
8 it's kind of alarming. So maybe something needs to be
9 looked at in Tsigaralik. I know some in the -- long,
10 long time ago, we had folks that couldn't pull their
11 net, it froze in, and the old man was always very
12 concerned about that because it would continue to fish
13 until the net deteriorated by itself.

14

15 Those are some of the concerns that I
16 would have.

17

18 That's just what I wanted to supplement
19 this.

20

21 And I would hope that from listening to
22 this if we could -- you know, Kaktovik had worked with
23 the oil industry to find a way to keep their
24 preservation of the whale in the cellars with industry
25 to find ways to help. I think there needs to be some
26 level of assistance to be able to make sure our fish --
27 we have to preserve them just right. We don't always
28 want to just eat the stink fish, you know, we make a
29 lot of -- we make stink fish, too, but most of the
30 elders they like that, but most people like the fresh
31 frozen fish and I'm struggling with that and it seems
32 to me there should be some ways to get help so that we
33 could continue, especially those that fish for the
34 communities in a big way. Like I said I managed to
35 make 40 sacks and that's fishing with my son, and in
36 the past fishing with my brothers and with my dad we
37 were easily making 90 sacks, you know, it would take
38 you several months to haul all that back to Barrow,
39 four people.

40

41 Anyway, that's probably dominating the
42 dialogue here and I just wanted to add that.

43

44 Thank you.

45

46 CHAIRMAN BROWER: Thank you, Gordon.
47 Geoff, come on up to the mic if you wish to make any
48 comments, and state your name please.

49

50 MR. CARROLL: To the microphone.

1 CHAIRMAN BROWER: Yes.

2

3 MR. CARROLL: Hi, this is Geoff
4 Carroll, Alaska Department of Fish and Game. Just a
5 few things. Both James and Gordon were asking some
6 caribou questions and Billy's going to go pick up
7 Lincoln Parrett at the airport, he'll be here. He's
8 kind of our caribou expert so he can answer things in a
9 little better detail when he gets here.

10

11 But, you know, James, we -- you know,
12 those caribou that come in late at Anaktuvuk and these
13 ones that are spending the winter, there's collars up
14 there from the Teshekpuk Herd, they're -- you know the
15 Western Arctic Herd kind of come through and they go
16 their way and then the Teshekpuk ones usually are the
17 one that comes in later in the winter and sometimes
18 stays around Anaktuvuk. So, anyway, and -- I don't
19 know, Lincoln might have some information on caribou
20 movements through your hunting area but I better let
21 him answer on that.

22

23 And, you know, your fishing, you talked
24 about Tsigaralik Lake, you know, I've had this little
25 fishing operation at Ikrogovik (ph) for many years, I
26 catch enough fish to feed my dogs all year and, yeah,
27 this last winter we caught, you know, way, way few --
28 you know, less than a third of what we've ever caught
29 before. The issue there was that the outlet washed out
30 during the last two summers. I think that the ground
31 has become so much softer that it washed out and the
32 whole lake dropped two feet and so that puts it -- you
33 know, it only ever was about seven feet deep and that
34 dropped it down to about five feet and it's not
35 probably a good overwintering lake anymore and, you
36 know, I don't know if anything's going on like that
37 with, you know, if -- I -- you know, I keep pretty
38 close tabs on water level and stuff like that, I don't
39 know if anything like that's going on with other lakes
40 but, yeah, it sure made a big difference in that one.

41

42 MR. G. BROWER: Mr. Chair.

43

44 CHAIRMAN BROWER: Go ahead, Gordon.

45

46 MR. G. BROWER: You know that's an
47 alarming concern. When we're talking about warming,
48 the freeze up is late, it's -- sometimes I want to do
49 something to stop all the ice flow and let it bunch up
50 where I can walk on it by myself and mechanically try

1 to let it stop.....

2

3 (Laughter)

4

5 MR. G. BROWER:and -- but the
6 lakes themselves that are at risk from maybe warming
7 trends, the thaw as it comes down, the active layer
8 going way down could have a tendency to be washed out
9 during the spring because the active layers further
10 down or when there's little stream, and that could --
11 there should be some level of study on our lakes and I
12 think this has been brought up more than once that if
13 we're going to have warming trends we need to look at
14 our lakes because those could basically vanish in some
15 cases. I've seen lakes completely dry out where we
16 used to have water holes, and suddenly create a stream
17 on it and then you have, you know, it was gone.

18

19 Anyway, thank you for your observation
20 as well there, Geoff.

21

22 CHAIRMAN BROWER: Thank you, Gordon.

23

24 MR. CARROLL: Yeah, we kind of saw this
25 coming over the last couple summers it was kind of
26 interesting, you know, there's always been kind of a
27 trickling stream that comes out of that lake and then
28 two summers ago a waterfall developed in that stream
29 and we just watched that waterfall march right up to
30 the lake and poossh (makes sound). Yeah, we were kind
31 of wondering if it was going to be a total drainage,
32 too, you know, once that water starts flowing it causes
33 things to erode faster and faster and it kind of
34 dropped a couple feet and that's about it. Yeah, we
35 were thinking about seeing if we could go and put a dam
36 in there or something and see if we could stop the
37 drain but I guess you can't really do that either.

38

39 So, okay, thank you.

40

41 CHAIRMAN BROWER: Thank you, Geoff. I
42 could provide some comments as well similar to what
43 Gordon, you see, I have a cabin up in that area too,
44 around the Chipp River in terms of what you were
45 reporting and sightings of aircraft and other types of
46 activity happening out there besides hunting. There's
47 a lot of research happening out along that Chip and
48 Cape Simpson and up into that area, up into near the
49 Sinclair Lakes up into the Teshekpuk Lake areas, in
50 those areas where we do a lot of hunting. And, you

1 know, I have similar observations as well and, you
2 know, how do we remedy the problems that are created
3 from the lack of communications and the interactions of
4 our resource managers in this increase of research
5 activities on the North Slope. You know I tried to
6 think on my own at points in times of when the
7 resources are not available when they used to be in
8 those areas.

9

10 I have to say there's a lot of aircraft
11 being used, helicopters, float planes being used in the
12 areas where it did not have a presence before. And
13 observations of the movement of caribous and the
14 availability for the hunters to take the resources are
15 -- creates a hardship when they're not there.

16

17 I mean I've made several attempts over
18 the course of course of last summer to my cabin at Chip
19 Zero and seeing all this activity happening within
20 those lakes just to the east side of my cabin in the
21 area of Gordon describing, PK13 and several cabins up
22 the river, same situation. I only seen one cow and a
23 calf and we just left them alone, we weren't going to
24 take a small caribou, we were thinking that we were
25 going to find some nice healthy bulls but it just
26 wasn't -- they weren't just there, just -- my boys were
27 just getting all upset and wanting to shoot at the
28 aircrafts and I told them, no, you're not doing that
29 kind of stuff, you know, because they're so frustrated
30 for the amount of time in preparation to get out there
31 and taking time, personal time to be out there and then
32 having to be interrupted on a daily basis by this
33 activity which you can't even allow to shut down for
34 you to take the opportunity to take the resource. We
35 tried moving to different locations but it wasn't the
36 same, the resources were not there, they were at a
37 different area where we normally don't go hunting. Up
38 near the Meade River and closer to Kuparuk and taking
39 that path going up the river where we'll -- we'll
40 access that area by snowmachine in the fall but in the
41 late -- earlier fall season before freeze up it -- that
42 access was kind of limited, even though we did have
43 some water for a short period of time, we almost got
44 caught, we had to push the boat over a sand bar to get
45 the boat back down when the level went back down so we
46 were trying -- struggling, going through to take the --
47 to harvest some caribou which I think we ended up with
48 one out of the two weeks we were out there.

49

50 It was very frustrating in a sense, you

1 know, not knowing the level of activity that was
2 happening out there like Gordon indicated, that
3 probably steered the caribou to take a different
4 direction. And the aggregations that we normally see
5 up there in the foothills, you know, they were further
6 inland away from the river system. That was kind of an
7 unusual observation that my boys were making as we were
8 conducting our hunting.

9
10 So those -- and going up to near the
11 Price River to take a caribou was a very long distance
12 just for one caribou. I mean that's the distance we
13 had to go to find the bull caribou and that -- and they
14 were kind of sparse near the river system but you could
15 see them out in the ridges, what I call the Hundred
16 Foot Hills, they're right about 100 feet in height and
17 you could see them all along those ridges and moving
18 but they were quite a distance away and we just didn't
19 have the access to them. Even though they were in
20 large numbers they were just too far away from us to
21 pack back down to the boat or to the river. That was
22 kind of a sore situation we went through.

23
24 And as Gordon mentioned, at fall
25 fishing time, we came back to town to refurbish, or
26 replenish our gear and food items, gas and what have
27 you, we didn't make it back. We had a situation where
28 we had that real cold spell for that week and it froze
29 up, our access was basically cut off. And so we ended
30 up taking the snowmachine to a lower cabin and tried
31 fishing there but, again, our timing was off. By the
32 time we were getting access for -- or the ice to get
33 thick enough to cross the rivers, the lower rivers, the
34 Inaru and the Meade River, you know, the fish had
35 basically already spawned out. So we just went right
36 back home and didn't try to hang out or take any other
37 caribou, they were already in rut season in the area
38 where we finally sighted some caribou close by, they
39 were already in rut so we just went back home empty-
40 handed.

41
42 Anyway, these are some of the things
43 that we're having to deal with.

44
45 You know, in terms of the amount of
46 research that's going on, that not being communicated
47 to the closer communities that are being impacted,
48 there needs to be some improvements to that scenery
49 there. You know, take a look at the bigger picture of
50 what's really happening and at for what cost, you know,

1 what is this research doing for us that creates a
2 hardship for our subsistence groups.

3
4 You know I've heard other folks wanting
5 to shoot those aircraft down as well but we kept
6 indicating to discourage that from happening. You
7 know, what's it worth for a person going into jail for
8 shooting down an aircraft when there could be other
9 means of communicating or improving the communications
10 to lessen that impact. I know there's multiple things
11 that could probably put into play for lessening the
12 availability for the different resources.

13
14 Anyway, I just wanted to speak my peace
15 and concur with Gordon's observations. It's multiple
16 families that are being impacted as well, it's not just
17 one or two, there's multiple families that have voiced
18 the concern. We've heard them at the Department of
19 Wildlife Management as well, we've asked them to give
20 us -- identify the aircraft, tail numbers if you can so
21 it could bring them to the BLM or to Geoff to help
22 identify whose aircraft or who's conducting the
23 research and I think there's one or two that were
24 identified, the float plane, I recall that one being
25 identified. But then there was the helicopters, I
26 wasn't sure whose they were.

27
28 Any other comments or Council members,
29 Rosemary, you have any concerns you would like to voice
30 or Gordon.

31
32 MR. G. BROWER: Just one last
33 thing.....

34
35 MS. AHTUANGARUAK: Yes -- go ahead,
36 Gordon, finish up.

37
38 MR. G. BROWER: Okay, just one last
39 thing on my part.

40
41 CHAIRMAN BROWER: Go ahead, Gordon.

42
43 MR. G. BROWER: Was I had been taking
44 full offense to the biologists that were out there in
45 those little dome red tents with the conexes because
46 they were picking up antlers that were stuck in the
47 ground, piling them up, these antlers were put in the
48 ground from trapliners that use them for anchors and
49 thinking that these guys are collecting things that our
50 fathers put down in there. And I've watched my dad use

1 these as anchors, and they're attractive to critters
2 because it's a natural thing in the -- it's something
3 they eat anyway.

4
5 And also taking down markers, these old
6 55 gallon drums that were strategically located when
7 there was no GPS, we would follow the snow drifts from
8 east to west that you could tell which way the current
9 blows and you follow those and because a lot of the
10 land feature is so flat you would hit this 55 gallon
11 drum and reacquaint yourself to a location real quick
12 and then they were taking those out. And those were
13 put in place in some cases -- I know there are some
14 that are laying around with lots of drums and, yeah,
15 they should take those out but those that are
16 strategically located that people don't know what
17 they're for, when there was no electronic devices to
18 take you around, you could reorient yourself real quick
19 when you see something in the horizon like that. And
20 I've used those for traveling when I used to just
21 travel sometimes with just a compass and reorient
22 myself to where I am and go.

23
24 Those were just some of my concerns.
25 You know, subsistence -- the Office of Subsistence
26 should really look at these folks that go out there and
27 do these things, and impacting subsistence, you know,
28 you're with us if you're Office of Subsistence
29 Management, you're with us. You need to see what Mr.
30 Yokel is authorizing in terms of studying and
31 activities and helping with stipulations and, you know,
32 what color is your tent going to be, where are you
33 going to position this conex, and in some cases don't
34 even recognize the authority of the North Slope Borough
35 as a local government to help steer where these things
36 should be. That's what we're struggling with here as
37 well, is -- because I got these letters from USGS that
38 we don't really need your permits but they get the BLM
39 permits to go out there and put these conexes and then
40 disrupt because people don't know, we don't have a
41 public notice mechanism. You know maybe BLM needs to
42 fix their permitting as well, if you're going to do
43 some of that stuff, well, maybe you should public
44 notice up here a little bit or have a town meeting or
45 something so that folks that would be impacted could
46 say something. They could say, well, don't put that
47 conex there, if you put it over here it's going to be a
48 lot better, you know, in a place where, you know,
49 people recognize the movement of caribou is crucial.

50

1 Thank you.

2

3 CHAIRMAN BROWER: Thank you, Gordon.

4

5 That's kind of disturbing to hear about
6 folks coming in to remove markers in traditional land
7 use areas, you know, there's got to be some conditions
8 or violations that are occurring within these
9 permittees that are permitting kinds of research and
10 staging areas out there. I think that we need to make
11 some kind of recommendation that they start looking in
12 terms of the conditions and imposing some of their
13 enforcement for compliance. You know, there's got to
14 be mechanisms in place for these folks not to be --
15 that are coming into a site -- you know, there's
16 patterns of use in these areas that are -- that have
17 been in place for many, many years and not to disturb
18 the historical use of areas. Those are the things that
19 need to be researched in terms if there's folks coming
20 out there and picking things off of camp sites and
21 traditional land use areas, trapping.

22

23 You know, you reminded me of one
24 situation my father went through when there was the
25 seismic activity removing -- happening out there in the
26 North Slope and the guys that were conducting the
27 seismic were picking up all these antlers that had the
28 traps next to them and there was -- he went into court
29 over that and those guys got cited for picking up
30 antlers and disturbing his trapline.

31

32 So there's things that, I think, that
33 are already in place that need to be followed up and
34 with this new level of interest within the NPR-A there
35 needs to be more consideration of the communications
36 and minimizing the impacts for the availability of
37 subsistence resources.

38

39 Thank you, Council members.

40

41 Rosemary, I think you wanted to also
42 make a comment so I should stop here and give you an
43 opportunity to do so.

44

45 MS. AHTUANGARUAK: Yeah, these guys
46 have gotten really good communication on a lot of the
47 hunting and fishing issues and I really appreciate
48 that.

49

50 I got to have some sharing of resources

1 from Nuiqsut and enjoyed having some Arctic cisco and
2 broad whitefish from over there but I also got to hear
3 stories of concerns about the health of the fish with
4 the changes that are occurring in our environment and
5 everything that may be stressing our fish and plant
6 interactions.

7
8 We also got to get out and walk on the
9 tundra and do some vegetation plant collections as well
10 as teaching our kids some of the different plants that
11 we use and different usages for them. That was a great
12 opportunity. We had a great process where we got to --
13 the kids got to share some of the plants that they
14 collected and bring the process to their homes and
15 share with their families. Some of the kids made tea
16 out of plants that we had collected and it was a great
17 opportunity to continue sharing that.

18
19 There are definitely things that are
20 occurring with changes to our lands and waters. With
21 the plants you can see areas where there's activities
22 that are changing the way that the plants are in
23 various areas which have had a lot of track vehicles
24 that are getting out and traveling along some waters
25 and fourwheelers and what not and you're seeing these
26 changes when we go to areas where those plants are at,
27 but we're also seeing changes to the plants themselves,
28 the concentration of plants that are occurring, the
29 sizes that are occurring, you're definitely seeing
30 changes to that. We really think that it's going to be
31 important with all that are happening with the
32 viability of what plants need from various animals,
33 they're important life cycles and being aware of these
34 issues and communicating with our families and sharing
35 the information with those that want to learn about
36 this.

37
38 But it's causing a lot of conflict
39 because the researchers are getting out and doing
40 activities that are also conflicting with our way of
41 life as has well been communicated by others in this
42 process.

43
44 We did get to have some caribou hunting
45 from my son along the coast by fourwheeler and he did
46 bring us back some good food. He also was able to get
47 out with the freeze up with the snowmachine and bring
48 us some caribou so we appreciate that. Also with the
49 observation with caribou caught last month having more
50 fat than usual with the warmer climate that we've had.

1 So thanks everybody for that. Also of
2 no (indiscernible - telephone) changes to whaling that
3 was discussed and the importance of the fall whaling
4 that occurred and the sharing of that that happened
5 with that. There was a lot of distribution but with
6 the changes in the freeze up it was really important
7 with the fisheries and people having difficulty to get
8 to areas for harvesting fish in normal quantities in
9 this area.

10

11 These kinds of things are really
12 important.

13

14 I swear it's like flashback two decades
15 of work in Nuiqsut with names and people changing the
16 places but the stories and concerns and conflict with
17 traditional and cultural activities in our lands and
18 waters changing with our daily lives and feeding our
19 families and continuing our way of life, of teaching
20 our tradition and culture conflicting with the reality
21 of understanding what the flights that are coming in
22 with research, whether or not there's going to be
23 successful caribou hunting, having increased activity
24 around fish camps and impacting the way that the fish
25 move through different areas and the freeze up that
26 occurs or not and the erosion that's occurring and
27 changing water levels, all of these different things,
28 the recharge of (indiscernible - telephone) that occur
29 in the way that they need to be that give us the
30 viability of the productivity we have depended upon to
31 feed our families. All of these issues and not one
32 understood, but it's really important, now, with all of
33 these things to also know how the fish migrate through
34 areas or not anymore because of these changes and
35 that's another part of information that we need some
36 better understanding of. I know there's been some
37 studies in these different areas, but these changes are
38 happening so rapidly we really need to get some insight
39 into the traditional knowledge and the spots where we
40 need to get the appropriate interactions to assessing
41 instead of assessments that help to document what
42 industry is doing to show -- to allow projects to go
43 through.

44

45 Thank you.

46

47 CHAIRMAN BROWER: Thank you, Rosemary.

48

49 I'll just look to Council members to
50 see if there's any other comments while we're under the

1 Council member reports.

2

3 MR. SHEARS: Mr. Chairman.

4

5 CHAIRMAN BROWER: Yes, Bob.

6

7 MR. SHEARS: Good morning, everybody,
8 good to be here again.

9

10 MR. NAGEAK: Good morning.

11

12 MR. SHEARS: Since our last meeting
13 back in August, a brief report on how things have
14 unfolded for the community that I'm representing in
15 Wainwright over the last six months.

16

17 I'm happy to report we've had no
18 subsistence related fatalities this season. It's not
19 for lack of trying. Wainwright is becoming a fall
20 whaling community it seems like, you know, we scratched
21 in the springtime but landed three, lost two this fall,
22 in October. We had, you know, we're learning, we're
23 not a traditional fall whaling community like Barrow,
24 but we do what we have to do to get whales, and get out
25 there in high speed vessel collisions in the dark, you
26 know, trying to -- you know, find a -- you know, get a
27 whale to the shore, you know, have the necessary heavy
28 equipment in shallow waters, trying to get our vessels
29 launched when the fresh water lagoon is frozen; all
30 challenges that we're learning to overcome.

31

32 We had an interesting freeze up in
33 September. Caribou basking in the sun, not moving, very
34 difficult to hunt until late September and relatively
35 early freeze up, you know, compared to recent years.
36 Late September our fresh water system froze up within a
37 week, stopping vessel traffic, you know, from hunting
38 inland -- hunting the caribou, but that started the
39 caribou moving like they'd been bitten by bees and they
40 were running all around like crazy. And our early
41 freeze up was followed by an immediate early breakup.
42 Ice thawed again and got rained on and the caribou had
43 congregated and that began a very successful six week
44 hunting season for caribou. It lasted well into
45 November, the herds, you know, the congregations of
46 caribou resided around Wainwright, within 25, 30 miles
47 of Wainwright, well into November. I had a very
48 productive year.

49

50 After freeze up followed again in mid-

1 October, we had very good fall fishing on the Nunatak
2 (ph) River drainage but then western winds and the
3 rains brought flooding to the ice that froze again,
4 creating a crust of ice. Again, we had more
5 subsistence related injuries of snowmachine wrecks, you
6 know, trying to -- caribou hunters trying to, you know,
7 traverse the ice and their skis falling through, quit a
8 number of stitches and blood loss but no serious
9 injuries.

10

11 I've been traveling around, hitting a
12 lot -- I've been to every community on the North Slope
13 this winter since I've been here and got to hear some
14 of the concerns from other communities, kind of echos
15 in the minds of the people in Wainwright, too, some of
16 them.

17

18 Polar bears in Kaktovik, it's like
19 they're a national treasure now, they're like a
20 protected species, they roam through town freely and
21 everybody just kind of leaves them alone, you know,
22 they're residing -- they're living off of the whale
23 carcasses that are near town. Wainwright has whale
24 carcasses near town, too, but we don't tolerate polar
25 bears roaming through town, that's for sure.

26

27 (Laughter)

28

29 MR. SHEARS: I guess the tourists
30 haven't discovered Wainwright as a polar bear
31 attraction yet, thank goodness. We're still a
32 subsistence community when it comes to polar bear.

33

34 (Laughter)

35

36 MR. SHEARS: Concerned about the
37 pathogens relating in the -- in the news, that have
38 been related to global warming, or warming water
39 temperatures.

40

41 First the mold that's growing on the
42 broad whitefish in Nuiqsut this fall, you know, that
43 the wildlife department is reporting, you know, has
44 helped, has assisted by warmer water conditions. The
45 pathogens that they're reporting in the marine mammals,
46 the belugas and the seals recently in the news, you
47 know, pathogens by the way are transmittable to humans.
48 Saying that these pathogens are normally not seen in
49 Arctic species but because of warming conditions and
50 ice thaw that -- you know, that the plankton, the

1 phyto-planktons that these pathogens exist in are now
2 expanding farther into the north where the Arctic sea
3 mammals exist, very concerning.

4

5 Let's see what else do I have in my
6 notes.

7

8 Point Hope concerned at the assembly
9 meeting brought by the assembly representative for
10 Point Hope in January, the North Slope Borough,
11 indicated that State Troopers had observed a young
12 hunter, subsistence hunter in Point Hope take a
13 wolverine from -- with the assistance of a motorized
14 vehicle, i.e., snowmachine, he seized this man's
15 snowmachine, weapon and wolverine during the course of
16 the investigation and then returned his snowmachine and
17 weapon but kept the wolverine and told him that's not
18 allowed, that is illegal to be taking a fur animal with
19 a motorized vehicle in this great state of Alaska.
20 That was an eye opener. Yeah, to a lot of people. I
21 was aware of it, I read the regulations, I know that
22 you're not supposed to do that but mind you, you know,
23 quite a population of hunters on the North Slope that
24 use their snowmachines and their boats to subsist --
25 you know, to take animals for subsistence, and we're
26 all like going, what's going on, is this a trend the
27 state of Alaska pursuing to further harness our
28 capabilities to subsist.

29

30 That's my concerns for today and my
31 report, Mr. Chairman.

32

33 CHAIRMAN BROWER: Thank you, Bob, for
34 sharing all that. I did have some similar -- I did
35 hear some similar concerns in regards to these other
36 issues, but thank you for bringing it.

37

38 Geoff.

39

40 (In Inupiat)

41

42 (Laughter)

43

44 CHAIRMAN BROWER: Go ahead, Geoff.

45

46 MR. CARROLL: Yeah, just a quick
47 response on the hunter using a snowmachine to harvest
48 wolverine situation and, yeah, I think a lot of people
49 don't even know that, you know, by the letter of the
50 law it's against the law to use snowmachine to chase

1 wolves, wolverine or caribou and that was a huge topic
2 of discussion at the Kotzebue Board of Game meeting in
3 January with a lot of people. Because it was a
4 different village there and a Trooper had written up a
5 ticket for a guy but, anyway, as a result of that
6 there's now a Board -- you know the Kotzebue Advisory
7 Committee did a good job of writing up a proposal but,
8 you know, it wasn't -- the Board of Game decided it was
9 more of a statewide issue than a Region 5 issue, so now
10 there's a Board generated proposal that will be
11 addressed at the State meeting. And basically the
12 proposal is to make it legal to use Sno-Go's to chase
13 wolves, wolverines and caribou so, you know, I don't
14 know, I'm going to give a quick report a little later
15 on what took place at that Board of Game meeting.

16

17 But, anyway, an immediate response,
18 there are things in the works to make what, you know,
19 is a very common practice, you know, either make it
20 legal or not, it'll be brought up as a proposal. So
21 there was overwhelming testimony in Kotzebue, of
22 course, that it should be legal.

23

24 So, okay.

25

26 MR. G. BROWER: Mr. Chair.

27

28 CHAIRMAN BROWER: Gordon.

29

30 MR. G. BROWER: Maybe it's not a
31 question but, you know, traditionally, you know, we
32 always put trap -- I mean we trap wolves, we trap
33 wolverine, cross foxes, it's a good way to harvest
34 those things, if you learn how to do it well. And it's
35 -- we, you know, incidentally sometimes come across in
36 being able to harvest by Sno-Go. At least for me I
37 kind of grew up trapping these things and you just got
38 to be cunning, just like them, and it's a good art to
39 do it that way, to be able to trap. It's a fun way to
40 do it.

41

42 CHAIRMAN BROWER: Thank you, Gordon.
43 If there's no other comments at this time, maybe I'd
44 like to have a 10 minute recess. Let's go into 10
45 minute recess at this time.

46

47 (Off record)

48

49 (On record)

50

1 (Delay in start of recording due to FWS
2 contracting department telephone call disruption of
3 meeting)

4
5 CHAIRMAN BROWER:provided to the
6 concern that we voiced as the position had become
7 vacated when Helen Armstrong retired from her position
8 as the chief anthropologist under the Office of
9 Subsistence Management, and not having that position
10 filled, it created some issues or problems within our
11 Regional Advisory Council not being able to seek the
12 assistance of the anthropology division within the
13 Office of Subsistence Management in regards to our
14 concerns that we voiced in some of the regulations that
15 we developed through the consultation of the
16 anthropology, and following that we also forwarded a
17 letter to Director Haskett with US Fish and Wildlife
18 Service and the letter was CC'd to the Federal
19 Subsistence Board, Pat Pourchot, Eugene Peltola, Jr.,
20 these are folks within the Federal Subsistence
21 Management Program, Carl Johnson, council coordinator
22 division chief, and so on. And so I'm wanting to make
23 just brief comment on this letter, that this was part
24 of the responsibility that I took on as the Council
25 Chair to get this letter drafted, working with Eva and
26 other Council members, Staff, to get that concern
27 elevated to where it needed to be filled, but we still
28 have not heard about the position being filled at this
29 time. It's just they're going through their review of
30 applicants and the funding availability within the
31 Federal Subsistence Management Program. So I'm not
32 sure where they are in the selection process at this
33 time or if the position is going to be filled.

34
35 No real determination has been made to
36 that effect.

37
38 I'm trying to think back in terms of
39 other meetings.

40
41 I think, Bob, you went to the Western
42 Arctic Caribou Working Group.

43
44 MR. SHEARS: That was back in January
45 2013.

46
47 CHAIRMAN BROWER: Okay.

48
49 MR. SHEARS: I didn't go this year.

50

1 CHAIRMAN BROWER: You didn't go this
2 year. Okay, so it's -- I'm trying to think of what
3 other meetings we were invited to but I couldn't
4 participate because of my other prior commitments.
5 Maybe, Eva, if you could help with that.

6
7 MS. PATTON: Mr. Chair. The Office of
8 Subsistence Management had funded a council member to
9 attend the Western Arctic Caribou Herd Working Group
10 and Rosemary Ahtuanguaruak attended in your place for
11 that meeting, if Rosemary wanted to provide an update
12 for that.

13
14 MS. AHTUANGARUAK: Yes. It was a very
15 interesting process to be able to finally participate
16 with this group. It wasn't a free give and take
17 process of being able to effectively participate
18 through information that was shared and that was a
19 little bit difficult. There were many questions that I
20 had in some of the processes but it wasn't -- we
21 weren't effectively able to participate in some of
22 that. But the opportunity to be there to learn from
23 the information that was shared, to be able to interact
24 with people in between the process when there were
25 breaks and at meal time helped to be able to get some
26 questions in and there was some good information on the
27 caribou reporting, I'd been asking a series of
28 questions with Lincoln Parrett. I believe that he's
29 presenting the information with this satellite imagery
30 and the tracking of the caribou and it's helpful to
31 understand some of these issues that we're seeing and
32 our subsistence users are sharing and concerns with
33 these issues.

34
35 The big concern that I had was around
36 the opening of the research to other uses. I know it's
37 difficult to maintain the data with so many people
38 doing research and monitoring in our region. But the
39 information, coming from a subsistence point of view,
40 our research has been very specific in information and
41 species and times and it's very important, the process
42 that we've gathered the information and how it may be
43 utilized by others doing research but not taking into
44 consideration the effectiveness we did and the way it's
45 being assessed and if it's not utilized in the same
46 ways it can misconstrue data and those kind of concerns
47 of not including the researchers work in which
48 communities, if they chose to go to these data sets and
49 chose not to go to our villages, that's a very
50 different process of research but it's also misleading

1 them, they're not engaged in the process of the data
2 being assessed and knowing variables that are affecting
3 some of these issues that we're seeing and we can bring
4 into the process to affect the way it's being
5 understood as to the results of what's being studied.

6

7 But that was a big part of -- one of my
8 concerns during that, that also we did get to ask some
9 additional questions around the specific issues in our
10 area and areas nearby with the Central Yukon
11 presentation that was going through. That one has a
12 real risk of having some cumulative effects to our
13 region with changes that may occur within that area as
14 well as the Bering Straits plans that were discussed in
15 those meetings. The activities that could occur in
16 those areas would really impact movement of our
17 migration of animals and how long they stay in
18 important areas that are important for the animals and
19 whether or not they get into our communities. And that
20 was another area where we couldn't provide comments
21 within this caribou herd working group process but I
22 did get to the local community meeting they had in
23 Anchorage and provided comments similar to that, in
24 that process.

25

26 Thank you all.

27

28 CHAIRMAN BROWER: Thank you, Rosemary,
29 for that insight. And in regards to our -- the
30 interest in the Western Arctic Caribou Working Group.

31

32 I'm trying to think back in terms of
33 other things.

34

35 But what happened yesterday was
36 something I think that needs to be mentioned this
37 morning as well in regards to the pre-meeting that we
38 held yesterday with our Staff and some of our Council
39 members. I think that was very helpful to review some
40 of the contents of the agenda, to be apprised of the
41 information that's been generated for discussions in
42 regard to some of the agenda items that we are going to
43 be discussing throughout the day and a half, our
44 customary and traditional use determination processes,
45 that that -- you know, there's questions that need to
46 be answered and more information to learn by the
47 Council members in regards to what's being discussed
48 regarding the customary and traditional use
49 determinations.

50

1 The customary and traditional use
2 conflicts. Maybe that's something that we might want
3 to understand a little bit more in terms of what we've
4 heard, you know, Gordon, the comments you made today
5 was something that probably could be incorporated into
6 some of these things in terms of some of the action
7 items we might want to consider at some point in time
8 because of the current elevation of all this research
9 happening on the North Slope and it would maybe
10 unknowingly impact the subsistence use sites.

11
12 The rural determination review. That
13 item we need to continue discussing because it has some
14 -- it's going through its changes as well through new
15 processes that are being considered for incorporation
16 or new items being assessed to establish rural
17 determinations.

18
19 We had some discussion about the
20 fisheries proposals.

21
22 Those were some of the subjects that we
23 addressed yesterday through that pre-meeting for the
24 Council members.

25
26 You know some of the Council members
27 had prior commitments, yesterday, but, Gordon, you
28 being one of them that these are some of the things
29 that we discussed through that pre-meeting, that I
30 think are very helpful for us to further along the
31 dialogue of communicating and voicing concerns when we
32 come to those agenda items.

33
34 I just wanted to make this comment on
35 that because this is something that we've asked for in
36 the past, you know, the whole pre-meetings and whole
37 orientation for Council members and this is one of
38 those that could probably work for us and once we get
39 to see and fill the vacant positions that need to be
40 filled to help communicate and learn of new things that
41 are happening within the Federal Subsistence Program.

42
43 In regards to the next agenda item, I
44 don't know, do any of you have any questions regarding
45 the Chair's report or any other reports from the
46 Council members to be stated this morning.

47
48 (No comments)

49
50 CHAIRMAN BROWER: Our next agenda item

1 is public and tribal comments on non-agenda items.
2
3 We have a few minutes before our lunch
4 hour, James, did you get an indication of what time
5 your.....
6
7 MR. NAGEAK: They're going to text me.
8
9 CHAIRMAN BROWER: Okay. He's been
10 invited to participate in an.....
11
12 MR. NAGEAK: 2:30, I think.
13
14 CHAIRMAN BROWER:event this
15 afternoon.
16
17 Again, if there's no other questions or
18 comments we could move on to our next agenda item.
19
20 James.
21
22 MR. NAGEAK: Yes, my name is James
23 Nageak and I -- with the discussions that we had
24 yesterday afternoon for our early arrival to Barrow to
25 have that discussion, I wanted to mention that Senator
26 Lisa Murkowski had a speech at Alaska Federation of
27 Natives and she mentioned the determination for rural
28 subsistence use and I wanted to have the Council
29 coordinator over here to maybe get a copy of the speech
30 that she made at AFN because she had some good ideas on
31 how that should be attacked -- or not attacked.....
32
33 (Laughter)
34
35 MR. NAGEAK:but attached to the
36 comments that we make as Council members.
37
38 And the other issue that we had about
39 the anthropologist position that you wrote about and I
40 was asked about to comment on it by our Coordinator
41 again to see what additional stuff that we need to make
42 known to the Federal Subsistence Board and I didn't
43 write it up or anything.
44
45 I just mentioned that when we think
46 about food security, I think is the term that is being
47 used to replace the word subsistence and one of the
48 things that we grew up with is the idea that there is a
49 spiritual side, like the paper that I read this morning
50 from Patrick Ahtuanguaruak, how important it is to

1 respect and how the animals are a part of our life. We
2 have to be in sync with the animals that we hunt.
3 Examples, you know, when you treat the animals right, I
4 have learned that if I catch a caribou I skin it and
5 then take it home and really disarticulate the animal,
6 that is to -- it's a scientific term that I learned
7 from one of the biologists that when we catch a caribou
8 we always sever the head from the body so that the
9 spirit will be released and Patrick Ahtuanguaruak
10 mentioned that, and that's what we grew up with. And
11 instead of chopping the bones, I have learned the
12 anatomy of our caribou enough so that I could cut up
13 the caribou with just a knife, with just a knife. And
14 I learned that as I've been growing up and that was
15 taught to us by our parents, our grandparents. And
16 that -- and because we treat them so religiously I
17 guess -- I don't want to use that particular term, and
18 that the caribou know that we -- I treat them right
19 when I catch them and they allow themselves to be
20 taken. One time I was snowmachining, excuse the term,
21 hunting with mechanical vehicle.....

22

23 (Laughter)

24

25 MR. NAGEAK:it was springtime and
26 the overflow on the river was already going north from
27 Anaktuvuk Pass toward Colville River and the caribou --
28 the bull -- in the springtime we try to hunt the bulls
29 now when they're coming up this way through Anaktuvuk
30 Pass. They saw me doodling along on my snowmachine on
31 this side of the river, they were on the other side and
32 I'm going duck hunting, I'm not too worried about
33 catching a caribou at that time, but I saw those bulls
34 started running across over there and they ran right
35 across through the water into my side of the river and
36 they came toward me and they stopped 20 feet away from
37 me, just standing around and I had my rifle in the back
38 -- in my sled, all tied up, you know, because I'm not
39 going to hunt caribou, I'm having my shotgun, so I
40 said, okay, so I went back to my sled and untied my
41 rifle, take it out, and I said, okay, I just shoot one
42 of them.....

43

44 MR. SHEARS: They stood there and
45 waited for you.

46

47 MR. NAGEAK: Uh.

48

49 MR. SHEARS: They waited for you.

50

1 MR. NAGEAK: They came to me.
2
3 (Laughter)
4
5 MR. NAGEAK: Because, you know, when
6 you treat them right they allow themselves, they know.
7 And I've had experiences over here at Gaswell Road,
8 when we used to live here, the animals that want to die
9 because they have some sore or some -- they have been
10 wounded and they want to die, they allow themselves to
11 be taken and I think they choose people to do that.
12
13 At Anaktuvuk Pass we saw this big bull
14 with big horns over there and they told me, okay, to go
15 get it so I started crawling and getting so I could get
16 close to that big bull. Pretty soon I'm walking and
17 it's still laying there. And I'm getting closer and
18 finally I start talking to it, (In Inupiat).....
19
20 (Council nods affirmatively)
21
22 MR. NAGEAK: The caribou wanted to die
23 because as we found out later the caribou allowed me to
24 grab it by the antlers and he's looking up at me with
25 the eyeballs, right at me, he knew I was coming, but
26 the caribou wanted to die because somebody had shot it,
27 just nicked it and it was getting infected, it was
28 green and that's why the caribou just gave itself away.
29
30 And those types of things, you know,
31 there's a connection between the animals that we
32 subsist on as Patrick Ahtuanguaruak talked about the
33 whales, those things we grew up with and as Patrick,
34 and I know sometimes the scientists don't believe the
35 things that we talk about, our animals, and so that's
36 -- that's one of the things that are missing in some of
37 the reports that we make to that -- that there's that
38 connection of, I guess, spirituality, that is hard,
39 because the State and church are separated, right, so
40 religion doesn't get into the discussion very often
41 because of that separation. But it's ingrained in our
42 minds as hunters, those of us that have grown with the
43 knowledge of the Inupiat language, our grandparents,
44 our parents have -- it just -- you know there are
45 little sayings in our language that I grew up with.
46
47 (In Inupiat)
48
49 A little proverb, I guess, you know,
50 that -- the little proverbs that I grew up with.

1 (In Inupiat)
2
3 If you are not afraid to share what you
4 catch, you will be able to catch the animals easily.
5
6 So those are the things that sometimes
7 it's hard to put on black and white because it's --
8 what do they call it, the private knowledge that is
9 hard to impart into some other cultures because it's
10 too important for us to give away.
11
12 That's what I want -- you know, that's
13 what we were talking about yesterday, that particular
14 part of our subsistence life is lacking in our reports.
15
16 I don't know how to incorporate that
17 into our reports because of separation.
18
19 Thank you.
20
21 CHAIRMAN BROWER: Thank you, James.
22
23 Yes, we did have a good discussion
24 about the spirituality and how it reflects to our
25 hunters that are very responsible in terms of the
26 actions that they take on as hunters, sharing with
27 others who are less fortunate or are needy in that
28 sense, in the kind of remarks James was providing and
29 the comments that they bring back to you in regard to
30 the sharing. You know, these are things that we are
31 provided in the communications through teaching. It's
32 -- like James said, it's ingrained into our culture
33 that you -- they share these things, the resources
34 become more easily accessible or available for the
35 taking to share with others. You know, the individual
36 hunter is not hunting just for himself, he's hunting
37 for his family and others in the community in that kind
38 of spiritual sense that these resources become more
39 easily available or taken more easily.
40
41 The other side of things in regard to
42 some of our marine mammal hunting, whaling is a big
43 spiritual activity that we pursue here on the North
44 Slope and elsewhere. As James indicated there's
45 comments or statements or sayings that get passed on,
46 you know, to our whaling captains from our elders and
47 other community members that receive these portions of
48 shared food items that are derived from harvesting
49 large marine mammals such as a bowhead whale.
50

1 You know we had a little discussion
2 about the other animals, or other birds that come to
3 your hunting site before the larger animal comes, like
4 the bowhead whale. The snowbird, the snow bunting that
5 we use for -- that gets observed and lands in front of
6 the boat. I guess there's been several over time
7 generations that this type of occurrence happened in
8 the past and a snowbird lands in front of the boat, a
9 whaling boat while it's out near the lead waiting
10 patiently for a whale to arrive. And the snowbird
11 lands in front of the boat and the elder whalers
12 indicate that they're going to have a blessing because
13 of that bird landing in front of your boat. And maybe
14 within a half an hour, maybe even less time, a whale
15 surfaces right under the boat without any motion, no
16 movement, just surfaces right underneath the boat and
17 it basically gives itself to the whaling crew and they
18 harvest the animal. And the saying is, the whales,
19 they give themselves, that's something I learned from
20 my dad and he's written a book about that type of
21 situation because of his own experiences and he passed
22 that on to me and my brothers.

23
24 These are the things that we share and
25 hold close to our hearts because these are the things
26 that we've learned and observed over time and they're
27 spiritual events. How do you better explain them than
28 when you go through your own experience. It makes it
29 even closer to you to comprehend, the communications
30 that have occurred, you know, you didn't understand it
31 in the beginning and you communicated a bit more and
32 you learned a little bit more about it and then you
33 have your own personal experience. I mean it really
34 put the facts down that these things are spiritually
35 provided in a different kind of sense of spiritual
36 interactions with our resources that we've been doing
37 for subsistence.

38
39 I wanted to bring that lap a little bit
40 more with what James was saying and maybe Gordon, these
41 are some of the things that we were talking about
42 yesterday and these are good discussions to provide in
43 the sense about what's missing within our practice.

44
45 James.

46
47 MR. NAGEAK: Yeah, another example. I
48 got some really good examples of, you know, I had -- I
49 spent five years of my life away from the North Slope
50 getting my education. I got my BA from UAF in

1 sociology and anthropology and then I went on to get my
2 Masters of Divinity and after I got that on September
3 27, 1976 I went to Kaktovik, that was one of the
4 churches that was given to me as a pastor of the
5 Presbyterian Church and Sunday we had a service, Monday
6 morning, knock on the door and my Uncle George
7 Washington (In Inupiat) opened the door and said,
8 James, let's go whaling and so I went over to my Auntie
9 Mildred Rexford place and she had breakfast ready for
10 me and she gave me warm clothes to take out because I
11 didn't bring any warm clothes from Anaktuvuk to
12 Kaktovik knowing that my Uncle Daniel is the same size
13 as me.....

14

15 (Laughter)

16

17 MR. NAGEAK:and so she gave me
18 his clothes to wear and we went out. And other boats
19 had already been, I just borrowed a boat, Thomas
20 Gordon's boat, (In Inupiat) boat and all of these other
21 boats were already ahead of us and we caught up with
22 them. And this plane was just circling just west of
23 us, gee, I wonder how come that plane is circling
24 around over there and so maybe he seen a whale over
25 there so we just took off toward where Walardie (ph)
26 had been circling in his plane over there and sure
27 enough there was a whale. Because we were late getting
28 out, we wanted the other boats to have that chance of
29 shooting the whale, it was before the restriction that
30 you had to harpoon it first.....

31

32 CHAIRMAN BROWER: Uh-huh.

33

34 MR. NAGEAK:we could shoot it and
35 -- and so Joe (Inupiat) boat was the first one. It
36 came right in front of them and they went -- they
37 revved up their outboard motor and about halfway to the
38 whale the outboard went, burrrr (making sound), they
39 ran out of gas.

40

41 (Laughter)

42

43 MR. NAGEAK: They were going to wait
44 until the gas was -- gas can was empty to switch to the
45 full one and the gas can emptied at the very
46 inopportune time because the whale was right in front
47 of them. And the next time Tommy Gordon's boat, it
48 went up right on the side of them and they were going
49 in the same direction, they -- Thomas had to turn real
50 quickly to get to the whale, he was so excited he

1 turned too fast and his motor went into neutral.

2

3 (Laughter)

4

5 MR. NAGEAK: It went (makes sound) and
6 then the whale went down again. And then it was Archie
7 Brower's turn, Archie Brower was so excited that he
8 over -- he went beyond the whale where it was coming up
9 and it came up right behind him and it just didn't want
10 to be caught by those boats. And finally we decided
11 maybe it was for us. And sure enough, my -- at that
12 point my uncle was testing me, you know, before we went
13 out there he took that -- he grabbed that whaling gun
14 and handed it to me, no words, he just handed it to me,
15 and I guess it was a test to test me whether I knew how
16 to hunt whales after all -- after five years away from
17 home and luckily I still had the knack.

18

19 (Laughter)

20

21 MR. NAGEAK: So it came right in front
22 of us and our 14 foot Lund, with a 40 horse in the
23 back, we just went right up to it and I told Joe
24 (Inupiat) just go next to it and I just waited (makes
25 sound) 10 minutes later the whale was dead. And it
26 chooses -- like Patrick Ahtuanguaruak mentioned, the
27 whale knows which one to give themselves away to.

28

29 And those are personal experiences I
30 had -- I talked about that little bird landing in front
31 of our boat here in Barrow, it was the last kill for
32 the season for the spring. And I was sitting in front
33 of the boat and that little bird landed right in front,
34 right on the boat, right in front of the boat, where
35 the harpoon is, and I knew the -- I knew the sign, that
36 the whale was coming up.

37

38 CHAIRMAN BROWER: Uh-huh.

39

40 MR. NAGEAK: I got so excited I wanted
41 to take a leak.

42

43 (Laughter)

44

45 MR. NAGEAK: You know how it is when
46 you're hunting sometimes, the natural thing to do is to
47 have all of your insides turn -- want to come out, and
48 I went back up there behind the tent to do it, I turned
49 around after I did it, turned around here's Rex already
50 with the harpoon on the whale. It had just come right

1 to the boat.

2

3

CHAIRMAN BROWER: Uh-huh.

4

5

MR. NAGEAK: And James (Inupiat) Louis' boy, was 16 years old and he had the shoulder gun I was supposed to use, he said (In Inupiat), and Rex just harpooned it and it died right there. That was the last whale.

10

11

So these experiences, I don't know how to -- we don't know how to explain them, you know, and the signs that we have.

14

15

CHAIRMAN BROWER: Uh-huh.

16

17

MR. NAGEAK: The word that Patrick Ahtuanguaruak, I titled it, whaling in harmony, maybe hunting in harmony. You're in harmony with the animals that you hunt. You have that same mentality, or same -- there's a word, kinetic, or something like that, I don't know, it's that particular way that we have as subsistence, we're food security hunters.

24

25

Thank you.

26

27

CHAIRMAN BROWER: Thank you, James.

28

29

We're pretty much done with this portion of the reports, under the Chair's report, under the Council member's reports. I think we're at our lunch hour and I'd like to go into our recess and when we come back we can pick up on the public and tribal comments on non-agenda items. So we'll break until 1:20, 1:30 -- 1:30.

36

37

MS. AHTUANGARUAK: Thank you.

38

39

MR. G. BROWER: Yes, 1:30.

40

41

CHAIRMAN BROWER: Thank you, everyone, good morning. We'll recess until 1:30.

43

44

(Off record)

45

46

(On record)

47

48

MS. INGLES: Palma Ingles.

49

50

MR. LIEBICH: Trent Liebich, OSM

1 Anchorage.
2
3 MS. PATTON: You were cutting out
4 there, who is on line.
5
6 MR. LIEBICH: Trent Liebich, OSM in
7 Anchorage.
8
9 MS. PATTON: Trent Liebich.
10
11 MR. MCKEE: Chris McKee, OSM Anchorage.
12
13 MS. PATTON: Chris, welcome. Hope
14 you're feeling okay.
15
16 MR. MCKEE: I wish I could say I was.
17
18 MS. PATTON: What did he say?
19
20 REPORTER: I wish I could say I was.
21
22 MS. PATTON: Yeah, hang in there. Rest
23 easy. Do we have others on line with us on
24 teleconference today.
25
26 MS. OKADA: Hi Eva, Marcy Okada, with
27 National Park Service in Fairbanks.
28
29 MS. PATTON: Hello Marcy, thank you for
30 joining us.
31
32 MR. HOPSON: John Cody Hopson with
33 ICAS.
34
35 MS. PATTON: Greetings John. Thank you
36 for joining us. All right, anyone else joining us on
37 teleconference this afternoon.
38
39 (No comments)
40
41 MS. PATTON: And we're just gathering
42 the last of our Council members here. We left off with
43 the public and tribal comment on non-agenda items. And
44 welcome to everyone in the audience here as well.
45 We've got lots of food, tea and coffee and snacks and
46 someone brought some really yummy pineapple cake so
47 wish we could share with you folks on line.
48
49 (Pause)
50

1 CHAIRMAN BROWER: Thank you, Eva, for
2 bringing the folks up on line. Thank you all for
3 taking the time to spend this afternoon with us.
4 Again, my name is Harry Brower, Jr., I'm the Chairman
5 of the North Slope Regional Advisory Council. At this
6 time I'd like to call our meeting -- Regional Advisory
7 Council meeting back to order after our lunch recess.
8 Again, we're up to the public and tribal comment on
9 non-agenda items. I'm not sure if we have any
10 participants, maybe through the teleconference, to
11 comment on at this time.
12
13 MR. HOPSON: Good afternoon.
14
15 CHAIRMAN BROWER: Good afternoon.
16
17 MR. HOPSON: This is John Cody Hopson
18 with ICAS.
19
20 CHAIRMAN BROWER: Yes, John, I'll give
21 you the floor.
22
23 MR. HOPSON: Good afternoon everyone.
24 I was just going to ask if you guys can provide comment
25 on the court's recent decision to remand the Chukchi
26 Lease Sale 193. We all know if they decide to
27 reconsider it, it'll have an impact on our subsistence
28 hunting and whaling in the Arctic Ocean.
29
30 If you guys can just provide comment,
31 if you guys have any comments or questions.
32
33 MS. PATTON: Through the Chair, John,
34 were you looking for comment from the Council members
35 on that status or.....
36
37 MR. HOPSON: Yes.
38
39 MS. PATTON:were you looking for
40 somebody to report on that status?
41
42 MR. HOPSON: I'm asking for comments
43 from the Council.
44
45 MR. SHEARS: Mr. Chairman.
46
47 CHAIRMAN BROWER: Yes, Robert.
48
49 MR. SHEARS: Good afternoon, John, this
50 is Bob Shears, Council member from Wainwright.

1 My geographic location makes this a
2 subject of intense interest to me and I've been
3 following it closely since 2005. The path that this --
4 since this lease sale sold in 2006, you know, has
5 followed, you know, a course that has been
6 unpredictable, at the least, but, you know, a number of
7 court cases that come before the Ninth Circuit Court in
8 regards to the Lease Sale 193, various decisions were
9 found wanting and then were upheld. Shell had gone in,
10 you know, with an initial drilling plan that was
11 rejected and then resubmitted and approved, then the
12 conditions were changed and then it was resubmitted a
13 third time that scaled back and allowed more off shore
14 discharge than the first and second drill plan. You
15 know every time that they seem to be getting going
16 somebody changes the rules, whether it's on the BOEM
17 side or the Shell side, you got to stay attuned to
18 what's going on.

19
20 Lease Sale 19 -- the recent -- the
21 Ninth Circuit Court ruling, I read it word for word,
22 front to end, you know, on what the ruling is and voted
23 2/3 in favor of -- or agreeing that the Federal
24 government did not perform due diligence in issuing the
25 EIS prior to the lease sale. That the EIS that
26 preceded the sale deemed that there was only
27 approximately 1 billion barrels of recoverable oil at
28 the time in 2006 in the Chukchi and, therefore, that
29 was the scale for developing the plan for exploration
30 and development. Well, as it turns out the ruling is
31 -- you know, at first glance, you know, and Shell's
32 response to it, you know, to cancel their 2014
33 exploration season seemed like a big win for the
34 environmentalists and the Inupiat subsistence users of
35 the Chukchi at first glance, but if you look into it
36 deeper you'll realize an ominous undertone to it. The
37 Ninth Circuit Court ruled that the Federal government,
38 MMS, at the time, Minerals Management Service,
39 identified that there was 1 billion barrels of
40 recoverable oil and they said, you can't base an EIS on
41 this because, in fact, we know at this time -- and MMS
42 knew at that time that there was much more. In fact,
43 prices of \$80 a barrel for oil which we're far in
44 excess of today, there's 12.9 billion barrels of oil
45 recoverable and at prices in -- looking out into the
46 future when Shell was predicting extraction in the year
47 2030, maybe double that.

48
49 So, you know, they're asking the
50 government to go back and revisit their EIS on what an

1 extraction of this scale of magnitude which, you know,
2 what does that mean environmentally and what type of
3 development plan has to be submitted to craft the
4 extraction of 12, 13, 20 billion barrels of oil.

5
6 We realize that this is back on the
7 drawing board and they're not going to be drilling any
8 time soon because they got some deep thinking to do but
9 believe me, that's a lot of oil.

10
11 John, that's a lot of oil. The world
12 is not going to ignore that.

13
14 MR. HOPSON: Yes, it is. I appreciate
15 your comments and I agree with you.

16
17 MR. G. BROWER: Mr. Chair.

18
19 CHAIRMAN BROWER: Yes, Gordon. Thank
20 you, Robert, for providing those comments to John.

21
22 Yes, Gordon.

23
24 MR. G. BROWER: Yeah, in the same light
25 of concerns, I think when the lease sale was initially
26 going on we had serious reservations about certain
27 aspects of the exploration program and concerns related
28 to the Gulf of Mexico. Issues that could potentially
29 unfold up here in the Arctic. Recognizing that the
30 Gulf of Mexico is a mile deep and where this area is,
31 you know, maybe a hundred or 200 feet deep. But
32 they're very different -- different climates. Their
33 climate down there is tempered climate. Up here you go
34 into several months of darkness, you know, go into
35 winter quickly. And our concerns related to being able
36 to effectively mount response to something to that
37 magnitude if there was a blow out or something, it that
38 were to occur. Recognizing these conditions and issues
39 to the developed proven methods, you know, we have
40 serious concerns about the use of dispersants. We
41 don't really know the effect it has on the food
42 sources, the small critters like the plankton, krill,
43 and that -- I had happened to be in the -- in a
44 position to be a unified command member for several
45 real events like the Repsol blowout and part of the
46 unified command for the GC2 spill, the largest oil
47 spill on the North Slope in Prudhoe Bay, and also been
48 part of the unified command for the MutualAid training
49 drills that occur annually for the last maybe 15 years
50 I've been participating at those levels. And we're

1 always posed or put in a position, how are you going to
2 respond when a mechanical means is inundated, it's
3 deemed ineffective. The first line practically of
4 defense on an initial spill like that would be to use
5 chemical dispersants. I was confronted with that in a
6 unified command scenario of a spill in the Chukchi Sea,
7 it's a drill but you had to act as if it was really
8 happening and there was a decision to be made. Is it
9 do we need to use chemical dispersants and disperse
10 that big oil plum and my questions are, I know we're
11 thinking of dispersing that but what are we doing to
12 the environment in doing that. They couldn't answer
13 the health questions about dispersing oil in a climate
14 like this, especially when you got large filter feeders
15 that we depend on as a food source. Are we going to be
16 contaminating ourselves.

17

18 Those kind of questions.

19

20 So I thought in my mind, because
21 dispersants should not be one of the portfolio of tools
22 to control an oil spill in the Arctic, we depend on
23 those marine resources.

24

25 Mechanical means, do your best to do
26 that if there was a large plum out there, you want to
27 try to herd it to the shore, if you can.

28

29 One of the different mechanism is light
30 it on fire and you only have probably hours to think
31 about lighting it on fire because of the emulsification
32 of oil, the coldness, the cold climate, that oil gets
33 emulsified very quickly. How effective that is in the
34 Arctic climate up here. You practically have to light
35 it right away in order to be effective or to be an
36 effective tool as a -- getting rid of oil from the
37 ocean.

38

39 Different tools like chemical herders,
40 an airplane would fly around and where there is patches
41 of oil -- it's called a chemical herder, it makes oil
42 bunch up together and get thick by itself, and you can
43 do various things.

44

45 So those -- there's so many questions
46 out there and those were, back then, our concerns, of
47 what you would do in terms of oil spill control.

48

49 One of the other things that we talked
50 about was do everything you can to put preventive

1 measures. Put your blowout preventers and test those,
2 your stacking cap, that was being worked on, and make
3 sure they work and have the capability of recovering
4 from off shore, when you're going to be a hundred
5 miles, 1000 miles from the nearest place, you would
6 potentially have to off load oil once you recover it.
7 I think that's impractical. You would almost need
8 infrastructure, maybe in Wainwright and Barrow for
9 effective response capabilities, maybe even an
10 injection well where you can -- not an -- it's called a
11 disposal well, or injection well, like a grind and
12 inject facility. The only place there is on the North
13 Slope is in Prudhoe Bay, grind and inject No. 4, all
14 the drilling ways that went on in the NPR-A that -- all
15 that drill cuttings, guess what, they had to back haul
16 all of that, they had to back haul all of those drill
17 cuttings back to Prudhoe Bay, grind and inject them,
18 then put them back underground.

19
20 Are we proposing to dispose of that in
21 the environment.

22
23 Those are some of the concerns that
24 were raised at the time. So I have not seen, to-date,
25 the capability or even the research up here in the
26 Arctic. There should be resource facilities up here.
27 We were invited to go to a research facility in Norway
28 to take a look at how you would respond in an Arctic
29 climate. We don't have those kind of facilities up
30 here. I think the Federal government is way behind in
31 being able to effectively research how you would
32 respond in ice conditions, in the Arctic climate up
33 here.

34
35 We consistently commented on the
36 drilling program for Shell and tried to let BOEM and
37 others realize, you should only reach the hydrocarbon
38 formation only a defined period of time in the Arctic,
39 between July and August. That's your window. If there
40 were something to go wrong beyond September, into early
41 September, you would go into the dark season and
42 starting to get cold then your response capabilities
43 start to diminish by the day. You get cold climates,
44 you get all of this darkness start to brew and the cold
45 comes in. Whereas if you drilled into the hydrocarbon
46 formation in July and August, you practically have a 24
47 hour window of cleanup opportunity because the sun
48 practically doesn't set for that period of time. It's
49 a warmer period and you can see the oil 24 hours a day
50 practically.

1 So those were our comments in trying to
2 convince the Federal government, what you should do to
3 prevent oil from spilling, to have a capable response
4 planning and penetrating the hydrocarbon formation,
5 only in a defined period of time where you can do an
6 effective response.

7
8 You can get me going on this kind of
9 dialogue for a long period of time, but those were some
10 of the comments that we would have provided from the
11 North Slope Borough Planning, Wildlife, coming together
12 to make comments for the North Slope Borough Mayor to
13 submit those. But these are key information that, you
14 know, we continually emphasize to have the best
15 management practices, best Arctic technology in order
16 for these kind of response to be capable. Keeping in
17 mind that they did drill out there back in the '80s, I
18 think, to do the initial discoveries of these things.

19
20 CHAIRMAN BROWER: Uh-huh.

21
22 MR. G. BROWER: They may have not had
23 the standards that we have today, I don't know, or they
24 didn't implement them as such, or we were too young to
25 remember.

26
27 But, anyway, those were some of the --
28 that would be my comments, I think that's John from
29 ICAS.

30
31 CHAIRMAN BROWER: Thank you, Gordon,
32 for making those comments.

33
34 John, I hope that's helpful in a sense
35 that you raised the question in regards to offshore oil
36 and gas.

37
38 I'm just looking back in terms of our
39 charter and what we're objected to do, not objecting,
40 but our objectives for our Council.....

41
42 (Laughter)

43
44 CHAIRMAN BROWER:is to be able to
45 provide meaningful comments in regards to subsistence
46 use resources on Federal public lands.

47
48 Our scope is somewhat limited in that
49 sense but we do provide comments if we're questioned
50 with the knowledge that is provided from each of the

1 Council members. And we also wear different hats in
2 the communities for employment, so we have a lot of
3 information that we also learn from the jobs that we
4 hold during the days.

5
6 Again, we have -- we're multi-faceted
7 in a sense that we come from different backgrounds with
8 regards to work relations but we all are users of our
9 subsistence use resources so we have a common call for
10 management of our resources that we depend on for
11 subsistence.

12
13 I hope that's helpful John. I'm not
14 trying to deviate from your comment but I think we need
15 to be within our parameters of why we sit here as a
16 North Slope Regional Advisory Council.

17
18 MR. HOPSON: Okay, thank you. I just
19 wanted to see if anyone had any comments or concerns
20 about the topic. So thank you guys for providing that.

21
22 CHAIRMAN BROWER: Thank you for raising
23 the question, John.

24
25 Maybe you may have some other comments
26 as well in regards to North Slope subsistence
27 activities on Federal public lands if you wish to offer
28 any of those kind of public comments or tribal comments
29 on non-agenda items that maybe we're not discussing at
30 this time. You're welcome to do that as well.

31
32 Or if we have other participants either
33 on the teleconference or the listening audience here in
34 Barrow.

35
36 Doreen.

37
38 MS. LAMPE: Good afternoon. Thank you,
39 Mr. Chairman.

40
41 REPORTER: Doreen, your mic.

42
43 CHAIRMAN BROWER: There's a button on
44 the mic.

45
46 REPORTER: Doreen, it's in the middle.

47
48 CHAIRMAN BROWER: If you could -- yes,
49 thank you.

50

1 REPORTER: Thanks, go ahead.

2

3 MS. LAMPE: Good afternoon, Mr.
4 Chairman. Doreen Lampe for the record.

5

6 I know there's another meeting going on
7 in Fairbanks and I'd like to recognize that our regular
8 member is on maternity leave until April, she just had
9 her twins, and our regular member Dominique, is
10 attending a meeting in Fairbanks and John Cody is our
11 ANA project coordinator for our offshore activities. I
12 appreciate your guys comments on this matter. I'm also
13 with the Native Village of Barrow as a Council member.

14

15 I'd just like to continue the dialogue
16 that ICAS is trying to create, a hunter/gatherer
17 commission to address some of our subsistence, what you
18 call subsistence what we call traditional harvest
19 access issues.

20

21 On your map here I provided, you can
22 see there's a lot of Federal public lands and there's
23 quite a bit of issues that our membership continue to
24 face regarding access of subsistence activities.

25

26 We have initiated some dialogue during
27 Kivgiq last year on the hunter/gatherer commission. We
28 kind of had to step back until we took a look at tribal
29 sensitive areas and where we would like to highlight
30 areas of the community's concerns that they wish to
31 protect for their community. Last summer Bob Wolf and
32 John Cody Hopson, along with Flora Aleu (ph)
33 (indiscernible) traveled to Point Lay, Point Hope,
34 Anaktuvuk Pass and Kaktovik, all the villages outside
35 of NPR-A to identify some tribal sensitive areas and
36 we'll be publishing that sometime this year.

37

38 I know there's a lot of different
39 commissions that seem to oversee certain species, like
40 the Polar Bear Commission, the Walrus Commission, AWC,
41 so kind of we don't want to kind of duplicate the work
42 that they're already doing but we would like more of a
43 dialogue for some of our traditional harvest users
44 regarding the renewable natural resources, the plants,
45 the animals, the fish and we'd like to get those access
46 issues resolved. So there's quite a bit of interest in
47 creating this Arctic hunter/gatherer commission and I'm
48 not sure how we can work with you but we do also need
49 to work with the State of Alaska for our members in
50 Point Lay and in Nuiqsut, Deadhorse area, also

1 Anaktuvuk Pass north of the Brooks Range, there's quite
2 a bit of State lands, and in Point Hope, quite a bit of
3 State lands there.

4

5 So we do want to have the opportunity
6 to present this to you, to work with you guys and
7 create this Arctic hunter/gatherer commission that
8 should help alleviate a lot of access issues that some
9 of the traditional harvest users have been faced with
10 in the past. There's quite a bit of concerns that have
11 been raised at our ICAS general membership meeting and
12 we hope to work with you guys on that in the future.

13

14 Once, again, thank you for your
15 comments regarding the decision on the court case, the
16 Ninth Court of Circuit Appeals [sic]. All right, have
17 a good afternoon, thank you very much.

18

19 CHAIRMAN BROWER: Thank you, Doreen.

20

21 Gordon.

22

23 MR. G. BROWER: Yeah, Gordon Brower for
24 the record. This is probably just giving you some
25 information.

26

27 Before the ACMP, the Alaska Coastal
28 Management Program sunsetted and it was not -- no
29 legislative effort was to reenact that and the North
30 Slope Borough had embarked on a revision of the Coastal
31 Management Program and we developed new coastal
32 resource atlas. The North Slope Borough has an old
33 atlas to compliment the policies that it was intended
34 to protect through coastal management. And we
35 developed, I think, 168 sensitive maps for each
36 community identifying caribou hunting areas, berry
37 picking, a whole bunch of different sensitive
38 information. It might be -- there might be a way to
39 use that information because we aren't currently using
40 that, it was adopted by the Assembly but DNR had never
41 -- we were in an elevation stage with the commissioner
42 at the time until its demise. It'd be working through
43 the administration of the Borough. If that's the type
44 of information that's helpful for this particular plan,
45 if that's -- might help to minimize duplication of
46 effort.

47

48 That's all I wanted to offer.

49

50 I think it's an interesting concept to

1 hear about and, you know, hunter/gatherer associations.
2 I think there's something like that in Canada, some
3 Canadian folks had come visited the planning department
4 and talked about their association of hunters and
5 gatherers association over there and how they deal with
6 their Federal government.

7

8 It might be something to look into as
9 well.

10

11 Thank you.

12

13 MS. LAMPE: Mr. Chairman.

14

15 CHAIRMAN BROWER: Yes, Doreen, go
16 ahead.

17

18 MS. LAMPE: Doreen Lampe for the
19 record.

20

21 Yes, our president, George, sat in on
22 the II agreement meetings with Canada here in Barrow,
23 that was the Inupiat, Inuit Agreement and where they
24 co-manage the polar bears and the beluga and we are
25 working with them and thank you for your comments on
26 that.

27

28 Regarding the ACMP and the Federal
29 Coastal Zone Management Program, I don't know if this
30 Federal organization is the right one to address that,
31 but without the ACMP we would like to see the Federal
32 Coastal Management Plan be more accessible. And also
33 some of the comments that were shared in our surveys to
34 the villages, especially in Point Hope, was the need
35 for more ANILCA .810 public hearings, and in the Point
36 Hope area especially.

37

38 So thank you for your comments and look
39 forward to working with you all.

40

41 Thank you, very much.

42

43 MR. SHEARS: One more, Mr. Chairman.

44

45 CHAIRMAN BROWER: Yes, Robert.

46

47 MR. SHEARS: Doreen, let me give you
48 some feedback here in regards to the comments on the
49 hunters/gatherers commission on access issues that I
50 know of in villages on the North Slope that relate to

1 subsistence and that affect of subsistence.

2

3 Kaktovik is an island that is locked
4 from the mainland and prevents subsistence access two
5 times a year, during break up in June, hunters cannot
6 use their boats nor their snowmachines to access the
7 main land for hunting, and then again during freeze up
8 in November during caribou hunting, again, they're
9 locked up, they can't use their boats to access the
10 main land, and the ice is too thin for snowmachines.
11 And, you know, Fenton, has repeatedly asked, you know,
12 for funding or for studying to develop a bridge across
13 that -- it's a fairly significant project, but a bridge
14 across that inlet between the island and the main land.
15 But, you know, if they could -- before they were
16 established there and locked into living in homes,
17 constructed homes, the inhabitants of Barter Island
18 area were never affected by this, you know, they lived
19 on the main land when they needed to live on the main
20 land, they lived on the island when they needed to live
21 on the island. But it was the introduction of the
22 school there and forcing the people to occupy it that
23 has basically locked them out from subsistence. It's
24 an access issue in Kaktovik in regards to the physical
25 location of the community.

26

27 In Nuiqsut. NPR-A grant funds were
28 provided, you know, at the initial NPR-A lease sales
29 back when Alpine was being constructed, in 1999, 2000
30 -- 2000 NPR-A grand funds were set aside for Nuiqsut to
31 begin constructing a road from the community to the
32 Colville River. Grossly inadequate. There's no way
33 you can construct even a portion of that road for the
34 amount of funds that, you know, the State provided for
35 that but, you know, they threw a piece of money at it
36 and they said, hey, we solved your problem with your
37 subsistence access to the Colville River for launching
38 your larger boats, now deal with it, and that road
39 still has not been constructed today because funding
40 cannot be resolved to meet the prices of gravel that
41 the community has to compete with oil industry to
42 purchase.

43

44 Wainwright. Wainwright is more and
45 more becoming a fall whaling community as global
46 warming and sea ice in the spring is deteriorating
47 conditions. Even this year in one of the first times
48 in near history the whales have never been struck in
49 the springtime because of poor ice conditions.
50 Wainwright is becoming more and more a fall whaling

1 community. People in Barrow realize just to hunt
2 whales in the fall takes a little larger class vessel
3 than a skin boat, or the small aluminum towing skiff
4 that would be used in the spring. Wainwright does not
5 have the infrastructure to access deep water near the
6 inlet, it needs a 2.5 mile road to the inlet and they
7 have repeatedly been requesting construction of this
8 road from the North Slope Borough since the mid-1980s.
9 Again, and again it continuously gets denied because
10 it's considered not a benefit to the North Slope
11 Borough. Well, it sure is a benefit to the subsistence
12 people who want to hunt whales in the falltime in
13 Wainwright and it's becoming more and more an issue.

14
15 Point Lay. Point Lay, again, is
16 landlocked, not unlike Barter Island -- you know,
17 unlike Barter Island where they are separated from the
18 ocean by a coastal lagoon, the lagoon is a barrier to
19 the Barrier Islands, in the spring and in the fall when
20 the lagoon is freezing, global warming conditions is
21 making the ice very dangerous in the spring, very
22 dangerous in the fall for extended periods of time and
23 they cannot access the ocean for hunting.

24
25 Point Hope. Point Hope has been trying
26 to develop an access road to the foothills from their
27 community for a number of reasons. They tried to --
28 you know, but the biggest justification for it is so
29 that they can -- so that they can have more ready
30 access. Point Hope is way out on a narrow spit of land
31 at the very point of Western Alaska. It is an
32 excellent place for marine mammal hunting and
33 subsistence and it provides insect relief in the summer
34 but more and more, again, with the warming trends of
35 the ocean, the changing conditions in the ocean, more
36 development activities, shipping activities in the
37 ocean they're turning to the land as a food source but
38 the land is -- the land base food source is far away
39 from that community. It's far to the west. And they
40 would like to be able to have a road access 20 miles
41 inland and they've tried to justify this road, you
42 know, on a number things. First, it was an emergency
43 evacuation route because they are concerned -- you
44 know, Point Hope is very close to sea level. But, you
45 know, they have not -- there's never been an experience
46 -- a significant flooding event there caused by ocean
47 flooding and so that really doesn't justify. But what
48 does justify it, is subsistence. They're seeking out,
49 they're crying for help so how they can -- so they can
50 change, adapt to this new subsistence environment that

1 we're in as the climate changes.

2

3 And so those are the examples that I
4 could put up as access issues that the hunter/gatherer
5 commission could consider, and that all of us should
6 consider is becoming more important to us from a
7 subsistence viewpoint.

8

9 Thank you.

10

11 CHAIRMAN BROWER: Thank you, Robert.

12

13 Doreen.

14

15 MR. LAMPE: Thank you, Mr. Chairman.
16 Thank you for those concerns.

17

18 We did reach out with some of the
19 members when we went on these village trips. John Cody
20 went to the one in Point Hope and Anaktuvuk Pass and he
21 followed the consultant, Bob Wolf, so we have a draft
22 document provided and I'm not sure if your types of
23 access issues were considered when they went to their
24 communities. They were there for about four days
25 during the summer and they elected to survey the most
26 active elder hunters and youth hunters in their
27 communities. Most of it was air traffic coming in
28 scaring their game in Nuiqsut or all the permitted
29 hunting and camping, outfitters on the HulaHula River
30 near Kaktovik and all the sportshunters allowed to hunt
31 near Anaktuvuk Pass and providing some meager portions
32 of the hunt, the catch that they don't consider the
33 sport prized parts to be flown into Anaktuvuk Pass and
34 given to the community. Before the first migration of
35 the caribou goes through the community that's the time
36 where the caribou will follow their trail for that
37 season.

38

39 So there's a range of different hunting
40 access issues, I guess, that we're not capturing in the
41 sense that you described.

42

43 But the Point Hope issue with
44 enforcement coming in from the south, Kotzebue area,
45 and seeming to like do selective target enforcement on
46 subsistence hunters where they have some new rules such
47 as one that was mentioned in a previous meeting. They
48 utilize a snowmachine and shoot their gun while they
49 are still on their snowmachine is a violation, and they
50 want more education given to the subsistence users on

1 all these regulation changes. They can take your gun,
2 they can take your game if they happen to witness you
3 shooting your gun off your moving vehicle, ATV or
4 snowmachine.

5
6 So there's a difference of concerns and
7 issues that we've seemed to capture in our short summer
8 survey trips that we've gone to with our consultant and
9 thank you for sharing your concerns on access issues
10 which are kind of new to me.

11
12 Thank you, Mr. Chair.

13
14 CHAIRMAN BROWER: Thank you, Doreen,
15 for providing your comments as well. It's an opportune
16 time for you to do so and it's well within our agenda
17 in hearing your comments as well, having this dialogue.

18
19 Thank you.

20
21 Do we have any other participants or
22 attendees that wish to comment.

23
24 Earnest, come on down, the price is
25 right.

26
27 (Laughter)

28
29 CHAIRMAN BROWER: Thank you, Ernest.

30
31 MR. E. NAGEAK: Ernest Nageak for the
32 record.

33
34 I work for US Fish and Wildlife Service
35 here in Barrow but I'm here as a subsistence hunter and
36 have a concern of threatened eiders because Fish and
37 Wildlife Service, they monitor and protect these
38 threatened eiders and my concern is with the increased
39 numbers in spectacled eiders on the North Slope,
40 they're known to fly with the king eiders and the
41 common eiders because they all fly together. But the
42 Fish and Wildlife Service's main concern is the steller
43 eiders, which is much smaller and you are able to
44 distinguish the difference from that bird and a king
45 eider just because of the size and the color of the
46 skin and stuff. But with the spectacled eider it's
47 harder to distinguish especially the females. When
48 they fly together, you know, they're all brown and the
49 spectacled eiders, all they have is like a white patch
50 on their eye. And my concern is with the increased

1 numbers of spectacled eiders nearly almost 300,000 or
2 more in Alaska -- or in the US.

3

4 I was out hunting ducks out at duck
5 camp and, you know, these flocks are up to the -- they
6 get 200, 300 birds in one flock at a time and with the
7 cost of shells maybe almost 40 bucks were taught to
8 maximize our shot and try to get as much birds as we
9 can and I shot at these female flock and I happened to
10 accidentally shoot a spectacled eider and, you know,
11 with the surveys of wildlife -- the harvest surveys and
12 all kinds of -- you know they say it's good information
13 and data and the Fish and Wildlife Service, you know,
14 always had our -- came up and said to self-report or,
15 you know, let us know if you accidentally shoot one and
16 so that's what I did, I called them let them know I
17 accidentally shot this bird because it was flying with
18 the king eiders and I thought -- it turns out they gave
19 me a fine for reporting what I considered was an
20 accident because I wasn't out there trying to shoot
21 spectacled eiders, they happened to be in the king
22 eider flock. And maybe could advise the Council, or
23 regional -- or in our region, you know, to have a
24 leeway, you know, if accidents like that happen again
25 because I'm sure more and more spectacled eiders are
26 caught out there but it's -- they don't go and let
27 anyone know. But if they could -- they're still on the
28 threatened list because they're not nesting on the YK
29 Delta that's why they're still considered threatened,
30 but with the increased number of spectacled eiders, you
31 know, we just want to -- I don't want my fellow
32 hunters, you know, getting cited for shooting a
33 threatened bird that was flying with -- that's just one
34 of my concerns and comments on the spectacled eiders
35 since the Federal government is protecting them.

36

37 So that's it.

38

39 CHAIRMAN BROWER: Thank you, Ernest,
40 for making those comments.

41

42 Any other feedback from Council
43 members.

44

45 MR. G. BROWER: Mr. Chairman.

46

47 CHAIRMAN BROWER: Gordon.

48

49 MR. G. BROWER: Yeah, Mr. Chairman.
50 Gordon Brower for the record.

1 I completely sympathize with Ernest.
2 There have been other young folks kind of disillusioned
3 from this because it's hard to differentiate when those
4 ducks are going fast and you're -- you got to -- when
5 they come and you're in your little blind and you get
6 up and you're -- like you said you maximize, if you can
7 get three with one shot that's pretty good, you know,
8 and you're doing good. And it's just all food.

9
10 I used to have a concern about
11 spectacled eiders and others and, you know, a lot of
12 our elders have passed on that had good dialogue about
13 this. I remember my dad saying, those kind of birds
14 were never in numbers equal to what the other eiders
15 are around here. They were always, you know, you see
16 them but not in the same numbers as these other major
17 birds but because they look like they're few then all
18 of a sudden they're, you know, a protected species.
19 And it would be a good concern to raise as to what the
20 threshold level is to start to consider these things.
21 And, you know, sometimes I think they just get sued,
22 too, by the environmentalists to do certain things and
23 nobody really confronts when the Federal government
24 gets sued to protect something.

25
26 I think the Borough and others are
27 confronting about oogruks and other things because, you
28 know, the environmentalists get -- environmentalists
29 always get their way it seems like because they got a
30 lot of money and they sue the Federal government to
31 list these things and sometimes maybe it's premature.

32
33 So those are just my comments.

34
35 Another thing, do we recommend anything
36 about birds from this commission.

37
38 CHAIRMAN BROWER: We're basically
39 dealing with Federal lands and not so much migratory
40 birds. Our charter, if specifically identify it under
41 our charter, we're dealing with terrestrial animals,
42 basically. The regulation booklet is -- it doesn't
43 deal with the migratory birds or marine mammals, we
44 deal with terrestrial land based only.

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

47
48 CHAIRMAN BROWER: Yes, Gordon.

49
50 MR. G. BROWER: I think we were, as a

1 body, made comments to another commission with concerns
2 that were raised, something that we could not make
3 recommendations ourselves to, but make comments, this
4 is what the Regional Subsistence Advisory Council has
5 concerns over.

6

7 CHAIRMAN BROWER: Uh-huh.

8

9 MR. G. BROWER: And they go to maybe
10 the flyaway people or something like that.

11

12 CHAIRMAN BROWER: Yeah. There's a
13 migratory bird working group and they deal with the
14 different flyaway zones within the US in that sense.
15 But in terms of migratory birds and regulations that
16 pretty much is through that management group itself
17 regarding migratory birds.

18

19 James.

20

21 MR. NAGEAK: Yeah. My nephew reminded
22 me of the time that I went to Chitina for dipnetting
23 and when you go to dipnetting you have to get one of
24 these little pieces of paper where you have to punch in
25 how many fish you got, as it turned out, you know, I
26 didn't have any tools to punch in that thing and so I
27 went to the Fish and Game office and said, can I borrow
28 your pencil so I could punch in how many fish I got on
29 my trip to Chitina and they said, yeah, here's a pencil
30 and he said why didn't you do that when you were there
31 by the river. I said I didn't have any sharp objects
32 in my possession. And he said I'm going to write you
33 up anyways. And I'm living in Fairbanks and the court
34 is in Glennallen so they set the time for me to go to
35 the court system there on a certain day so I drove from
36 Fairbanks to the court and the Fish and Game person
37 never showed up. And I wrote a comment here, the Fish
38 and Game made a spectacle of themselves.

39

40 (Laughter)

41

42 CHAIRMAN BROWER: Thank you, James.

43

44 I think, Ernest, I think we can, you
45 know, help in drafting comments regarding your concern
46 to the Migratory Bird Working Group and the regulation
47 committee, again, supporting your concerns and what
48 you're having to deal with in terms of what you were
49 honestly trying to help with the concern of birds that
50 are taken incidentally, I guess is how you would have

1 to state it, that we don't control them mixing in with
2 other flocks of the key species, the common eider, king
3 eiders and mixing in with the spectacled eiders. I
4 know that happens as well. I grew up around that same
5 area you've been hunting and I see that -- seen that
6 actually happening recently, you know, the spectacled
7 eiders feeding near shore and a flock of ducks happen
8 to fly by, they fly up and catch up with a large flock
9 that is flying by already and they mix in with these
10 birds and we don't have no control as to which portion
11 of the flock not to shoot at. And we don't exactly
12 know where those spectacled eiders are blended into
13 that flock. As Gordon and you stated, Ernest, that
14 these birds are moving pretty fast, well over 60 miles
15 an hour in a sense when they're flying over if you --
16 if you had a speedometer gage, you know, trying to
17 monitor how fast they're moving. That's something that
18 I had to deal with, that group from US Fish and
19 Wildlife Service that deal with the endangered species
20 group, to specifically the spectacled eiders and
21 provided those types of comments to them.

22
23 We don't try to target those birds but
24 they are shot down incidentally because they're mixed
25 in and we're not looking to try and identify which
26 one's the spectacled or which one's the common because
27 they all look the same at 60 miles an hour.

28
29 MR. G. BROWER: Yep.

30
31 CHAIRMAN BROWER: You know, who's going
32 to try to be looking for a little white spot on a bird
33 that's flying 60 miles an hour with 200 other birds.
34 They all look the same. I mean I've shared those
35 similar comments. Again, I think we can definitely
36 work with you as a Council supporting your concern to
37 see how better that condition, or stipulation that's
38 put under the migratory birds that's -- I mean that's
39 how we can proceed forward as a Council and looking to
40 see to remedy the problem and maybe we might create
41 another Duck Inn, like the 1964 situation about the
42 take of migratory birds out of season. That was --
43 that's what created that duck, there was some
44 regulations that were generated for taking the birds at
45 a different timeframe at a different country and
46 somehow the US got evolved into those regulations and
47 our uses for those migratory birds were not very well
48 documented and enforcement agents happened to be here
49 and cited several folks for -- several of our hunters
50 for taking those birds and that's what created that

1 Duck Inn.

2

3 In regard to the number of --
4 specifically the spectacled eiders, I can tell you the
5 range of numbers are in the thousands. There's only a
6 small portion of them that migrate into the Alaskan
7 coastline. Thousands of them migrate over to the
8 Russian coastline, in larger numbers that reside here,
9 locally, in Alaska, the state of -- the coastline on
10 the North Slope.

11

12 So, you know, it depends on how those
13 folks that are managing the migratory birds perceive
14 that these are threatened and that interpretation needs
15 to be elevated to where there's more communications to
16 better resolve the conditions that we're dealing with
17 regarding migratory birds.

18

19 I hope that's helpful, Ernest, I'm not
20 trying to push you away. If you have other comments
21 you'd like to provide, go ahead.

22

23 MR. E. NAGEAK: Thank you.

24

25 CHAIRMAN BROWER: Yes.

26

27 MR. E. NAGEAK: Since a bird was
28 considered a Federal threatened.....

29

30 CHAIRMAN BROWER: Sure.

31

32 MR. E. NAGEAK:a concern for the
33 Federal government I thought I'd bring it up to the
34 Federal Regional Advisory Council, a subsistence
35 hunters concern out there because, you know, they're
36 going to keep growing in numbers, they find a lot of
37 nests every year, spectacled eiders around here and
38 they're going to continue to mix in with the other
39 flocks and there's.....

40

41 CHAIRMAN BROWER: So, Ernest, can I
42 invite you to come in again tomorrow, is it tomorrow
43 that we have our Assistant to the Secretary of Interior
44 and Tommy Beaudreaux -- go ahead, Eva.

45

46 MS. PATTON: Mr. Chair, if I may.
47 Right before we reconvened from lunch -- I didn't have
48 a chance to update you, I got a call from the
49 Secretary's office, their secretary -- secretary to the
50 Secretary, I guess, they got weathered out. Their

1 charter couldn't fly due to cold weather so I'll call
2 back during the break but it sounded like they may not
3 be able to make it here to Barrow.

4
5 CHAIRMAN BROWER: Anyway, I was.....

6
7 MS. PATTON: Yeah.

8
9 CHAIRMAN BROWER:asking -- not
10 knowing that they were having weather problems, like we
11 do around here, I was going to invite you to help
12 provide those comments to these folks that could help
13 with our situation in terms of how things are perceived
14 under the regulatory management of our resources, you
15 know, Federal subsistence means something to our
16 people, and it's inclusive of all the resources that we
17 utilize for subsistence but when it comes to the
18 Federal Subsistence Management Program, we're
19 specifically addressing just a small portion of those
20 resources, we don't cover migratory birds, we don't
21 cover marine mammals, we can do fish and terrestrial
22 animals, basically. So that's something -- the kind of
23 message I was wanting to share with our secretary --
24 but if things do change and they do arrive we'll
25 definitely try to give you a call and see if you could
26 take part in providing those concerns again.

27
28 MR. E. NAGEAK: Okay, thank you very
29 much.

30
31 CHAIRMAN BROWER: Thank you, Ernest,
32 for taking the time.

33
34 James.

35
36 MS. AHTUANGARUAK: Harry, this is
37 Rosemary.

38
39 CHAIRMAN BROWER: Go ahead, Rosemary.

40
41 MS. AHTUANGARUAK: I just wanted to add
42 that this discussion this afternoon has gone over quite
43 a bit of stuff but it's very important in understanding
44 the issues that we're facing in trying to discuss how
45 important our traditional and cultural foods are and
46 our uses and how we utilize them in our lands and
47 waters. Working with the request, to get through, it
48 might help us work through some of the issues that
49 we're unable to address because of the multi-layered
50 approach of management in our region. It is important

1 that we find ways to get to a better resolution to the
2 discussions that we entertain and concerns from our
3 memberships and how we try to address them because of
4 language in the Federal process that limits the ability
5 of us to effectively discuss the issues that are so
6 important to us.

7

8 Thank you.

9

10 CHAIRMAN BROWER: Thank you, Rosemary,
11 for your comments.

12

13 James had asked me to be excused this
14 afternoon and he did mention this morning that he had
15 an invite to take part in a event that was happening
16 this afternoon regarding one of his close friends, that
17 he was retiring, I think, retiring from his position at
18 the school district, so he was invited to attend that
19 and that's where he's going to be taking off to and
20 coming back as soon as it's done there.

21

22 Doreen, I'm glad you're here to hear
23 some of the concern of Ernest's and how that
24 description of subsistence management regulations are
25 not quite what we try to understand them to be and have
26 multi-faceted situations in terms of how our resources
27 are managed by our Federal government in regards to
28 marine mammals, migratory birds, terrestrial animals,
29 fisheries that being segmented and we're only dealing
30 with a small portion. And I just started thinking
31 about what you were commenting about that hunter
32 trapper association in some point within those
33 discussions, if we could make that distinction about
34 how our Federal processes or Federal regulators have
35 separated these different resources and managed by a
36 number of Federal agencies. It's just not one agency,
37 it's multiple agencies that manage these different
38 resources.

39

40 Doreen.

41

42 MS. LAMPE: Yes, Mr. Chairman, thank
43 you very much. Doreen Lampe for the record. And my
44 other hat is the executive director of the Inupiat
45 Community of the Arctic Slope.

46

47 And I'm glad you did sit in on our
48 really early discussions during Kivgiq regarding our
49 conceptual idea of this hunter/gatherer commission and
50 we have been very careful not to model it after AWC

1 where we lose control of this commission but we keep it
2 within the Federal/Tribal authority of ICAS to exercise
3 our sovereign authority for our membership, which seem
4 to be the ones that are selectively targeted for
5 selective enforcement of various organizations. When
6 they had that spectacled eider endangered species
7 listing, the local stores were selling lead shot, yet,
8 they were not penalized, they were not fined, they were
9 not cited until you actually had a hunter buy it and go
10 out there and shoot it and put lead into the
11 environment, then at that point was selective
12 enforcement used against a subsistence hunter for
13 buying a shot that was legal to buy but illegal to use
14 in the United States.

15

16 So these are other various types of
17 issues regarding, not just access, but like you've
18 heard today cross-regional boundary issues where we're
19 not able to effectively remedy or resolve area wide
20 concerns that our general membership with various
21 different land jurisdictions held by various Federal
22 managements. When you look at that map you could just
23 see how many boundaries have been created where ICAS,
24 we're just the 68th North Parallel, that's our
25 boundary, and we're asked to comment and sit in on so
26 many different organizations that seem to have some
27 management limited capacity to manage certain aspects
28 that impact the subsistence hunter.

29

30 So I enjoy being here. I'm sorry I
31 didn't realize my regular member, she'll be out on
32 maternity leave and we had a lot of email and telephone
33 difficulty but I took it to heart that you guys took
34 the time out of your day to travel all the way to
35 Barrow and I thought I should be here and I'm glad I
36 did.

37

38 I know with Native Village of Barrow we
39 have a wildlife director, Joe Sage, and Native Village
40 of Barrow did sign a cooperative MOA to work with the
41 Federal Wildlife Service to try to have our bird
42 education program on steller and spectacled eider and
43 have some high school interns go out and identify
44 nesting areas and call it the Eider Journey Program.
45 So with my other hat, with the Native Village of Barrow
46 Council, that did take place and we were quite shocked
47 when -- to hear about Mr. Roy Ernest Nageak's situation
48 where it was self-reported and in the agreement, you
49 know, you self-report yourself, you don't expect to be
50 fined and cited as if you were actually red-handedly

1 caught by a Federal agent.

2

3 So there are a lot of issues still that
4 we haven't touched on but I'd just like to say
5 regarding the fish here, there was some concerns in
6 Nuiqsut regarding the deformities and also the caribou
7 issue. I know it's out of your jurisdiction but when
8 they do have caribou on State land sides across the
9 Colville River and they hunt them, they get
10 confiscated, their weapon, their game and they get
11 escorted out of the State lands.

12

13 But we have a long ways to go yet on
14 this hunter/gatherer commission but we've done the leg
15 work regarding the grant portion of the tribal
16 sensitive areas, and thank you, Gordon, for your
17 comments on that, Bob, and Harry, appreciate hearing
18 all the issues here this afternoon and I look forward
19 to working with you better and we'll be more on top of
20 our representatives. Sorry. I know I did ask Cody to
21 call in, we were expecting another Federal agent to
22 come into town also today, we're going to have a 3:00
23 o'clock government to government meeting but glad to
24 hear that's cancelled so I can sit in the rest of the
25 day on this meeting here.

26

27 But I do appreciate your guys'
28 commenting to other organizations to try to help and
29 resolve remedies to these situations that are occurring
30 and are very stressful to young subsistence hunters
31 still trying to learn the way and provide food on the
32 table for their families and I really appreciate the
33 opportunity to be here today.

34

35 Thank you, Harry.

36

37 CHAIRMAN BROWER: Thank you, Doreen.

38

39 Okay, and I'll just ask maybe the
40 participants over the telephone if there's any other
41 comments to be provided regarding this agenda item,
42 public and tribal comment on non-agenda items.

43

44 MS. AHTUANGARUAK: Harry, all of these
45 issues that we've been discussing has a really
46 important issue on the social structures of our
47 communities and the complexity of trying to provide for
48 our families from the traditional foods that we have
49 harvested through the generations. The changes that
50 are occurring make it very difficult to communicate at

1 the right meeting to try to get our issues to the right
2 place to have a hope of having an agency take a
3 response to these concerns. It's very difficult for us
4 to be able to be on top of the continued change of
5 regulatory effort, especially as there are many changes
6 that are occurring which increasingly changes to our
7 lands and waters and trying to identify what changes
8 are causing the impacts to our subsistence issues.

9
10 All of these things are really
11 important that cause us to have some changes to these
12 subsistence harvesting, it impacts us in so many
13 different ways, the social structures of our families,
14 the understanding of the value of the participants of
15 the ones that are going out to do these activities,
16 when they go out and it used to be five gallons and you
17 could go out and get a caribou, but now it's 20
18 gallons, 50 gallons and there isn't a caribou. It's a
19 very different discussion they're having and then they
20 come back with the snowmachine being broken and the
21 additional cost of what all that means; the discussions
22 are very different. Educating our families get changed
23 because of what used to be okay for our elders to hunt
24 is not okay for young people to hunt and trying to
25 blend the process.

26
27 All of this is not well understood but
28 -- are felt through the process on the social bad
29 things that happen with the increase in suicide
30 attempts, suicide successes, the disruption that occurs
31 with domestic violence, hearing these kinds of things
32 when we have immediate change to your subsistence
33 harvestability and your ability to feed your family and
34 to fill our cellars to prepare for the year in the
35 extreme environment that we need to have these basic
36 food resources to be able to walk out on our lands and
37 waters with these temperatures that we live with. It's
38 a very different process and we don't get to the right
39 position to bring all these discussions.

40
41 It's so important, all of the subjects
42 that we've been contributing and some of the issues
43 that we have to face.

44
45 Thank you for making sure we had
46 opportunity and furthering the need to add additional
47 comments.

48
49 CHAIRMAN BROWER: Thank you for your
50 comments, Rosemary.

1 Hearing no other person wanting to
2 comment, we could definitely move on to our next agenda
3 item.
4
5 Any more comments.
6
7 (No comments)
8
9 CHAIRMAN BROWER: Maybe before doing
10 that we'll take a 10 minute break.
11
12 (Council nods affirmatively)
13
14 CHAIRMAN BROWER: Okay, I'll call for a
15 10 minute recess. I got to listen to my elders.
16
17 (Laughter)
18
19 CHAIRMAN BROWER: 10 minute break.
20
21 (Off record)
22
23 (On record)
24
25 CHAIRMAN BROWER: We're done with
26 public and tribal comments on non-agenda items. Now
27 we're moving along with our agenda and getting into the
28 old business.
29
30 We have several updates on some of our
31 agenda items.
32
33 The first one reads Road to Umiat
34 status and update. So I'll look to Eva to help provide
35 the update.
36
37 MS. PATTON: Mr. Chair, thank you. And
38 as we discussed yesterday this is a very brief update.
39 I do have two pages of general information on the
40 status of the EIS for the road to Umiat.
41
42 And as we had discussed yesterday that
43 EIS is essentially on hold. I spoke with the Army
44 Corps of Engineers. The State has suspended their
45 proposal in development of that road and the EIS is in
46 suspension so there's no progress on it. As soon as
47 anything gets opened back up again Army Corps of
48 Engineers will initiate that EIS process and provide
49 the public with formal noticing of anything being
50 initiated again.

1 So Dave Yokel will provide the Council
2 with updates on any ice and snow roads, but currently
3 there's no development going on for the actual EIS,
4 road to Umiat. So the ice and snow roads updates will
5 be tomorrow and that's on the NPR-A lease sales areas.
6
7 CHAIRMAN BROWER: Any questions to Eva
8 from the Council.
9
10 MS. AHTUANGARUAK: Harry.
11
12 CHAIRMAN BROWER: Rosemary, do you have
13 comments.
14
15 MS. AHTUANGARUAK: When we were at the
16 Water Rights Conference there was communication that
17 Anaktuvuk and Ambler would be really good to talk if
18 there's any movement on this project because of their
19 proximity and nearby reaction to any changes that will
20 affect the migration but they have requested that at
21 that meeting we were at.
22
23 Thank you.
24
25 CHAIRMAN BROWER: Who was the other
26 community, Rosemary, AKP and.....
27
28 MS. AHTUANGARUAK: Anaktuvuk and
29 Ambler.
30
31 CHAIRMAN BROWER: Ambler, okay.
32
33 MS. PATTON: Mr.....
34
35 CHAIRMAN BROWER: Thank you.
36
37 MS. PATTON: Mr. Chair.
38
39 CHAIRMAN BROWER: Yes, Eva.
40
41 MS. PATTON: Through the Chair,
42 Rosemary, Marcy Okada will be providing an update to
43 the Council tomorrow for the National Park Service and
44 she does have a handout and a brief update on access
45 road through Gates of the Arctic so she can provide an
46 update on that process tomorrow.
47
48 CHAIRMAN BROWER: Did that help you
49 Rosemary.
50

1 MS. AHTUANGARUAK: Yes, I know Esther
2 was able to talk to somebody at Ambler and that's how
3 the communication came to me.

4
5 Thank you.

6
7 CHAIRMAN BROWER: Okay. If there's no
8 other comments or questions to Eva on the road to Umiat
9 we'll move on to our next agenda item, wildlife
10 regulatory proposals. I see an asterisk on the end of
11 the -- but where do we follow up discussion by the
12 Council is desired, Eva?

13
14 MS. PATTON: Mr. Chair. Through the
15 Chair, the Council had taken action on all its Federal
16 wildlife proposals and other proposals brought before
17 the Council at the last meeting so there's no action
18 remaining by the Council at this time.

19
20 There is one update for Proposal WP14-
21 51, which was the Red Sheep Creek, the ADF&G's proposal
22 to rescind closure in portions of Arctic Village Sheep
23 Management Area. Eastern Interior Council also took
24 this proposal up, Arctic Village is within that
25 Council's region, but Arctic Village and Anaktuvuk Pass
26 both have C&T for sheep in this area. So the Council
27 did vote to oppose this. The North Slope RAC Council
28 voted to oppose this proposal at your last meeting.
29 Eastern Interior took this up and also voted to oppose
30 this proposal and supported the community. There was
31 quite a bit of public testimony, both public and tribal
32 members from Arctic Village and Venetie traveled to the
33 Eastern Interior Council meeting and called in on
34 teleconference, and the Council voted to oppose this
35 proposal after testimony on the cultural importance of
36 sheep for the community and the overriding concerns of
37 interaction from hunting, pushing sheep further away
38 from the community.

39
40 That's all for the updates for the
41 wildlife proposals.

42
43 CHAIRMAN BROWER: Thank you, Eva.
44 Questions from Council members.

45
46 MS. AHTUANGARUAK: Eva, you didn't
47 mention Kaktovik, but Kaktovik also had a lot of
48 communications early on in that process.

49
50 MS. PATTON: Through the Chair, yes,

1 thank -- thank you, Rosemary. And that was a big part
2 of the testimony from this Council, is the involvement
3 of Kaktovik with their C&T with sheep in this area.

4
5 Thank you.

6
7 CHAIRMAN BROWER: Okay. Is there any
8 other discussion on that, on the wildlife proposal
9 updates.

10
11 (No comments)

12
13 CHAIRMAN BROWER: Even though we don't
14 have any wildlife regulatory proposals -- but there was
15 one that Robert, you mentioned, during our discussions
16 today about the incident that occurred down in Point
17 Hope regarding the use of snowmachining for taking of a
18 furbearer and how that initiated the discussion through
19 the Board of Game, I think there's going to be some
20 followup. I wasn't sure within the agenda we were
21 going to bring this up but.....

22
23 MR. SHEARS: Mr. Chair.

24
25 CHAIRMAN BROWER: Yes, Robert.

26
27 MR. SHEARS: Yeah, and in so learning
28 as we discussed that today we realized that, you know,
29 who could possibly be pursuing that and representing,
30 you know, our concerns on that case forward to the
31 State and it was determined that the North Slope Fish
32 and Game Management Board is our acting advisory group
33 for this matter.

34
35 And I would like to, you know, consider
36 a motion from this Council, a statement of support to
37 the North Slope Fish and Game Management Board that the
38 North Slope Subsistence Regional Advisory Council, in
39 essence, desires allowing the take of wildlife from a
40 motorized vehicle, whereas, the motorized vehicle has
41 become the primary means of transportation for
42 subsistence hunting in our region and specifically in
43 regards to furbearing animals. We think this unduly
44 criminalizes an activity that is a traditional and
45 customary use.

46
47 I don't know exactly how I could word
48 this motion, Eva, but for the consideration of this
49 Council I'd put it out there in that way. If we have a
50 second maybe we could refine it with discussion.

1 CHAIRMAN BROWER: We have a motion on
2 the floor.
3
4 MR. G. BROWER: Mr. Chairman, I would
5 second that for discussion.
6
7 CHAIRMAN BROWER: The motion's been
8 seconded for discussion.
9
10 Who's going for it, Bob or Gordon.
11
12 MR. G. BROWER: Let Bob go.
13
14 CHAIRMAN BROWER: Robert.
15
16 MR. SHEARS: I want to do this in a
17 responsible manner realizing that this regulation in
18 the general provisions of the subsistence management
19 regulation book has -- it's there for a reason. You
20 know it started -- you know it created a lot of
21 controversy back in the 1970s and '80s with Sierra Club
22 and with the Humane Society and with the environmental
23 interests of the nation in protecting wolf populations
24 and they were saying that this is unfair, as the
25 chasing for the destruction of wolves, you know,
26 chasing them with snowmachines and aircraft was an
27 unfair advantage and that it was stressing the wildlife
28 -- the population of that wildlife unduly and that it
29 would crash, you know, it would -- it could crash the
30 population and the population of other animals that
31 they control.
32
33 The North Slope region -- and so these
34 policies were kind of augmented -- were kind of
35 implemented across the board for the entire state of
36 Alaska saying, you know, chasing wolves, you know, with
37 snowmachines is illegal on the Kenai Peninsula
38 therefore it should be illegal in the Norton Sound
39 area, the North Slope area, everywhere, just to be
40 fair. Well, it's not done for fun, it's done to
41 control, you know, both to control a predator that
42 competes with us for, you know, food, for sustenance
43 for the caribou but also it's simply to harvest the fur
44 for the construction of winter clothing that, you know,
45 is time proven immortal to defeat the elements, the
46 winter elements up here more than anything ever created
47 synthetically by man. Trapping is also employed, quite
48 successfully up here, however, on the North Slope we
49 don't have the force -- channels the wildlife and the
50 traditional trails that trapping benefits the people of

1 the Interior, the animals, the furbearing animals
2 especially roam quite freely, and once though tracking
3 them down with a snowmachine to their denning place and
4 digging them out of their dens is one method of doing
5 it legally, however in many instances the animal will
6 run off and pursuit is the only way to finish the hunt.
7 Bringing the snowmachine to a complete stop and getting
8 off of it, you know, in accordance with the regulations
9 to take your shot puts the animal far out of range,
10 often leaving them wounded and allowing them to get
11 away. So elements of, you know, the subsistence
12 hunters of the North Slope simply criminalize
13 themselves. They degrade their values and, you know,
14 and they commit an offense to bring home an animal that
15 is of great subsistence value to our households.

16

17 I would like the Council -- the North
18 Slope Fish and Game Management -- the Council to
19 support the Fish and Game Management Board in pursuing
20 this matter to uncriminalize the fair pursuit in taking
21 of furbearing animals with a motorized vehicle.

22

23 Eva, I hope, you know, I have provided
24 enough verbiage here to help create a letter that, you
25 know, this Council could perhaps endorse and send to
26 the Fish and Game Management Board, you know, showing
27 that they have our support in this matter.

28

Council members.

29

30
31 CHAIRMAN BROWER: I could elaborate on
32 this as well.

33

34 We have, as you stated, our North Slope
35 Borough Fish and Game Management Committee who is also
36 our local advisory committee to the State for the North
37 Slope area, Game Management 26. And I would just
38 advise -- I mean information provided to me by Billy,
39 that there's a letter that's been drafted in response
40 to I guess the proposal being drafted for consideration
41 to the Board of Game. Not mentioning all the verbiage
42 yet and I think it's in response to -- similar response
43 to what you're stating here in this motion that it be
44 addressed with the local input on not criminalizing our
45 hunters for the use of a motorized vehicle to take
46 furbearers.

47

48 So that's something that he went to
49 retrieve from the office, it's out at NARL, it's going
50 to take a few minutes, for not knowing when we were

1 going to address this issue, I think they were thinking
2 of being here tomorrow, Mike Petersen is our current
3 manager for the -- through the Department of Wildlife
4 Management is the manager for the North Slope Borough
5 Fish and Game Management Committee and Taqulik Hepa is
6 the director for the Wildlife Management and she was
7 looking to take part in the discussion tomorrow. And I
8 think we're -- I told them I wasn't sure when it was
9 going to come up within the agenda but it was -- that
10 we were going to have some discussion on and probably
11 take action in support of what's being proposed by the
12 Fish and Game Management Committee.

13

14 Because this was something that you, as
15 well, identified that this was a concern that was
16 voiced to our North Slope Borough Assembly, which is
17 our local government and the Mayor had directed Taqulik
18 to see how we could continue with our local advisory
19 committee and their involvement. And that being said,
20 you know, these are our local government and the North
21 Slope Borough being our greatest provider of resources
22 they're going to be working with us, us meaning the
23 North Slope Borough Department of Wildlife Management
24 through the Mayor's office to see how we could remedy
25 the situation with the -- regarding this regulation.

26

27 MR. G. BROWER: Mr. Chair.

28

29 CHAIRMAN BROWER: Yes, Gordon.

30

31 MR. G. BROWER: You know a lot of times
32 when we're subsisting and going out there to collect
33 food and furbearing animals, we're doing a lot of
34 different things at the same time. I'll go out there
35 to haul my fall catch and have stored thinking that a
36 wolverine's trying to get in my shed all the time.....

37

38 (Laughter)

39

40 MR. G. BROWER:and which they do
41 and sometimes my camp up there is strewn with hundreds
42 of fish that they happen to break in, the wolverine is
43 a pretty tough little -- you know, and proceed to put
44 traplines, however there are incidental matters of
45 coming across one where it's out in the open and not in
46 a den and you can successfully harvest one as an
47 incidental take on a motorized vehicle like that, it
48 shouldn't be, I think, penalized for doing that. You
49 know I would tend to support language that support
50 folks that are doing their best to do their subsistence

1 activities and sometimes it's just an opportunity and
2 you take that opportunity.

3
4 Maybe it's a little bit more humane
5 than, you know, having to check your trap once a week
6 or something like that and having your animal, you
7 know, linger in a trap situation for awhile, in this
8 case you would put it down practically immediately.

9
10 You know there's so many different ways
11 of putting these things and many different ways it
12 doesn't even sound right when you want to express that.
13 All we're doing is just doing our traditional
14 activities with the new tools that we have presently.
15 In the past we would do it from a dog sled, you know,
16 and you couldn't readily park your dog sled, you had
17 to, you know, on the move.

18
19 Those are just some of the things I,
20 you know, it's troubling what has happened and there's
21 ways of, I think, of correcting what happened, many
22 different ways and the fact of the matter it's just
23 subsistence activities we're used to and accustomed to
24 chasing these things opportunistically either on foot
25 or you corner them in a trap and you be cunning enough
26 to get them into your trap and when the opportunity
27 arises, and it doesn't always happen, and you're
28 basically very lucky sometimes and then you can take
29 one that way.

30
31 Those are my comments.

32
33 I'll just leave it at that.

34
35 CHAIRMAN BROWER: Thank you, Gordon and
36 Robert. These are very important comments to provide
37 and share with others to help with the conditions again
38 we're being subjected to.

39
40 Yesterday, again, during the pre-
41 meeting discussions we did go through our agenda and
42 this is one of the topics that we discussed in regards
43 to how the situation came about. I sat here and
44 listened for awhile and I had to make my comments as
45 well. So I use that depiction back there in the back
46 of the room of our whaling activities. You know,
47 there's a big picture here in our cultural center, I'm
48 talking about, is that painting of a whaling crew in
49 pursuit of a whale and they're in momentum and you
50 can't be sitting still to try and harvest a whale of

1 that size or an animal of that size, in just comparison
2 to what's being -- we're being subjected to address is
3 the motorized vehicle and the furbearer. They're
4 paddling where a whale has been struck with a float and
5 harpoon and looking to harvest that animal to bring it
6 home for sustenance and other things, that gets brought
7 on when a successful harvest of whale is taken and
8 landed to be utilized for multiple things. So I was
9 using that depiction because it's a great scenario, our
10 depiction of some of the methods that we still use
11 today.

12

13 You know, even for our caribou, I think
14 we've addressed that situation in a river, the taking
15 of caribou while in a motorize boat, which was made
16 illegal some time ago and we were putting the exception
17 for -- to take away that restrictive regulation in Game
18 Management 26 and it's always been exempted down in the
19 Kotzebue -- I think it's 23, Game Management Unit 23,
20 that same exemption is applied there.

21

22 I seen Geoff wave his hand over there,
23 I'm not sure if he's just wanting to elevate his arm
24 and stretching out or if he's wanting to provide some
25 comments as well. So, Geoff, I'll give you the floor
26 at this time.

27

28 MR. CARROLL: Yeah, just a quick update
29 where we are with this.

30

31 There is a Board generated proposal
32 after the Kotzebue meeting because of all the testimony
33 there and the Kotzebue AC wrote up a very good proposal
34 about this, but at this stage it's basically to change
35 the hunting restrictions to allow the use of
36 snowmachine to track and pursue caribou, wolves and
37 wolverines, but it's just for Unit 23 at this point.
38 So -- but they put out the call to all the other ACs,
39 if you think you ought to get in on this, write us a
40 letter, and as far as I know that's what people working
41 with -- through the Wildlife Department and the North
42 Slope Advisory Committee, you know, they've written a
43 letter. I haven't seen it yet but that was the last
44 word we got, they were going to write a letter and, you
45 know, join the list of areas that want to be included
46 in this.

47

48 So, anyway, yeah, a letter of support
49 would probably be good. But also, you know, you have
50 basically the same wording as the State in the Federal

1 regulations so I don't know when is appropriate but you
2 might want to try to make a proposal to reword the
3 Federal regulations to keep everybody in alignment.....

4
5 CHAIRMAN BROWER: Uh-huh.

6
7 MR. CARROLL:at some point, you
8 know.

9
10 CHAIRMAN BROWER: Yeah, thank you,
11 Geoff.

12
13 MR. G. BROWER: Mr. Chair.

14
15 CHAIRMAN BROWER: Gordon.

16
17 MR. G. BROWER: Yes, it seems to me I
18 thought if we're going to work with Federal managers to
19 align regulation with State managers that it would
20 automatically amend ours. Didn't we go through that
21 process to align State regulation with Federal
22 regulation on the taking of game on Federal land?

23
24 MR. CARROLL: Well, I guess that's what
25 I'm recommending is that you go through the process to,
26 you know, if the State changes that, you know, the
27 Federal side would want to consider, you know,
28 following along or come up with whatever you think's
29 appropriate.

30
31 MR. G. BROWER: Mr. Chair.

32
33 CHAIRMAN BROWER: Gordon.

34
35 MR. G. BROWER: Yeah, I think that
36 really needs to be done, I mean taking motorized
37 vehicle off but use the term snowmachine, it would be
38 real specific, if that's what we're seeing in Unit 23,
39 including making recommendations to include, you know,
40 units that are affecting us over here on that proposal,
41 you know, since we're talking about this under a
42 motion, you know, that maybe there's a need to do this.

43
44 CHAIRMAN BROWER: Geoff.

45
46 MR. CARROLL: You know I have a copy of
47 this State proposal, I was planning on talking about it
48 yesterday -- or tomorrow during our presentation but if
49 -- I don't know is it possible to run off copies here
50 can we do that or I'll just bring copies of it

1 tomorrow, if that's easier.

2

3 CHAIRMAN BROWER: Geoff, maybe before
4 you do that, maybe let me just ask Bob and Gordon and
5 Rosemary, who's on line, if we should reconsider to
6 take any action after having this discussion and the
7 presentations from both the State and our local
8 advisory committee on this matter. Like I said, I
9 wasn't sure when you were looking to come about and
10 discussing this and what I've understood was that the
11 concern was voiced from our Assembly member to our
12 Mayor of the North Slope Borough and she had directed
13 our Staff from the Wildlife Department to help resolve
14 the situation because this is a real situation that
15 arised down someplace south of one of our Assembly
16 members was informed about that and it elevated the
17 situation.

18

19 I just look to Bob and Gordon to --
20 because you are the motioner and the seconder of the
21 motion to maybe if we could rescind the motion and take
22 action at the appropriate time regarding this.

23

24 MS. AHTUANGARUAK: Yeah, this is
25 Rosemary. I'd like to encourage us to take some time
26 to get further educated on the discussion around this
27 issue, getting the information from the Board of Game
28 that Geoff has discussed, as well as getting any
29 insight from the Assembly member and the specific
30 incident that can help us in articulating what we need
31 to make sure that we're all together on this issue. We
32 really need a united stance on this process, and
33 support from the various entities that need to weigh
34 into this process.

35

36 Thank you.

37

38 CHAIRMAN BROWER: Thank you, Rosemary.

39

40 MR. G. BROWER: Mr. Chair.

41

42 CHAIRMAN BROWER: Gordon.

43

44 MR. G. BROWER: As the seconder I would
45 rescind my second to allow for additional discussion on
46 this perhaps tomorrow as we're getting more
47 information.

48

49 MR. SHEARS: Mr. Chairman.

50

1 CHAIRMAN BROWER: Bob.
2
3 MR. SHEARS: I'd go ahead and withdraw
4 the motion.
5
6 CHAIRMAN BROWER: Thank you, Bob.
7
8 Thank you Bob and Gordon.
9
10 Yeah, like I stated earlier, I wasn't
11 sure when or how fast we were moving within our agenda
12 and hoping that Taqulik and Mike would be here to help
13 with furthering along the discussion, we're moving
14 somewhat a little bit faster than our normal meetings.
15 You know we've had other meetings where we've had a
16 whole bunch of information that was presented to us in
17 a short period of time in two days of meeting, but
18 regarding this meeting it's a little bit more timely
19 and having shorter discussion periods; it must be the
20 turnabout from having a pre-meeting in my opinion, but
21 that's just my opinion. So that's something I'm just
22 trying to better understand in my own mind as to how
23 fast we're moving in regards to these other things.
24
25 So thank you for doing that and it'll
26 give us an opportunity to, again, as Rosemary stated,
27 to get better educated on the contents of the language
28 and the proposal itself which was derived from the
29 State Board of Game.
30
31 Thank you Billy for sharing this
32 information. This is a memo that was, again, I
33 mentioned earlier that was drafted by our director,
34 through Mike Pederson who is the executive manager for
35 the Fish and Game Management Committee, who takes on
36 the responsibility of addressing State -- the State
37 Board of Game, or Board of Fish and then our Regional
38 Advisory Council as well in terms of regulations that
39 are being proposed for consideration.
40
41 Having that said, the information has
42 been presented to Bob and myself and Gordon regarding
43 some of the language, verbiage that's being suggested
44 there. We'll see if we can get a copy to you,
45 Rosemary, I'm not sure if you're planning to be here
46 tomorrow but we'll definitely get one for you and James
47 to read as well.
48
49 MS. AHTUANGARUAK: Thank you.
50

1 CHAIRMAN BROWER: Having gone this far
2 regarding regulatory proposals, our next agenda item,
3 if there's no further discussion in regard to
4 regulatory proposals that we have the next agenda item,
5 and it's on customary and traditional use
6 determinations update and in our packet it's on Page
7 20.

8
9 Eva.

10
11 MS. PATTON: Mr. Chair, if I may.

12
13 CHAIRMAN BROWER: Yes.

14
15 MS. PATTON: There is two updates
16 coming here, one is customary and traditional use
17 determination. There's handouts for the Council on
18 that. As we had just discussed earlier, the Council
19 had requested ongoing discussion on this, the rural
20 determination process review. If the Council would
21 like to make a recommendation on that update the
22 Council has an opportunity at this time to make a
23 recommendation to the Board before the Board meets in
24 April to discuss the criteria, any recommendations on
25 the criteria for rural determination. So if the
26 Council wanted to take that up or take action on that,
27 I -- I don't know if James was coming back, there'd be
28 an opportunity if he's here later this afternoon or
29 tomorrow.

30
31 I just wanted to bring those to your
32 attention if there's issues that the Council would like
33 to take up with Bob here today since he will be out
34 tomorrow on action items.

35
36 CHAIRMAN BROWER: Yeah, I think we need
37 a quorum to be able to take action. Hopefully James
38 will be back before 5:00 p.m.

39
40 (Laughter)

41
42 CHAIRMAN BROWER: Not knowing when he's
43 going to be back, but, Bob, did you want to make
44 comment.

45
46 MR. SHEARS: Yes, Mr. Chair. I just
47 wanted a statement and if you wanted to vet, you know,
48 this issue member by member. I really don't have any
49 -- request any -- see any issues with the current
50 customary and traditional use determinations and am not

1 going to recommend any changes to it unless -- I'm not
2 sure how the other Council members feel.

3

4 CHAIRMAN BROWER: All right, thank you,
5 Bob, for your comments.

6

7 If there are no further comments, we'll
8 go ahead and -- David, you have to help me with your
9 last name.

10

11 DR. JENKINS: Jenkins.

12

13 CHAIRMAN BROWER: Jenkins, thank you.
14 So I'll give you the floor, David.

15

16 DR. JENKINS: Thank you, Mr. Chairman.
17 David Jenkins, I'm the policy coordinator for the
18 Office of Subsistence Management. But I should also
19 let you know that I'm an anthropologist and I've spent
20 the greater part of the last 30 years conducting
21 anthropological research in different parts of the
22 world so I can help you with your questions about
23 anthropology and where we are with our hiring for an
24 anthropological position that you're concerned about.

25

26 We can proceed on this customary and
27 traditional use determination in a number of ways. I
28 don't know how much of a briefing you would like at
29 this point, I gave you a briefing in the fall. I could
30 point out a couple of salient points and let you know
31 what the other RACs have been thinking about. We could
32 delve into some depth. But I would like some direction
33 from you, Mr. Chair, about how you'd like to proceed.

34

35 MR. G. BROWER: Mr. Chair.

36

37 CHAIRMAN BROWER: Gordon.

38

39 MR. G. BROWER: Mr. Chair. I think it
40 would be good to hear, maybe briefly, what our
41 neighboring RACs are saying about this. And also what
42 exactly is at stake in terms of looking at the
43 criteria, or customary or rural determination itself.
44 I know we've, in the past, had questions about how
45 Prudhoe Bay was determined to be rural in the past and
46 we had -- at least from my own point of view, had
47 argued about that area not being a community at all,
48 that it was an industrial complex leased by mega
49 corporations that have exclusive use and lease for oil
50 and gas activities in those areas, had certainly opened

1 the door for subsistence activities or rural
2 determination of that area.

3
4 So, anyway, I just wanted to maybe get
5 a, you know, 30,000 foot elevation kind of dialogue.

6
7 DR. JENKINS: Okay. Well, let me just
8 remind you of a couple of points.

9
10 From the initial customary and
11 traditional use determination customary and traditional
12 use determination briefing and then we'll move to rural
13 after we talk about C&T for a short while.

14
15 Now, let me make just a couple of
16 points here.

17
18 If you recall the Federal Subsistence
19 Program took over management of subsistence from the
20 State and it adopted these eight criteria, the
21 customary and traditional use criteria from the State.
22 The Secretary of Interior, a couple of years ago, asked
23 the Federal Subsistence Board to look at the customary
24 and traditional use determination process and to get
25 input from the Regional Advisory Councils on how that
26 process was working for each region. In 2010 the
27 Regional Advisory Councils mostly said, well, it seems
28 to be working okay, but the Southeast Council
29 questioned that and said, we don't think it's working
30 okay and we would like all the Regional Advisory
31 Councils to look again at this issue and the Southeast
32 Council reminded everybody that these categories of
33 customary and traditional use were adopted from the
34 State and the Federal Program anticipated control of
35 subsistence management reverting back to the State.
36 Well, 20 years into the process it's pretty clear that
37 that's not going to happen, the Federal Program appears
38 to be permanent and the Southeast Regional Advisory
39 Council wanted all the other Councils to look at this
40 issue again and ask the question, should we continue to
41 use customary and traditional use categories or should
42 we use what Congress intended, which is these so-called
43 Section .804 criteria for determining in periods of
44 time when there are limited resources, which
45 subsistence users get access to those limited
46 resources. In other words, the Southeast Council said
47 let's do away with these customary and traditional use
48 determinations and rely on ,804 criteria in situations
49 where there are limited resources to go around for all
50 subsistence users. And, of course, an .804 analysis

1 comes into play after other uses are closed out.
2 Commercial uses are gone, personal use or sport uses
3 are gone and what remains on Federal public lands are
4 subsistence uses and if there are still insufficient
5 resources to go around among all of these subsistence
6 users the question then is who gets access to these
7 limited resources and that's where an .804 analysis
8 comes into play.

9

10 I think you.....

11

12 CHAIRMAN BROWER: Question, David.

13 Gordon.

14

15 MR. G. BROWER: I think a very good
16 presentation would be warranted to look at what the
17 .804 process is. I've read language somewhere, maybe
18 it was ANILCA or somewhere.

19

20 CHAIRMAN BROWER: That's exactly where
21 it comes.

22

23 MR. G. BROWER: Yeah, that in the past
24 it was not based on, you know, rural, it was -- there
25 was a like a Native subsistence use priority for those
26 indigenous people that existed to have a preference
27 when it's the least -- the most restrictive regulation
28 to be applied and you would go down to that level and
29 deciding whether or not the indigenous people could
30 continue to do their subsistence in the way that they
31 -- they shouldn't be impeded. You know I've always
32 thought about this.

33

34 Those would be some of my concerns is
35 like you said if this are remnants of the State program
36 which initially maybe we would take over for five years
37 and the State reconsidered and the State never did make
38 a rural subsistence priority out of their program
39 therefore the Federal government, I mean these were,
40 what, battles of 20 years ago that were talked about.
41 But I don't want to belabor the issue and the dialogue
42 here but, you know, you look at declining issues and
43 what happened in the '70s, I don't know what part of
44 the '70s, I was just a kid, and suddenly there was real
45 high restrictions on caribou and, you know, they were
46 handing out beef to people at that stage.

47

48 DR. JENKINS: And, yes, thank you, Mr.
49 Brower. If you'd like we could go through the various
50 RAC responses to this question of using customary and

1 traditional use determinations or Section .804
2 determinations and then I can address your question a
3 little more carefully about what is a Section .804
4 determination. Of course we're dealing with rural
5 peoples, not indigenous peoples and that's the decision
6 that Congress made in 1980 when it passed ANILCA and
7 that's what we're left with.

8
9 The various Regional Advisory Councils,
10 starting on Page 26, you have a listing or a review of
11 what these Councils did and let me just give you a
12 couple of responses. I already told you what the
13 Southeast Council was interested in, which was doing
14 away with C&T entirely and just relying on .804 only in
15 those situations where there are insufficient
16 resources.

17
18 The Western Interior, by contrast,
19 thought that the customary and traditional use
20 determination process for that region was working quite
21 well and they elected to retain it.

22
23 The Yukon Kuskokwim Delta Council, by
24 contrast, made a motion to do away with the customary
25 and traditional use determination process and only use
26 a Section .804 process in those situations when there
27 are limited resources for subsistence users.

28
29 So the RACs have a range of responses
30 so far.

31
32 But what has happened is that the
33 Southeast Council has succeeded in bringing this issue
34 to the forefront and getting all of the Regional
35 Advisory Councils to talk about it, to think about it
36 and to wonder what would happen in their regions if a
37 Section .804 was the primary way of allocating scarce
38 resources amongst subsistence users and not using a
39 customary and traditional use determination to first
40 define the pool of those resources; or actually I
41 should say second because the first way to define it is
42 through a rural determination and the second way to
43 define it is through a customary and traditional use
44 determination.

45
46 So the RACs have a range of responses
47 is my general point.

48
49 And this particular RAC has the
50 opportunity to also discuss what it would like to see

1 in terms of keeping or doing away with a customary and
2 traditional use determination process and just keeping
3 an .804 as outlined in ANILCA or using some hybrid
4 because there has also been a suggestion that each
5 Regional Advisory Council may elect to keep a process
6 that makes sense for its region. So do a Section .804
7 process if you're in YK, keep the customary and
8 traditional use determination process if you're in
9 Western Interior and so on.

10

11 I can stop for questions, Mr. Chair.

12

13 CHAIRMAN BROWER: Any questions to
14 David as to what you've heard.

15

16 (No comments)

17

18 CHAIRMAN BROWER: In regards to other
19 Councils, I think these are some of the determinations
20 or considerations that they're putting on the table for
21 any changes to the current process under the customary
22 and traditional use determination.

23

24 DR. JENKINS: That's correct. And so
25 the dialogue is open, the RACs are discussing it,
26 they're asking questions about if we want to make these
27 changes, how do we go about making these changes, what
28 sort of regulatory proposal would it take and so the
29 Southeast Council has succeeded in keeping the
30 discussion alive through all the Regional Advisory
31 Councils at this point, which was one of their
32 intentions.

33

34 Mr. Chair.

35

36 CHAIRMAN BROWER: Thank you. I think
37 the examples of these processes could be fettered out a
38 little bit more but I think David's given us some
39 options in terms of how much discussion we want to get
40 into, not knowing which direction we may be thinking of
41 steering ourselves in as a Council.

42

43 I, too, like Gordon, would like to
44 learn a bit more in terms of a well planned out
45 discussion in regards to these .804 processes and how
46 we can learn a bit more about what would it really mean
47 at the end of identifying a customary and traditional
48 use determinations to be considered by the Board.

49

50 MR. G. BROWER: Mr. Chair.

1 CHAIRMAN BROWER: So, Gordon.
2
3 MR. G. BROWER: Yeah, maybe -- well,
4 what kind of time constraints is this review, it seems
5 like it's already started, to my understanding, maybe,
6 and there is a window of opportunity to provide issues
7 and concerns from the North Slope RAC on what is best
8 maybe.
9
10 DR. JENKINS: As far as I know there is
11 no particular time, there's no deadline, there's no
12 time constraint. We do have the direction from the
13 Secretary of Interior and Agriculture to look at the
14 customary and traditional use process and to get
15 Regional Advisory Council input. So we do have that.
16 We haven't been given a deadline from the Secretaries
17 but we are -- but the Federal Subsistence Program has
18 been asked to look at this issue so we are continuing
19 to look at it. But other than that we don't have a
20 particular deadline or time constraint, but it's
21 something that is important to all of the regions and
22 you should take the time that's necessary to understand
23 this issue in depth.
24
25
26 MR. G. BROWER: Mr. Chairman.
27
28 CHAIRMAN BROWER: Continue Gordon.
29
30 MR. G. BROWER: Yeah, having said that,
31 I think it's -- sometimes it's real good to do a small
32 workshop, put scenarios up to think about and compare
33 side by side what would potentially happen under both a
34 C&T and an .804 analysis. I would just see what it
35 would come down to. And if it's -- if they're
36 mirroring each other, just two different processes and
37 you get the same result at the end then why do we --
38 what process should we care that it takes to get the
39 same result at the end.
40
41 DR. JENKINS: Yes, thank you, you make
42 a good point.
43
44 And in our office we have been
45 discussing finding ways to do just what you've
46 suggested and put side by side, the potential for an
47 .804 analysis over a C&T analysis and you do have in
48 front of you a handout indicating where some .804
49 analysis have happened in your region and some C&T
50 analysis just to get you a start in thinking about this

1 issue. But as I understand your question it would be
2 to take a particular resource and say, okay, we have
3 this resource, if we conduct an .804 analysis what will
4 the results, if we have to go through a customary and
5 traditional use process, what will that be. Now,
6 remember in a customary and traditional use
7 determination the Federal Subsistence Board is not
8 using that to allocate resources, it's using that to
9 decide what pool of subsistence users have access to a
10 particular resource based on eight factors. So it's
11 not allocating resources, it's looking at who is
12 eligible to harvest a particular species using those
13 eight factors. Without those eight factors then the
14 idea is, well, all subsistence resources are open for
15 use by subsistence users and then when there is a lack
16 of those resources you go into this .804 analysis.

17

18 CHAIRMAN BROWER: Thank you, David.

19

20 MR. G. BROWER: Maybe more questions.

21

22 CHAIRMAN BROWER: Go ahead, Gordon.

23

24 MR. G. BROWER: Let's put Anaktuvuk
25 Pass in the lime light for a second and the subsistence
26 resources that they depend on and is harvested by all
27 Alaskans that are subsisting, whether you're Fairbanks,
28 whether you're Soldotna, they have their means and ways
29 of getting to traditional hunting areas in the same way
30 that the guides do. Some have their own personal
31 aircraft, they come in, they're a qualified subsistence
32 user of the State and that's where some of the
33 concerns, I think, quite frankly, come about, is the
34 competition of the resource in the same area as where
35 there is conceived that folks don't follow traditional
36 areas to allow the first ones to go through, they hunt
37 at will and maybe effectively perceived as distorting
38 the migration through other passes or something like
39 that and the pressure of hunting on the same areas
40 along the Dalton Highway. And going through .804 or
41 C&T to look at that, is that a valid analysis for these
42 two processes?

43

44 DR. JENKINS: Well, recall that the
45 .804 analysis would only be -- it would be Federal
46 subsistence users -- qualified Federal subsistence
47 users on Federal public lands, so the State subsistence
48 users are subject to a different set of rules.....

49

50 MR. G. BROWER: Okay.

1 DR. JENKINS:on State lands and
2 on Federal lands. So Federal subsistence users are --
3 this is what we're talking about for an .804 analysis,
4 it's only going to apply on Federal public lands and to
5 Federal subsistence users and it applies after other
6 uses on those Federal lands have been curtailed, after
7 sport uses have been stopped and after personal use and
8 other subsistence uses have been stopped so that's when
9 this kicks -- these .804s kick in, in times of
10 resource.....

11
12 MR. G. BROWER: Okay.

13
14 DR. JENKINS:a lack of resources.

15
16 MR. G. BROWER: I see, okay.

17
18 CHAIRMAN BROWER: So you did mention,
19 Dave, that we did have some examples that we've gone
20 through within our Regional Advisory Council on sheep,
21 muskox for Kaktovik and sheep and, again, in Kaktovik
22 and in Anaktuvuk Pass, this process, we've applied, I
23 remember some of those things, some -- it's just that
24 all the Council members are -- well, we're sending in
25 that communications at a timing when it occurred is
26 somewhat back a ways when we had other Council members
27 and with new Council members on board, I think what
28 Gordon was asking if we could have some kind of
29 workshop to help us learn a bit more in terms of how
30 these processes work within our Unit 26. I think
31 that's a very good suggestion, you know, to educate
32 our Council members as to how these processes have
33 benefited our communities that were in need. We've had
34 situations where, in, you know, Kaktovik, there was a
35 lot of competitions by other uses, the population for
36 sheep and only Federally-qualified hunters were able to
37 take a small number of sheep from a specific area. So
38 those are the kinds of examples we could probably bring
39 about for discussions.

40
41 Nuiqsut's been one area where,
42 including Kaktovik, where this has occurred in the
43 terms of the use of muskox. They used to have a nice
44 little healthy population of muskox before it dwindled
45 down to where there's very few left and the hunt was
46 closed again. It was -- it had elevated in population
47 -- in numbers of muskox increasing for over a period of
48 time and there was a harvestable surplus that was
49 arrived through, you know, scientific calculations and
50 research and monitoring the health of the population

1 and so there was a little bit -- there was some numbers
2 that could be removed from that population for both
3 Kaktovik and Nuiqsut. Then there was another portion
4 that included the State, which had the Tier II hunts.

5
6 I recall some of this in terms of the
7 other resources that we've used for subsistence and now
8 we can't because of the -- now there's not a surplus
9 for any type of hunt.

10
11 So we've had similar situations, again,
12 for Anaktuvuk for sheep. There's a large number of
13 sheep that were being used and competition from other
14 users, the population itself dwindling through its own
15 hardships, you know, weather conditions, food
16 availability, that kind of spikes and trends that went
17 up and down over the years created these kinds of
18 situations so we've had some of our own experiences
19 here on the North Slope in terms of applying this
20 criteria that we're being subjected for discussion, the
21 .804 analysis and this customary and traditional use
22 determinations for some resources.

23
24 Dave. David.

25
26 DR. JENKINS: Thank you, Mr. Chair.
27 I'll bring back to our office your request that we
28 provide a scenario in which we are comparing an .804
29 and a C&T analysis for a particular species and come
30 and give this Council a further briefing on how these
31 processes work and a little more detail on the history
32 of each of them and how they're used in different parts
33 of the state, I think that might be helpful for you.
34 So working with Eva and other people in my office I
35 think we can put together a briefing for a workshop or
36 a pre-meeting like the one you had yesterday.

37
38 CHAIRMAN BROWER: And also including
39 the anthropological work that included in making these
40 types of -- the history and knowledge and the use over
41 time to help make these determinations, it's very
42 helpful in applying that to consider more recent
43 regulations to be considered.

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

46
47 CHAIRMAN BROWER: Gordon.

48
49 MR. G. BROWER: Just maybe a final
50 question.

1 CHAIRMAN BROWER: Go ahead, Gordon.

2

3 MR. G. BROWER: Is there a reason, you
4 said it's the Southeast Council that was looking at
5 changing or requesting the review of this, and what is
6 the basis that they want to change, is it just because
7 it was a State tool that was functioning as a Federal
8 tool now in place of what the law states for the
9 Federal side, I just wanted to get a little bit more
10 clarification as to why this trend is occurring to look
11 at language.

12

13 DR. JENKINS: The motivation to look at
14 this came, as I mentioned earlier, from the Secretary
15 of Interior and the Secretary of Agriculture when they
16 reviewed the Federal Subsistence Program. So the
17 motivation came from that review of the Federal
18 Subsistence Program, and one of the items was to look
19 at customary and traditional use and the process and
20 ask the RACs whether they were comfortable with it,
21 happy with it, whether it worked for them.

22

23 As far as the Southeast Council goes,
24 they have a number of, I think they're still in your
25 book, part of their concern is that the customary and
26 traditional use process was being used to exclude
27 qualified subsistence users from harvesting resources
28 in times of abundance and they were saying this -- they
29 didn't feel this was an appropriate use of C&T, which
30 was to limit subsistence users from getting access to
31 resources in times of abundance and they thought that
32 it was being used inappropriately and they wanted that
33 question to be looked at. So that's part of what the
34 other RACs and that this RAC has been looking at. When
35 there's abundance, why can't all subsistence users have
36 access to resources was essentially the question the
37 Southeast RAC was asking.

38

39 CHAIRMAN BROWER: Does that help,
40 Gordon.

41

42 MR. G. BROWER: Yeah, that kind of
43 sheds some light, you know, when it's in the time of
44 abundance to limit others and does .804 have that
45 ability as well to do that in times of abundance or is
46 it in times of abundance you don't need to be making
47 these analysis there's enough to go around for
48 everybody, but even though there's enough to go around
49 for everybody, there's always a concern of folks that
50 don't know the traditional methods of harvest to

1 interrupt the availability of those resources for those
2 that are waiting for them to arrive.

3
4 So those are some of the fundamental
5 questions about these resources where there needs to be
6 uninterrupted in their movement and recognizing ways
7 that -- you might have to limit them from, even in the
8 time of abundance, in my own view, because I see
9 there's abundant caribou out there but the availability
10 of them, say it's a free for all, take what you want
11 and any means you can to get them is impacting
12 communities that are essentially waiting for them to
13 arrive.

14
15 DR. JENKINS: And I understand your
16 concerns and the .804 and customary and traditional use
17 determinations are for identifying pools of users who
18 have access to resources, they are not used to allocate
19 resources. So when you describe a free for all, there
20 are various ways of limiting access to resources, you
21 know, in terms of how much time is available, what
22 sorts of gears is permissible and so on, there are ways
23 of limiting access. But .804 and the customary and
24 traditional use determinations, that Southeast was
25 arguing, should not be used for those purposes, they
26 should be used for other purposes, and so they want the
27 RACs to continue to think about how the pools of users
28 should be defined.

29
30 So the first threshold right now that a
31 Federal subsistence user has to cross is that of rural
32 residency.

33
34 The second threshold to be a Federal
35 subsistence user is to have customary and traditional
36 use determined for a particular resource.

37
38 So there are two thresholds that
39 subsistence users have to cross and the Southeast has
40 been questioning that second threshold.

41
42 CHAIRMAN BROWER: Thank you, David.

43
44 Doreen, did you have a question or
45 comment you'd like to share.

46
47 MS. LAMPE: Yes, Mr. Chairman. Doreen
48 Lampe for the record.

49
50 I would appreciate a workshop, too,

1 also regarding these determinations that will impact
2 quite a bit of the users within the ICAS jurisdiction
3 and boundary. I know you're not managing the off shore
4 marine mammals but in terms of going to court and
5 fighting a proposed threatened or endangered species
6 listing by some organization, our comments from the
7 Inupiat Community of the Arctic Slope go back to
8 customary and traditional use of a certain species,
9 such as the oogruk, which is harvested quite a lot in
10 our region and used for customary purposes and
11 traditional purposes for spring whaling. Also the
12 picking of eggs, bird eggs in Federal lands, even
13 though they're a migratory bird, which only enters
14 Federal land seasonally but yet carries a lot of
15 restriction and often get cited for illegal harvesting
16 of eggs even though that is a traditional and customary
17 use of some communities so I very much, too, would be
18 in support of a workshop regarding the determination
19 criteria that will be established by these Federal
20 entities that will have a major impact on our members
21 which have traditionally and customarily harvested
22 plants, eggs, various animals that pass through their
23 communities, their hunting jurisdiction. And these
24 proposed listings of being threatened or endangered are
25 costing our organizations to partner up and to have
26 these organizations that are proposing to list these
27 species as threatened or endangered to prove the data,
28 the baseline data, what those numbers really are and
29 not have the North Slope Borough scrambling to provide
30 all the information so we can continue to hunt and
31 harvest and traditionally use what we can during these
32 short periods of harvest time for plants, eggs,
33 animals.

34
35 And I hope that I will be here when you
36 guys have that workshop.

37
38 Thank you for providing the opportunity
39 to comment on that very important issue.

40
41 Thank you.

42
43 CHAIRMAN BROWER: Thank you, Doreen.

44
45 I just want to let the record show that
46 James.....

47
48 MS. AHTUANGARUAK: Harry.

49
50 CHAIRMAN BROWER:that James

1 Nageak is back after a brief absence. Welcome back,
2 James.

3

4 Rosemary.

5

6 MS. AHTUANGARUAK: Yes, this is really
7 important and one of the factors that hasn't been
8 brought out in this discussion is the reality of
9 enforcement. We need to have some statistical analysis
10 of what are the issues around those designations when
11 it comes to our traditional and cultural issues and the
12 reactions and difficulties of our issues on the various
13 species and the reaction with the enforcement
14 regulatory process.

15

16 I know also in Nuiqsut we have the egg
17 issue associated around this, and it was quite a
18 lengthy process that really impacted those families
19 that went through that having to go to -- have their
20 stuff confiscated, having to go to various meetings to
21 try to talk about the importance of their traditional
22 usage and the hardship of the process of teaching
23 families of traditional activities when there is
24 repercussions of livelihood and resources.

25

26 These are very in-depth issues, I
27 really appreciate all the discussion that we've been
28 having and I hope that we have a workshop that helps us
29 with many of these issues that really need to be
30 understood by our people who are living and harvesting
31 in our traditional way of life in our lands and waters
32 as generations have for centuries and are now facing
33 changes towards that create lots of people coming into
34 restrict our way of life.

35

36 Thank you.

37

38 CHAIRMAN BROWER: Thank you, Rosemary.

39

40 MR. G. BROWER: Harry, I got one more
41 question.

42

43 CHAIRMAN BROWER: Yes, Gordon.

44

45 MR. G. BROWER: Maybe about a decade
46 ago, Alpine satellite was being rezoned by the North
47 Slope Borough and we had many different scoping
48 meetings, public meetings on our way to develop a Staff
49 recommendation for the Assembly to consider rezoning
50 lands to make into resource development so that oil and

1 gas activities could be developed on those lands. At
2 the same time the Northeast NPR-A EIS had occurred and
3 created these special designated maps that the North
4 Slope Borough used to help guide our Staff analysis of
5 impacts to the community. And we had determined that
6 primary subsistence use areas designated in the Record
7 of Decision in 1998 with buffers around rivers and
8 things like that, that there would be large scale
9 displacement. It's not reducing the number of
10 harvestable animals, but displacement, and we equated
11 it to being depleted in areas where subsistence
12 priority use areas were going to be deemed pipeline,
13 roads, infrastructure would impede the normal
14 subsistence use patterns in that area, one of them
15 being oil field security being prominent would start to
16 be enforced around that area, common sense of any human
17 being, you're not going to be discharging firearms
18 towards animals, in the background you've got
19 pipelines, maybe you're going to shoot it and it'll put
20 a hole in it, there might be workers in the area, just
21 common sense, you're going to have to hunt somewhere
22 else. And the North Slope Borough recognized that as
23 depleting the resource in an area because it was not
24 suitable to conduct the normal subsistence activities
25 that the village was accustomed to.

26
27 So in looking at these kind of things,
28 I can almost compare the issues of customary and
29 traditional use determination, even in times of
30 abundance to where other competing uses would deplete
31 the resource availability of the customary and use
32 determination of a village to that resource.

33
34 So looking at that, can that be a
35 scenario to looking at how an .804 works, or the C&T
36 process because when you're putting a whole lot of
37 effort to making it equal for everybody else, you could
38 easily be deflecting whales, like a pipeline is making
39 a movement change of caribou, and at the end maybe the
40 resources do come around but they're now in a state of
41 you can't harvest them because it's rut season and it's
42 late now to make a window, a C&T determination of a
43 window in time, between maybe August and first of
44 October, that the C&T says, this area can be designated
45 for the primary users in that area that have to
46 subsist.

47
48 I could remember a time when Wainwright
49 Village had to supplement all of their hunting to hunt
50 for the village of Anaktuvuk and efforts to fly in

1 caribou to relieve the community for that type of
2 concern.

3
4 Is that a plausible scenario? The
5 Borough did this, and created mitigation and our
6 mitigation was that there was going to be a mitigation
7 fund available so that the community of Nuiqsut could
8 have the same success rate, even though the pipelines
9 and roads and infrastructure for the national
10 development of oil and gas activities were occurring.

11
12 Just looking at what we've done to try
13 to mitigate those kinds of things, a determination of
14 depleting a resource can be interpreted in different
15 ways, not just because the caribou has crashed, but the
16 availability of those resources where they're normally
17 found.

18
19 CHAIRMAN BROWER: Thank you, Gordon.

20
21 Do you want follow up, David.

22
23 (Laughter)

24
25 DR. JENKINS: Well, just very briefly.
26 Thank you for your comments. I think you've made a
27 couple of very interesting suggestions and we'll follow
28 up on them.

29
30 Federal public lands are open to a
31 variety of uses, as you know, and it depends on whether
32 they're National Park lands or BLM lands or Fish and
33 Wildlife lands and they all have slightly different
34 restrictions on use but under ANILCA the priority
35 remains subsistence provided there are no conservation
36 concerns. If resources aren't being depleted then
37 subsistence remains the priority under ANILCA. So the
38 scenarios that you suggested are scenarios in which
39 subsistence strikes me as not being provided a
40 priority. If you're displacing animals for one reason
41 or another, then you could make an argument that the
42 subsistence priority is not being met.

43
44 Anyway, I appreciate your comments, Mr.
45 Brower.

46
47 CHAIRMAN BROWER: Thank you, again,
48 David. I think you covered both the two items that you
49 were wanting to address, customary and traditional use
50 determination and the rural determination process, or

1 was that just one of the items.

2

3 DR. JENKINS: Well, we did C&T, if
4 you'd like to talk about rural now.

5

6 CHAIRMAN BROWER: Okay.

7

8 (Laughter)

9

10 CHAIRMAN BROWER: Sure, I think that
11 you're allowed to do that.

12

13 DR. JENKINS: So as you recall the last
14 time we met we talked about -- well, let me back up a
15 little bit.

16

17 As part of the review of the Federal
18 Subsistence Program, the Secretary of the Interior and
19 Agriculture recommended to the Federal Subsistence
20 Board that it look at the process by which rural
21 determinations are made and the Federal Subsistence
22 Board elected to start looking at that process by
23 soliciting public input on that process. So at the end
24 of December of 2012 the Federal Board published a
25 Federal Register notice soliciting public comment and
26 that notice period was open until November. As we all
27 know the Federal government shut down for several weeks
28 and so we extended that comment period into December.
29 And over that period of time we received about 60
30 written public comments about the process of making
31 rural determinations. We held nine public meetings,
32 including one here in Barrow, and we asked each of the
33 Regional Advisory Councils to provide input on the
34 process of making rural determinations, not the actual
35 rural determinations, as Mr. Brower's talking about,
36 Prudhoe Bay, is it rural or is it not, but the process
37 by which the Board decides or determines which
38 communities are rural.

39

40 So the process had to do with
41 population thresholds, as you recall. 2500 and below
42 is presumed to be a rural community in Alaska; between
43 2,500 and 7,000 there's no presumption whether a
44 community is rural or not and above 7,000 the community
45 is presumed to be non-rural. So these population
46 thresholds are guidelines, they're not absolute
47 thresholds; they're simply guidelines for thinking
48 about rural and non-rural communities.

49

50 So that's part of the process that the

1 Board was looking at and asked the public to respond
2 to.

3
4 Communities are aggregated together or
5 grouped together to come up with those population
6 figures and the criteria had to do with road
7 accessibility, with sharing a common high school,
8 attendance area, and whether people commuted from one
9 community to another to go to work. The Board has
10 asked, well, do these make any sense, should we
11 aggregate communities based on these kinds of criteria.

12
13 The Board looks at a number of rural
14 characteristics, fish and wildlife use is one of them.
15 And the Board asked the public, what characteristics of
16 rural do you think best characterizes the rural Alaska
17 that you know.

18
19 The Board would make determinations on
20 a 10 year cycle based on the US Census and the question
21 was raised, does it make any sense to continue on a 10
22 year cycle and look at communities every 10 years to
23 see whether they're rural or they have changed so that
24 they are no longer considered rural, or not. Does that
25 make sense to do that.

26
27 And, finally, the Board was asking the
28 public what kinds of information should we look at. In
29 particular there was a problem because the US Census
30 had dropped the long form and the long form was the
31 instrument by which the Board gathered a lot of
32 information to come up with, for example, aggregating
33 communities. And so the census didn't collect a
34 certain kind of data, it was collecting what's called
35 the American Community Survey, which collected
36 information on a one, three and five year increments,
37 not a 10 year period, and so that we ended up with a
38 different kind of statistical picture of communities
39 and not a 10 year snapshot. So the question is, should
40 we continue to do this every 10 years or not.

41
42 So it was the process of coming up with
43 rural determinations, not the rural determinations
44 themselves that the Board has begun to look at.

45
46 So we are, at this point, analyzing and
47 summarizing the 60 public comments, the written public
48 comments we received, the nine public hearings that we
49 recorded, we're looking through all of those
50 transcripts and the recordings and transcripts from the

1 Regional Advisory Councils. With all of that
2 information we will provide the Federal Subsistence
3 Board a summary of what locals peoples have been saying
4 about the rural process and provide some
5 recommendations for improving that process to the Board
6 at their April meeting.

7

8 Mr. Chair, if you have questions I can
9 answer them and I can go into some more detail if you'd
10 like.

11

12 CHAIRMAN BROWER: Thank you, again,
13 David. I think James did have some -- had a request
14 about obtaining some more information in regarding to a
15 meeting that occurred last fall in regard -- I think
16 this was the Alaska Federation of the Natives and there
17 was a presentation by Senator Murkowski on this subject
18 and he was requesting that we obtain that -- Senator
19 Murkowski's presentation to learn of the contents and
20 her suggestions and recommendations on this matter
21 regarding rural determination review.

22

23 So I'll just make that comment. I've
24 not seen it yet. But I think, again, in regards to
25 Gordon's previous comments in regard to a timeline for
26 this review, is there something maybe set in stone that
27 we're not aware of or is this something that's going to
28 be continuing in regard to -- well, I just lost my
29 thought.

30

31 DR. JENKINS: Well, let me finish it
32 for you.

33

34 CHAIRMAN BROWER: Sure.

35

36 (Laughter)

37

38 DR. JENKINS: The Board elected to hold
39 in abeyance or to not enforce it's rural
40 determinations, which would have come into effect in
41 2012, pending the outcome of this review. So we have
42 until 2017 to complete this review. The Board has a
43 five year window to look at the rural determination
44 process and once -- and if a new process is put into
45 place then the Board will use that process to actually
46 make rural determinations and so that will be subject
47 to further public review through what's called a
48 proposed rule and that will go out and then people get
49 a chance to look at that and see if the process is one
50 that they're interested in pursuing and, if so, that

1 will become a final rule, the process will be put into
2 place, the Board will then use that process, which is
3 controlled by the Secretary of the Interior and
4 Agriculture, not by the Board, the Secretaries control
5 the process of rural determination; the Federal
6 Subsistence Board will then use that process to
7 actually make rural determinations. So that will be
8 subject to a proposed rule, which will go out for
9 further public scrutiny and then finally a final rule
10 and our deadline is 2017 to get that final rule with
11 the rural determinations in place.

12

13 I'm not sure that finished your thought
14 or if it just finished mine.

15

16 CHAIRMAN BROWER: No, it was getting
17 close but not quite. Thank you. I think that was where
18 we were kind of leaning to in not knowing what -- well,
19 I have to say for myself, not knowing what the
20 Senator's comments contain and would like to learn a
21 bit more in terms of her suggestions and
22 recommendations. I wasn't at those meetings and so I
23 have not been shared her presentation to AFN, Alaska
24 Federation of Natives and that seems to be -- might be
25 a good lead in to this discussion in regards to where
26 the direction to steer us into.

27

28 David.

29

30 DR. JENKINS: Let me point out also
31 that Murkowski and Young sent letters about some of
32 these issues to the Secretary of Interior and
33 Agriculture. The Secretaries responded and perhaps if
34 Pat comes tomorrow he can give you a little more
35 information on that but it strikes me that that
36 response should be something that this Council should
37 be privy to, Eva, so maybe you could provide that
38 letter to this Council.

39

40 CHAIRMAN BROWER: Any other.....

41

42 MS. AHTUANGARUAK: Yeah, there
43 definitely were a number of meetings that were held
44 this last year, or I know there was one in Bethel, it'd
45 be very important to try to get some of that
46 information as well as getting the recommendations from
47 Murkowski and also had some hearings related to this
48 and there was something that was done in Anchorage
49 during one of the processes down there, and if we could
50 get that information, that'd be great.

1 CHAIRMAN BROWER: Thank you, Rosemary.
2
3 Any questions or comments to David.
4
5 MR. G. BROWER: Mr. Chair.
6
7 CHAIRMAN BROWER: Gordon.
8
9 MR. G. BROWER: I hate to, you know,
10 just beat a horse to death but.....
11
12 (Laughter)
13
14 MR. G. BROWER:it seems like it
15 would be appropriate to talk more about the scenarios
16 around Nuiqsut that the Borough has made its own
17 determination and talk about village level impacts in
18 the C&T or the .804 because I think the Borough may be
19 steered in a direction to do something in terms of
20 availability of resources for a community. In the same
21 way that we put mitigation for Nuiqsut, to get them
22 increased access to have the same success rate in the
23 light of oil and gas development. In the same way the
24 Borough's own policy says that during peak subsistence
25 activities for bowhead whale hunting that we emphasize
26 that there be a quiet time or a shutdown mode for
27 seismic operators out in the water, or drilling
28 activities to cease so that these resources can come in
29 range, active hunting of whaling activities.
30 Recognizing the needs of the community.
31
32 The Borough was asked to look at these
33 things for communities that have high dependance on the
34 resource like Anaktuvuk Pass. Does that mean the
35 Borough has to look at its policy to say that during
36 peak periods of subsistence activities for Anaktuvuk
37 that there must be a cease of all commercial
38 recreational activities for the availability of these
39 resources to come in range where they're normally
40 found. Title 19 in the Borough code talks about where
41 they're reasonably available and where they're normally
42 found for subsistence harvesting.
43
44 So I think there might be needs to talk
45 together about how the C&T or the .804 needs to
46 recognize that. It might be a small window that it's a
47 critical period in time for these resources to get
48 where they're normally found without being adjusted to
49 go through a different path or a pass. You know, even
50 for a pilot project to, maybe a period of five years or

1 so to look at ways of how to do that.

2

3 I mean what I'm kind of suggesting is
4 we've already set the precedent, I think, in terms of
5 these subsistence needs and looking at the village
6 characteristics themselves. I mean you look at some of
7 the villages that have infrastructures, schools,
8 policemen, jobs in a community of 400 people, you might
9 probably have 60 jobs in that community, plus or minus.
10 The other two or 300 people are supplementing their
11 time and resources through able to go subsist for these
12 resources when they're available and there are peak
13 periods that really need to be emphasized here.

14

15 And I just wanted to point that out.
16 I'm not going to probably stop emphasizing that because
17 I think we've done it already in terms of Nuiqsut and
18 in terms of the whaling activities and making sure that
19 these resources and a period of window is available for
20 communities that have a critical need for these
21 resources to come into their reach.

22

23 Thank you.

24

25 CHAIRMAN BROWER: Thank you, Gordon.

26

27 I think we need to have a little bit of
28 discussion in regard to our premeeting in regard to
29 these conditions, or discussions that are occurring
30 within the Federal Subsistence Program and this rural
31 determination process, or review is one that's being
32 considered again. And I raised a question in regards
33 to what happens or provide an example of what happens
34 when a request for reconsideration occurs.

35

36 I know of the Saxman and Kenai areas
37 determinations and they've put in requests for
38 reconsideration for that determination of rural to non-
39 rural because of its aggregation of communities and
40 road systems and how that played into the Board's final
41 determination for that area. So I was wanting to see
42 if we could -- if there was a way to review that
43 information so we could learn from what was used to
44 make that final determination by the Federal
45 Subsistence Board.

46

47 I think these are things that are good
48 to learn because we've had some discussion, heated
49 discussions within our own community in regards to what
50 happens -- not knowing or not having any Federal --

1 what was that term -- the designated Federal agents
2 having a presence during the discussions in regards to
3 our population sizes. I'll use Barrow for example,
4 it's been identified to have over 5,000 to 7,000 in its
5 population and what happens when the population reaches
6 over 7,500 and a determination is made by the Federal
7 Subsistence Board that it's a non-rural community
8 because of the population size. And we know that
9 there's fluctuations of increase of people and decrease
10 of people because of deaths or other things that occur,
11 influx of people in regards to military services being
12 moved into the community. I mean I use Kodiak, for
13 example in terms of the US Coast Guard's presence there
14 and the community numbers increase, I mean how does
15 that all play into the deciding factors of the Board
16 and whether that kind of influx of population is
17 influenced when the Board is making its determination
18 whether this is a non-rural community or if it remains
19 a rural community.

20

21 I think these are the kind of
22 communications that need to occur for us to really get
23 a grasp of how this process is being reviewed and how
24 much input are we really needing to put into this
25 consideration to change the dialogue and making these
26 -- changing the criteria for the rural or non-rural
27 determinations.

28

29 David.

30

31 DR. JENKINS: Yes, thank you, Mr.

32 Chair.

33

34 I researched and wrote a brief history
35 of rural determinations which I've given to the Federal
36 Subsistence Board so that they can understand its own
37 history because the Board, itself, changes over the
38 years, and I see no reason why that couldn't be
39 provided to the Council as well, so it would give you
40 this background on Saxman, for example, or the Kenai
41 Peninsula where the Federal Subsistence Board has
42 changed its mind over the years, is Saxman rural, is it
43 not rural, is it rural, is it not rural, it's gone back
44 and forth and it's provided different rationale for its
45 decisions.

46

47 So it strikes me that that could be a
48 useful document for this Council in thinking about this
49 issue.

50

1 CHAIRMAN BROWER: Thank you, David.
2
3 Any other comments or questions.
4
5 (No comments)
6
7 CHAIRMAN BROWER: If not, we have
8 another agenda item we need to address before the
9 person leaves, right, was he leaving tonight or
10 tomorrow.
11
12 MS. PATTON: Are you talking about that
13 North Slope Science Initiative presentation.
14
15 CHAIRMAN BROWER: Denny.
16
17 MS. PATTON: Yes.
18
19 CHAIRMAN BROWER: Yes.
20
21 MR. LASSUY: I'm on the midday flight
22 so if you really need to push it to the first thing in
23 the morning that's fine. I don't want to inconvenience
24 folks. I mean I'm prepared to do it now.
25
26 CHAIRMAN BROWER: Well, we're getting
27 ready to move to that agenda item so we're trying to
28 push you up without knowing the exact time you were
29 thinking of leaving, tonight or tomorrow morning or you
30 might get fogged in, we don't know.
31
32 (Laughter)
33
34 CHAIRMAN BROWER: Storm events are
35 usually coming through at the spur of the moment. Just
36 when you think you're ready to leave the storm comes in
37 and you're sitting here for another three more days or
38 so.
39
40 (Laughter)
41
42 MS. PATTON: Mr. Chair, if I may.
43
44 CHAIRMAN BROWER: Yes, Eva.
45
46 MS. PATTON: I think you need to check
47 in for your flight at 10:00 a.m., because you're an
48 11:00 a.m., flight.
49
50 MR. LASSUY: That sounds about right.

1 MS. PATTON: We do have -- because of
2 the community of Nuiqsut and the folks on the North
3 Slope Borough that had worked on the whitefish fish
4 pathology report.....
5
6 CHAIRMAN BROWER: Uh-huh.
7
8 MS. PATTON:we had arranged with
9 those folks to take that up at 9:00 a.m., in the
10 morning so that they would be able to participate in
11 that process, so we might run tight if the Council and
12 the community has a fair amount of discussion. If
13 there was an opportunity for Denny to present tonight
14 it might keep the -- keep the pressure off of you
15 losing your flight tomorrow, as the Council wishes.
16
17 CHAIRMAN BROWER: Yeah, I was just
18 looking at the agenda as well and we have another
19 commitment at 9:00 and not knowing how long that
20 discussion is going to go, I think it would be an
21 opportune time right now to provide your presentation
22 if that's okay with the Council. And I think Bob was
23 looking to.....
24
25 MR. SHEARS: Hear it before I go.
26
27 CHAIRMAN BROWER:hear it before
28 you go as well. So while you're getting ready we'll
29 take a five minute recess.
30
31 (Off record)
32
33 (On record)
34
35 CHAIRMAN BROWER: Okay, so I'll call
36 the meeting back to order after a brief recess. I'll
37 give Denny Lassuy the floor to provide an update on the
38 North Slope Science Initiative.
39
40 Denny.
41
42 MR. LASSUY: Thank you, Mr. Chair.
43 Council members. It's an honor to be here, I'm sorry
44 it's taken so long for this to happen. We've had a
45 couple of near misses in the past in terms of doing a
46 presentation and so I'm honored to be here and I'll
47 make it reasonably quick so I don't keep everybody too
48 long behind our, apparently your normal ending time.
49
50 I am Denny Lassuy. I'm the deputy

1 director of the North Slope Science Initiative. The
2 director is Dr. John Payne. I was going to do a little
3 blurb on me but I think I'll save that in the interest
4 of time, other than I'll tell you that that sheep was
5 not harvested from Red Creek.

6
7 (Laughter)

8
9 MR. LASSUY: And it was fully consumed.

10
11 (Laughter)

12
13 MR. LASSUY: Actually I do want to back
14 up to one thing on that image.

15
16 And that was, you know, I consider
17 myself kind of a fish guy pretty much all of my life,
18 ever since I was probably five years old all I wanted
19 to do was be a Ph.D in fish of every variety, and I
20 eventually kind of made it. But a few years ago when I
21 was on a detail to NSSI, when I wasn't fully employed
22 by them, there wasn't a fisheries deputy director yet
23 by then, I had the opportunity to come to Barrow to
24 help set up a meeting and it happened to be a day when
25 three whales were harvested. It was in early -- really
26 early October, I'm not sure I remember the year, but I
27 -- I don't know if I would say it was life changing,
28 but it certainly had a profound impact on me and I was
29 incredibly honored to be allowed to participate in the
30 butchering and the consumption on that trip and I just
31 -- it just made a huge impression on me and so I'm very
32 happy to be back with the North Slope Science
33 Initiative.

34
35 This is our statutory turf. I'll talk
36 a little bit about the law that created the North Slope
37 Science Initiative here in a bit. But basically as you
38 can see it's the North Slope and the off shore waters.
39 For practical purposes it's out to the edge, the
40 exclusive economic zone, but realistically it's the
41 edge of wherever there's activity that may affect the
42 North slope and its residents and resources.

43
44 As everybody up here knows this is a
45 big area with big issues, you know, with climate change
46 and pressure for resource development and erosion and
47 migratory birds that breed up here and nest up here but
48 then go all over the world, there's a lot of big thorny
49 issues, and it's a big place. And when I do variations
50 of this presentation for folks not in Alaska, I know

1 everybody up here understands it, but I don't make an
2 impression on folks until I tell them that the area
3 that the NSSI is responsible for for helping with
4 science coordination on is the equivalent of the entire
5 eastern seaboard from Maine through Virginia, that
6 finally kind of gets it for some of them. It also kind
7 of makes the Texans mad, but that's okay.

8
9 So, all right, big place with big
10 challenges. And it became very obvious over a decade
11 ago, or roughly a decade ago that there was a need for
12 collaboration and some kind of forum to achieve it and
13 a need for good science and a means to access it. And
14 I'll talk a bit about the latter half of that a bit
15 more. But it was obvious, I think, to folks a decade
16 ago that with those -- particular those two major
17 pressures with climate change and with the pressure of
18 energy and resource development, it didn't make a whole
19 lot of sense for eight or nine or 10 or 12 entities to
20 run around and each one try to do the same thing all
21 over again. So that's basically the concept behind the
22 North Slope Science Initiative.

23
24 And the Initiative was formally
25 authorized under the Energy Policy Act of 2005, this
26 particular section, 348, and this is extracted from the
27 legal language for what the purpose of what the North
28 Slope Science Initiative is.

29
30 To implement efforts to coordinate the
31 collection of scientific data that will
32 provide a better understanding of the
33 terrestrial, aquatic, and marine
34 ecosystems of the North Slope of
35 Alaska.

36
37 So by saying, marine, it obviously
38 means including the off shore areas, too.

39
40 It's a pretty small organization. We
41 have an oversight group, I'll go through the membership
42 of that on the next slide. There is the executive
43 director, John Payne, that I mentioned and myself, and
44 it says support staff, right now that support staff is
45 a half of one person and she's detailed somewhere else
46 right now, so it's a very small organization. We had a
47 senior staff committee, Dave Yokel, is one of the
48 members of that committee. And we have a science
49 technical advisory panel, again, which I'll go to on
50 the next slide.

1 The oversight group that I mentioned,
2 it functions like a board of directors for us, they're
3 the ones that John Payne and I answer to. It's
4 composed of a mixture of Federal, State and local
5 entities. Bureau of Ocean Energy Management, Park
6 Service, BLM, Fish and Wildlife Service, NOAA, Alaska
7 DNR, Alaska Fish and Game, North Slope Borough and
8 Arctic Slope Regional Corporation. Those are the
9 voting members, although they operate by consensus so
10 there's rarely ever any actual votes on issues. And
11 then the Arctic Research Commission, USGS, Coast Guard
12 and National Weather Service are advisory. Oh, I see I
13 repeated Coast Guard, sorry about that. And then
14 recently because of the split of MMS, Bureau of Safety
15 and Environment Enforcement, BSEE, is now also a
16 Federal member.

17
18 And that science technical advisory
19 panel that I mentioned is made up of up to 15 members.
20 We're short several members right now and we're
21 actually in the process of trying to refill those
22 positions. And the expertise on the panel is very
23 broad, as you can see from the subjects that are listed
24 there. And the people who fill the areas of expertise
25 come from all kinds of different sources, industry,
26 academia and so on, but they're not there because of
27 who they represent, they're there because of the
28 expertise they bring to the panel.

29
30 In the Act itself, it goes a little bit
31 beyond the purpose that I mentioned before, and spells
32 out some objectives.

33
34 Identifying and prioritizing the
35 information needs.

36
37 Coordinating between the member
38 agencies with what research they're
39 doing.

40
41 Maintain and improve people's access to
42 that information.

43
44 And then try to focus on the most
45 pressing needs.

46
47 In other words, basically relating to
48 the prioritization issue.

49
50 Okay.

1 So some of the things that the NSSI has
2 undertaken since its formation to try to meet some of
3 those purposes, that purpose and objectives, one of the
4 earliest things that NSSI did was enter into an
5 agreement with the University of Alaska-Fairbanks, the
6 Geographic Information Network of Alaska, GINA, to
7 begin to develop a data management system and I'll run
8 you through a piece of that here a little bit later.

9
10 Early in NSSI's existence they began a
11 terrestrial land cover, land mapping, land cover
12 mapping effort to try to develop a valid and sort of
13 uniform quality baseline of vegetation, you know, plant
14 community types on the North Slope, on the whole of the
15 North Slope, that could serve as a baseline to detect
16 future change from that baseline.

17
18 One, it happened before I came to NSSI,
19 but one kind of nifty little project that got funded
20 out of the initial pot of money, which has now dwindled
21 down to about a third of what it originally was, was to
22 develop -- because apparently water quality
23 measurements were high on people's agendas when NSSI
24 got created, was to create a remote sensing tool and
25 the folks at the Michigan Tech Research Institute came
26 up with this thing they called a bathy boat, which is
27 like -- it's like a little remote controlled boat that
28 actually can be -- instead of having to fly the whole
29 crew in there with a bunch of different instruments and
30 maybe getting one or two lakes done -- Mr. Chair.

31
32 CHAIRMAN BROWER: Just reading your
33 second bullet there, the terrestrial land covered
34 baseline and change detection of mapping, on the
35 handout -- unease with that kind of a statement there
36 because changes have already been occurring and how do
37 you cover for the baseline when changes are constantly
38 occurring on an annual basis and trying to develop a
39 new baseline there needs to be some discussion about
40 what all that's going to entail.

41
42 MR. LASSUY: Mr. Chair, yeah, that's a
43 valid point and there has been a lot of -- I'll mention
44 some of these emerging issue papers a bit later and in
45 almost every one of them there was a discussion about,
46 well, what is the baseline because the baseline's
47 changing, particularly since things like climate change
48 are happening and so -- I mean you have to kind of pick
49 a point and try to do your best to get as clear a
50 picture as you can at a given point and then you're

1 just going to have to follow it and it'll just keep
2 changing from there. So this was simply an effort to
3 try to get -- there were dozens -- I'll have a couple
4 of slides a little bit later on this particular map and
5 mapping effort, but there had been dozens and dozens of
6 vegetation mapping efforts over the years but they
7 weren't all to the same scale, they didn't use the same
8 criteria to define the communities, the plant
9 communities, and so on, and so this was an effort to
10 try to at least bring some consistency to all of them
11 so that you weren't comparing apples and oranges and so
12 on at any point in time.

13

14 Okay.

15

16 So, anyway, this nifty little tool,
17 instead of flying a crew in and doing a lake or two in
18 a day you could do, you know, a half dozen or seven or
19 eight lakes in a day and this would measure a dozen or
20 so different water quality parameters including doing
21 a bathymetry of the water body. And we have largely
22 been uninvolved since the initial efforts on that and
23 industry actually has picked up and is using this tool
24 sometimes on some of their field work, as I understand
25 it.

26

27 One of the other things that the NSSI
28 did, fairly early on, and Dave was very much involved
29 with this, along with the Science Technical Advisory
30 Panel, was to survey the member of bodies for, well,
31 what general issues are concerning you; things like
32 permafrost condition, erosion, the vegetation change
33 that I just discussed, and a range of subsistence
34 species, fire, hydrology, I think there's a total of 15
35 or so now that have been completed where the Science
36 Advisory Panel with the help of the senior staff
37 committee sat down and took a hard look at, well, what
38 is the state of our knowledge on this area and what
39 actually are the significant management questions under
40 that subject and put together a series of, I think -- I
41 think I said somewhere between 12 and 15 of these now
42 and they're all posted on the website, that give a
43 fairly brief, three, four, five page summary of the
44 state of the information, where they saw the gaps still
45 existed and their recommendations for how to proceed on
46 that area of science need on the North Slope and its
47 adjacent seas.

48

49 On the slide here I have the website
50 address and you'll see this a number of times

1 throughout the talk. The North Slope Science
2 Initiative website, which is a .org website, by the
3 way, not a ,gov website. It has government issues with
4 doing a .org.

5
6 Some of the other activities that we've
7 been involved with, obviously what happens in Alaska
8 also happens in other places around the Arctic, or at
9 least some similarities around the Arctic and in
10 particular with some of our nearest neighbors, so we
11 have worked pretty closely with Canada on an every
12 other year, basis, we hold a northern oil and gas
13 research forum. That will be held again this year in
14 Canada and we believe it will probably end up being in
15 Yellowknife this year, and then on an even broader
16 scale, with the Arctic Council for Circumpolar
17 monitoring. You know if we see a decline in -- or a
18 change in vegetation patterns here and we try to
19 explain it without knowing that a similar change is or
20 isn't happening in other places throughout the Arctic,
21 it's a lot more difficult to understand the changes
22 unless you understand them across the Arctic. So
23 that's an international effort. And NSSI's involvement
24 has simply been to try to help them be sure that
25 they're in touch with the right people and that they
26 come up with protocols that work for everybody.

27
28 A project that we're just initiating
29 now, I'm not going to go into it much because it is so
30 early in the process but we've actually involved
31 Council member Gordon Brower in some of our early
32 deliberations is a scenarios project, developing
33 scenarios for just what might the future of development
34 on the North Slope and adjacent seas look like 20, 30
35 years out from now, and what science are we going to
36 need to know to be able to analyze the implications of
37 those scenarios. And that's a project, as I say, is
38 just getting underway.

39
40 On occasion we hold, we sponsor fairly
41 targeted workshops. Early on there was a remote
42 sensing workshop because I think people recognized,
43 because it's such a huge area, that remote sensing is
44 probably a tool that will end up being used so the
45 proceedings of that workshop are -- that workshop was
46 held, proceedings are on the website.

47
48 There was a caribou research and
49 monitoring workshop because it was very obvious fairly
50 early on that the caribou were a species of

1 considerable interest on the North Slope.

2

3 A little more recently there was an
4 NSSI sponsored workshop hearing in Barrow on science,
5 natural resources and subsistence in the US Arctic
6 lands and waters. I have a copy of it here, but,
7 again, it's posted on the website. I suspect a number
8 of you were probably involved in that workshop.

9

10 And then every year, of course, we are
11 required to report to Congress what our activities have
12 been for the past year.

13

14 I've mentioned a number of times the
15 website and I'll go through an exercise, a very quick
16 exercise on the website here, but just simply showing
17 you those workshops that I just mentioned are posted on
18 the website, the remote sensing one, the caribou
19 workshop and the sort of listening and subsistence
20 workshop that was held here and dedicated to two of our
21 previous Science Technical Advisory Panel members, who
22 you are all obviously very familiar with.

23

24 Okay.

25

26 On our website, which is, again,
27 NorthSlope.org. This is sort of a screen shot of the
28 front page of the website and I'll just go through a
29 couple of these big buttons because I've just briefly
30 talked to the North Slope's scenarios project, which,
31 again, is just getting underway. But one of the
32 things, I was reading through the minutes from some of
33 the previous meetings of this Council, and there's a
34 lot of talk on there, a lot of discussion about the
35 need for access to information and what studies are
36 going on where and who's doing them and that sort of
37 thing, and that is by and large what this data catalog
38 and project tracking system is about. So if we click
39 on that on the website it takes you to this catalog and
40 then it has a couple of, just sort of popular, sort of
41 summary documents and stuff posted, but under the
42 search tool you can also search this catalog in various
43 different categories and ways and the simplest one, at
44 least for me, who's kind of computer illiterate most of
45 the time, is to do a text search. So I did a text --
46 just as an example, I did a text search for
47 subsistence, and you can find -- it pulled up 163
48 results, so 163 studies are catalogued in there. It
49 looks like 50-something of them, or were at the time
50 that this screen was shot, were ongoing studies. And

1 then -- so I did the search under subsistence, this is
2 just an example of one of the projects that came up
3 under it, the Chipp River area subsistence fish
4 surveys, so you click on that and it takes you to a
5 description of the study and, not in all cases, but in
6 many cases, it will show you the location of where the
7 study was done, or is being done if it's still ongoing,
8 and there'll be a link to the actual source of the data
9 or as much as they're willing to share. In this case,
10 I clicked on that and it takes you to an ADF&G site
11 that outlines in much more detail the study and what
12 its findings are and that sort of thing.

13

14 Okay.

15

16 So I did another one, searching for
17 land cover, up here, and, of course, the first one that
18 it pulls up because it just got completed just this
19 past fall, in fact all of the data is not yet fully
20 loaded onto the website because we're still in the
21 process of finalizing a user's manual for how to use
22 the map, but it does take you to further information
23 about the study area, a general description of the
24 study. And this is not on the website, this was pulled
25 out of our annual report to Congress, which is in the
26 process of being, you know, signed off in the Interior
27 right now, but this is a map of all the various, I
28 think it's 20-some odd land cover types across, you
29 know, tussock tundra, or wet sedge areas or exposed,
30 you know, exposed unvegetated areas, that sort of
31 thing. Actually it's interesting, you can -- it's
32 really not hard to find the Anaktuvuk River fire on
33 there, is it, it's huge.

34

35 CHAIRMAN BROWER: Yes.

36

37 MR. LASSUY: And very, very noticeable.

38

39 Okay.

40

41 The only other one I'm going to
42 highlight and very briefly here is the long-term
43 monitoring function on the website. This was a survey
44 effort by the science panel and the senior staff to
45 look at what long-term monitoring is already going on
46 on the North Slope. And you go to that and it's just a
47 list of, I think, 143 or so long-term monitoring
48 projects that either were done or are still ongoing.
49 And I looked down the list and here's one of them on
50 North Slope whitefish and go to the link and look

1 familiar, it takes you to that same study that's being
2 done through ADF&G. So there are multiple ways to
3 define the same information. If you prefer using the
4 catalog to look at all kinds of studies on it, you can
5 do that through the catalog, if you'd rather just look
6 for long-term monitoring data, you can go to the long-
7 term monitoring and find it in that way.

8

9 So that's a very brief history of where
10 we came from and some of the things we've been working
11 on. We will continue to improve this access to quality
12 information and the scenarios project, which I
13 mentioned briefly, is just now getting underway. And
14 we committed to, and to some extent this workshop
15 helped a little bit with trying to improve the ways
16 that the scientific community gathers, understands and
17 uses local and traditional knowledge, but, frankly,
18 that's an area where, even though we've put some effort
19 into it, we still need to improve. And I'll tell you,
20 in reading through the minutes from previous meetings
21 and transcripts of this Council, holy cow, man, I
22 should have been reading those minutes every -- after
23 every session for the last two years that I've been
24 with the NSSI, and I see you have one tentatively or
25 maybe it's firmly scheduled in Nuiqsut later this year,
26 or possibly, I don't know, I'm simply making the point
27 that I need to come and listen even more to these
28 because there's some amazing conversation at these
29 meetings and in the minutes and transcripts, that I
30 think suggests some really neat lines of scientific
31 investigation. NSSI does not have a ton of -- well, it
32 doesn't have a ton, we have very little money for
33 anything other than sort of coordination functions and
34 pulling together workshops and that sort of thing, but
35 it's a very good forum for people with shared interests
36 to talk around the same table so that they can
37 highlight what the important pieces are, and then
38 amongst themselves figure out, how either they, or they
39 together, or they with an external partner can get that
40 piece of work done.

41

42 So that's the extent of my
43 presentation.

44

45 This is my contact information, email
46 and phone number and I can leave cards.

47

48 Oh, one other thing I mentioned, I left
49 at your table there, a copy of this years North Slope
50 Science Initiative calendar. We've taken on this -- in

1 the last couple of years we started -- we can do it
2 basically for free, in-house, we're housed in BLM, we
3 are paid through BLM accounts, but our boss is all of
4 the 10 or so members of the North Slope Science
5 Initiative oversight group, so it's fun to tell them,
6 you guys pay us but we don't work for you.
7
8 Don't put that in the record.
9
10 (Laughter)
11
12 REPORTER: Hummm, I think you already
13 did that.
14
15 (Laughter)
16
17 CHAIRMAN BROWER: You did that on your
18 own. Tina gets everything.
19
20 (Laughter)
21
22 MR. LASSUY: We have an in-house
23 graphic capability so it's fairly easy for us, I say
24 that, my graphics person probably wouldn't agree, it's
25 fairly easy for us to put together a calendar and it's
26 an easy way to get information out in an interesting
27 forum, and as you can see this year's calendar was on
28 this land cover mapping effort and some of the outcomes
29 from it. But we've already decided that next year's
30 we're going to focus on North Slope subsistence
31 activity and so we're really going to need really good
32 pictures. I know Gordon takes really good pictures
33 because we've already used a number of his images in
34 some of our previous reports. But just sort of a
35 head's up to keep an eye out, to think about taking
36 some really good pictures of subsistence activities and
37 we'll try to find a way to weave it into next year's
38 calendar and make next year's calendar a little more
39 interesting if you're not a plant geek.
40
41 That's it, I'm open to questions.
42
43 MR. SHEARS: Mr. Chair.
44
45 CHAIRMAN BROWER: Yes, Robert.
46
47 MR. SHEARS: Thank you, Denny, very
48 good. That was informative.
49
50 The specific issue that brought NSSI to

1 the forefront of this Council, was it at our last
2 meeting, or actually it might have been a year ago, is
3 when we were discussing the funding for -- the funding
4 -- the development of research projects in regards to
5 fish studies and it was -- the thought that was out
6 there was that NSSI, being the holders of the data, of
7 all this research that's being done all over the North
8 Slope for a multitude of reasons for a dozen different
9 agencies should be involved in the coordination of --
10 or at least in, you know, advising, which projects that
11 are, you know, envisioned for going forward for grant
12 application funding to study, are most valued by the
13 various agencies. You know as it turns out, you know,
14 after a thorough discussion we find out that, you know,
15 NSSI probably wasn't in the loop on the specific study
16 that we were discussing at the time, it was a Dolly
17 Varden study around Kaktovik.

18
19 But has NSSI been involved in vetting
20 -- for instance the Coastal Impact Subsistence Program,
21 that grant funds that were conveyed from the Department
22 of the Interior and then MMS to the State of Alaska for
23 distribution for affected coastal communities due to
24 the off shore oil leases, the revenues, and this was
25 all funded from revenues developed from Lease 193 and
26 the Beaufort also. You know we looked at how the State
27 was just -- was doing a distribution, you know, was
28 setting up the distribution for grant funds and we
29 said, okay, that looks odd, but then who actually
30 selected the projects that would be funded for a grant
31 study under these. You know, some very odd projects
32 were coming to the and it was like going, you know, if
33 anybody who was interested in science in the Arctic,
34 you know, they probably would have advised, you know,
35 this money to be steered elsewhere. It's like NSSI
36 was out of the loop over these years since its
37 formation in regards to, you know, buying in -- you
38 know, having some seat at the table to advise where
39 grant funding for science development on the North
40 Slope should be expended.

41
42 Am I correct or not?

43
44 MR. LASSUY: Well, I'm not sure to what
45 extent we've been out of the loop because I've -- you
46 know if that discussion was held several years ago I
47 wasn't there. But I was involved -- a couple of things
48 that I will mention.

49
50 One of those emerging issue summaries

1 that I mentioned is on fish and fisheries. It was
2 developed during a time when I was not with NSSI but I
3 -- you know, it's there and gives the Science Technical
4 Advisory Panel's summary of where they think the gaps
5 and information are, and so it's worth revisiting that
6 one.

7

8 And I could see that an applicant for
9 funding for a study, from whatever source, might want
10 to refer to that document if it has useful content for
11 them and say, well, look this group decided that this
12 kind of project, which this is an example of, was a
13 priority information gap for fisheries issues on the
14 North Slope. So it could be used in that way.

15

16 The second issue, though, and that's
17 where you start tip-toeing a little bit dangerously,
18 meddling, one thing -- this is a consensus driven forum
19 that very, very specifically does not have any
20 regulatory or decisionmaking function that alters in
21 any way the authority of any of it's member bodies;
22 North Slope Borough, BOEM, Fish and Wildlife Service,
23 whoever it is. So if one member agency administers a
24 pot of money and makes decisions on it they are not
25 real -- how do I put this politically, Dave.....

26

27 (Laughter)

28

29 MR. LASSUY:generally they don't
30 want somebody else telling them how to spend their
31 money.

32

33 (Laughter)

34

35 MR. LASSUY: So we try our best to
36 respect the mandates of each of the individual
37 agencies, but provide the best sort of review that we
38 can. And I think one thing that's certainly a valid
39 point with the emerging issue summaries is that they're
40 now reaching variously, because they didn't all happen
41 at the same time, but they're all reaching nearly four,
42 five, six years since they were put together. So, you
43 know, some time in the coming years I suspect we're
44 going to be in the business of revising some of those
45 emerging issue summaries and revisiting some of the
46 content of them.

47

48 MR. SHEARS: You know, as a data
49 collection center, you know, invaluable. You know,
50 just exactly what was indicated -- our communities

1 indicated during the preliminary and defining the scope
2 of the environmental impact statements for off shore
3 development and other fields of sciences, that we
4 needed a collection, a library, a data central, and
5 that's what we really saw has been the greatest
6 achievement of NSSI. The CIA was started in a similar
7 way.

8

9 (Laughter)

10

11 MR. LASSUY: Our data manager will be
12 happy to hear that.

13

14 (Laughter)

15

16 MR. SHEARS: You know, the Central
17 Intelligence Agency was formed in the United States in
18 1948, specifically under the same -- almost the same
19 auspices, it had no responsibility or authority to
20 collect data in the field, it was not a field operator,
21 all it was was a gathering place for bringing in all of
22 this information from all over the world to be analyzed
23 by others, it was not involved in analyzing the data.
24 But over the years it gradually expanded its role, you
25 know, it had field operations going in the late '50s,
26 it was in Vietnam and Cambodia in the early '60s until
27 it's flying drones over Pakistan and dropping smart
28 bombs on the Taliban in 2013.

29

30 Where is the NSSI going in 30 years?

31

32 (Laughter)

33

34 (Pause)

35

36 (Laughter)

37

38 MR. LASSUY: Oh, my goodness.

39

40 (Laughter)

41

42 MR. LASSUY: Through the Chair.

43

44 CHAIRMAN BROWER: Go ahead, Denny, if
45 you can.

46

47 (Laughter)

48

49 MR. LASSUY: I'm not sure I see a whole
50 lot of similarities, and I'm not sure that the analogy

1 of the CIA with the NSSI.....

2

3 MR. SHEARS: Right.

4

5 (Laughter)

6

7 MR. LASSUY:is one I would
8 invite.

9

10 (Laughter)

11

12 MR. LASSUY: But, you know, to the
13 extent that -- I guess I'll clarify, it would help if I
14 clarified one thing, this catalog that I kind of ran
15 through.....

16

17 MR. SHEARS: Uh-huh.

18

19 MR. LASSUY:it's very good for
20 the stuff that's in it, but it's only as complete as it
21 is fed. You know it depends upon the agencies to feed
22 their studies into there and to enter them into the
23 catalog and we don't have the power to force them to
24 enter their studies. Most of the agencies have been
25 fairly cooperative in trying to be sure that their
26 studies are in there and discoverable, because that's
27 the value, is to be able to be discovered, that your
28 work is in there. But unless they have volunteered it
29 or we've gotten it through an agency, for example,
30 there are many, many, many other studies out there in
31 the Arctic, in the US Arctic that are funded by
32 agencies that have nothing to do with the North Slope
33 Science Initiative and those are not necessarily in
34 there. You know, we have worked with the National
35 Science Foundation and gotten them to provide -- you
36 know to provide access to some of their studies.

37

38 The one thing I should mention is that
39 we don't -- it's not a -- we're not a gigantic can of
40 data, it's a distributed kind of network. You can find
41 the studies through the NSSI website but then it
42 directs you back out to where that data is actually
43 stored, so it's a distributed network.

44

45 CHAIRMAN BROWER: Yes, James.

46

47 MR. NAGEAK: Yes, I saw that picture of
48 the bathy boat, and I began to visualize how the under
49 water happenings that destroyed a lot of stuff at --
50 you know, that Japanese tsunami and all of that, so,

1 are there any bathymetric studies of the Arctic Ocean
2 floor or is there -- should I be concerned about a
3 happening, an under water eruption?

4
5 MR. LASSUY: I would have to.....

6
7 DR. YOKEL: The Navy and.....

8
9 MR. LASSUY: Yes, exactly, the US Navy
10 and NOAA, National Oceanic Atmospheric Administration
11 -- NOAA is a member of the North Slope Science
12 Initiative but by and large they have not entered their
13 bathymetric studies into our data catalog. That bathy
14 boat is -- so far anyway has been pretty much strictly
15 a freshwater lakes thing. It's a tiny little thing,
16 the whole boat's only about two and a half feet long or
17 so so it's not a practical tool for using on the ocean,
18 or even in the near shore waters unless it's a really
19 calm day.

20
21 But I don't know how to answer your
22 question about ocean debris and that sort of thing.
23 That's something we would have to direct to the US Navy
24 or to NOAA, we could certainly raise it in a -- you
25 know, with our NOAA partners, within NSSI, and ask them
26 what information they have and how they could share it.

27
28 CHAIRMAN BROWER: Go ahead, James.

29
30 MR. NAGEAK: I'm really concerned
31 because if there ever was a disruption in the Arctic
32 Ocean and how Barrow would be affected by a tsunami
33 with the ice on top of that. You know we had Mound 44
34 here in Barrow and I don't know what kind of an ocean
35 action that made that instantaneous death to this
36 family back in, I don't know how many years ago, so I'm
37 curious as to how -- if there's ever been a study of
38 the ocean's floor, of the Arctic Ocean.

39
40 Thank you.

41
42 MR. LASSUY: I'll just add something,
43 it's not really related to your question but an
44 observation about the tsunami and the tsunami
45 materials.

46
47 Before coming to the North Slope
48 Science Initiative my -- the focus of my job was
49 working on invasive species, non-Native species that
50 cause problems and the tsunami debris was a very big

1 concern for that reason because there are huge pieces,
2 a lot of them, and they came from a shoreline that had,
3 you know, existed for, who knows how many years, so a
4 lot of them had living organisms from the Japanese
5 coast that have gotten -- potentially could have gotten
6 transported over here, in fact, they've been found all
7 the way down to the Oregon, and I think even the
8 Northern California Coast and vessels and parts and
9 pieces of the tsunami debris that had non-Native
10 species on them, and, you know, states with a whole lot
11 smaller coastline, like Oregon and Washington were
12 freaking out with trying to marshal their forces to get
13 out and clean the debris as soon as it showed up. They
14 went out there with steam guns and cleaned off the
15 docks and stuff that landed on their shoreline because
16 they didn't want the invasive species coming in either.

17

18 So I'm certainly familiar with concerns
19 from the tsunami debris, but I don't have a specific
20 answer for you about the Arctic Ocean.

21

22 MR. SHEARS: Mr. Chair.

23

24 CHAIRMAN BROWER: Bob.

25

26 MR. SHEARS: I see a tremendous
27 opportunity there because NSSI collaborates so many
28 different agencies that we interact with on an
29 individual basis all the time, it's like the go-to
30 shop, the one stop shop for everything relating to
31 baseline environmental information that we're concerned
32 with. The ecology; the environment; the animals; the
33 marine mammals; the waterfowl; everything within our
34 scope and beyond, and I'm encouraged by this. I don't
35 know if any other entity, you know, in the state of
36 Alaska that we can turn to besides the NSSI for answers
37 on a lot of things that concern us, and so I was
38 wondering why we couldn't rely on you as a source of
39 information at our subsistence meetings, at our Council
40 meetings.

41

42 MR. LASSUY: Well, you know, as I
43 mentioned before, I'm honored that you would say that
44 but I'm.....

45

46 MR. SHEARS: Now that we realize you're
47 only a two or three man staff, I thought that you were
48 a department.

49

50 MR. LASSUY: Oh, good Lord, don't I

1 wish.
2
3 (Laughter)
4
5 MR. LASSUY: As I say we've been cut
6 down to about a third of what our original budget was
7 so we don't have a whole lot of project money.
8
9 MR. SHEARS: Yeah.
10
11 MR. LASSUY: But there is a core
12 project that we will not stop funding unless, you know,
13 unless we are virtually out of money and that is this
14 data management system, because.....
15
16 MR. SHEARS: Yeah.
17
18 MR. LASSUY:it's so centrally
19 important to all of the members of the North Slope
20 Science Initiative.
21
22 But it does have the limitations that I
23 mentioned.
24
25 MR. SHEARS: Yeah.
26
27 MR. LASSUY: It is as good as it is
28 populated with studies and, you know, we have one
29 person who's actually funded through UAF to help us
30 with the database management and, you know, he can only
31 make so many calls or send so many emails to beg people
32 to put their information into the system. So, you
33 know, a huge source of information are industry,
34 industry studies and, you know, we have no leverage
35 other than the promise of people being able to access
36 what they want us to be able to access, their
37 information, their studies so that they can show to the
38 world what they've been doing. But we don't have --
39 you know, we can't force them to put their studies into
40 our system. It's conceivable that we could work
41 through a, you know, some sort of a mutual agreement
42 with industry to get that kind of access.
43
44 I know that NOAA has worked on an
45 arrangement like that with ConocoPhillips, and, I'm not
46 sure who else, Shell, but I'm not sure to what extent
47 it's actually working yet, in terms of populating their
48 databases.
49
50 MR. SHEARS: Educate the public so to

1 speak.
2
3 CHAIRMAN BROWER: You need to put your
4 mic on, please.
5
6 MR. SHEARS: I'm done.
7
8 CHAIRMAN BROWER: No, you said
9 something with the mic off, you have to restate it.
10
11 (Laughter)
12
13 MR. SHEARS: I forgot what it was.
14
15 (Laughter)
16
17 REPORTER: I got it.
18
19 CHAIRMAN BROWER: Okay, thank you,
20 Tina.
21
22 MS. AHTUANGARUAK: Harry.
23
24 CHAIRMAN BROWER: Rosemary.
25
26 MS. AHTUANGARUAK: Yeah, I just really
27 think that's our hopes for this process is showing that
28 there's a definite need and what we thought what we
29 might get out of this. A lot of concerns that we've
30 had over the years trying to bring enlightenment to our
31 issues demonstrate the difficulties we're having in the
32 issues around fisheries in Nuiqsut with the Arctic
33 cisco. It took eight years to get support to go and
34 look at the causeway that had filled up with gravel.
35 And it shouldn't take those number of years to get the
36 support to look at some of these issues. And I was
37 hoping that this North Slope Science Initiative was
38 going to help us get some leverage to allow us to look
39 at additional factors that are affecting things, as
40 increased concentration of things that change our lands
41 and waters. It's going to be even more important for
42 us to be effectively engaged.
43
44 Issues around the caribou migration.
45 We have to look at the Red Dog Mine studies. We didn't
46 get effective assessments or terminology in these
47 assessments that allowed us to look at issues around
48 caribou migration. All of these things are very
49 important for this process of what we wanted to work
50 through with the North Slope Science Initiative and

1 where we can really help us get some of the issues and
2 concerns around our traditional and cultural activities
3 looked at by changes that are coming from other things
4 that are affecting our traditional way of life.

5
6 Thank you.

7
8 CHAIRMAN BROWER: Thank you, Rosemary.

9
10 I'll just provide a comment as well in
11 regards to I was kind of thinking that the North Slope
12 Science Initiative was still in its infancy because
13 it's still trying to gather information that could be
14 useful for situations that we discuss and trying to
15 identify with what kind of research that's been
16 happening within the North Slope.

17
18 But, anyway, take the -- I mean I take
19 the name very seriously, North Slope Science
20 Initiative, but then it's gotten somewhat out of hand
21 when you start being inclusive of all the other Arctic
22 countries. It's not so focused just on the North Slope
23 anymore, it's being inclusive of all the other types of
24 research that have similarity to the kind of research
25 that's happening within the Alaska North Slope, and
26 it's being inclusive of other Arctic countries, Russia,
27 Canada and other countries, such as that.

28
29 So in regards to some of the data
30 collection and yet it's still being collected and some
31 are, you know, you can't force the researchers, like
32 you said, to put their data into the program that's
33 developed here, so that's still in the works. So it's
34 still, I guess, growing in a way that this data is
35 still being collected and how we can access it, it's
36 there but then there's limitations as to what's
37 available at different settings, of different kinds of
38 research.

39
40 MR. LASSUY: Mr. Chair.

41
42 CHAIRMAN BROWER: Denny.

43
44 MR. LASSUY: One thing I can pretty
45 much guarantee you, we will never be done, we will
46 constantly be growing in terms of the information and
47 -- because each agency's and the North Slope
48 ecosystem's situation is changing, as I mentioned
49 earlier, it changes, so we'll never be done gathering
50 the science but at some point you have to use the

1 science that you have in hand to make the decisions,
2 and that's the intent, of course, is to maximize as
3 best we can, with the power we have, limited as it is,
4 is to gather and make accessible the information that
5 we can.

6
7 One thing that is a bit different about
8 the structure of the North Slope Science Initiative
9 from some other sort of collaboration or coordination
10 forums is that, on purpose, it was designed so that a
11 high level decisionmaking level person sits at the
12 table, so to some extent they do have the, sort of
13 administrative power within their own agencies to say,
14 you shall go and enter all of our studies on the North
15 Slope into this catalog, so there is -- but not without
16 leverage, we certainly have leverage within the
17 agencies that are members of NSSI.

18
19 Oh, I was going to add one other thing,
20 and that was the discussion about working in areas
21 beyond the North Slope. We don't physically go and do
22 any research beyond the Slope and its off shore seas,
23 but we came to the understanding fairly early on, from
24 a lot of discussions within the science panel and with
25 the oversight group that we needed to at least be
26 involved with broader efforts to the extent that it
27 helps us understand and interpret the science that's
28 done here on the North Slope. If there are patterns
29 across the entire Arctic that we're not aware of that
30 would help us explain or understand the science that is
31 gathered here, then we're kind of missing the boat, so
32 that's the rationale behind the involvement beyond the
33 North Slope, is simply to be aware of and to facilitate
34 the exchange of information in a way that's helpful to
35 science being done on the North Slope.

36
37 CHAIRMAN BROWER: Thank you, Denny.

38
39 Any other comments.

40
41 MR. SHEARS: I just have one more
42 question.

43
44 CHAIRMAN BROWER: Yes, Robert.

45
46 MR. SHEARS: What is the relationship
47 of NSSI with the Arctic Policy Commission, is there a
48 strong working relationship there or does one take the
49 direction from the other?

50

1 MR. LASSUY: I'm not sure which body
2 you're referring to when you say Arctic Policy
3 Commission.
4
5 MR. SHEARS: Arctic Policy, the Arctic
6 Policy Group.....
7
8 MR. LASSUY: Are you talking about the
9 US Arctic Research Commission, USARC with Fran and
10 Cheryl or.....
11
12 MR. SHEARS: Oh, yeah, if that's the
13 one, I'm sorry. The Arctic Policy Commission, the one
14 that Lisa Murkowski was just referring to in a letter
15 to President Obama that, you know, the Department of
16 Interior hasn't really been enabling it, giving it the
17 authority to act broadly in regards to creating
18 policies for development on the North Slope and
19 responding to the concerns of the residents of the
20 North Slope.
21
22 CHAIRMAN BROWER: I think Edward Itta
23 was a member to that Arctic Policy Commission you're
24 referring to. He was put into that Commission through
25 the DC office.
26
27 MR. SHEARS: Who?
28
29 CHAIRMAN BROWER: Edward.
30
31 MR. SHEARS: Really.
32
33 CHAIRMAN BROWER: Yeah.
34
35 MR. SHEARS: Just recently named.
36
37 CHAIRMAN BROWER: Yeah.
38
39 MR. SHEARS: Oh, okay.
40
41 MR. LASSUY: If you're talking about
42 the US Arctic Research Commission that former Mayor
43 Itta is a -- he's a commissioner on?
44
45 MR. SHEARS: I believe so, yes, that's
46 the one. That's the one, uh-huh.
47
48 MR. LASSUY: And Former Lt. Governor
49 Fran Ulmer is the director of the US Arctic Research
50 Commission -- no. We work with them in terms of, you

1 know, listening to their priorities that they have
2 identified, but they are not -- there's no sort of
3 hierarchy where we answer to them or they answer --
4 they certainly don't answer to us, but we work with
5 them a lot, Cheryl Rosa is one of our oversight group
6 members so, you know, we're very much kept in touch
7 through her of what the US Arctic Research Commission
8 is thinking are priority issues, and this sort of
9 affiliate created under the same law that created the
10 Arctic Research Commission, is the IARPC, there's such
11 an alphabet soup of Arctic Entities, InterAgency Arctic
12 Research and Policy Commission, or.....

13

14 MR. SHEARS: Maybe that's the one I'm
15 thinking of.

16

17 MR. LASSUY: Maybe that's the one.

18

19 And it has, every five years or so,
20 come up with what they considered a set of research
21 priorities that would help implement the things that
22 the Arctic Research Commission considers priority and,
23 you know, that's good and we try to find ways that NSSI
24 member entities can help them, you know, deliver on
25 that, but we are a consortium, a forum of a number of
26 agencies, each with their own mandates so we have to --
27 again, we have to always be cognizant that we're not in
28 a position where we're -- where we're simply in a
29 position to inform those agencies, not to suggest to
30 them what they should be doing with their budgets.

31

32 MR. SHEARS: Okay, I'm clear then.
33 Just not in their chain of command, but do liaison with
34 them.

35

36 MR. LASSUY: Yes, thank you.

37

38 CHAIRMAN BROWER: Any other questions,
39 comments.

40

41 MS. AHTUANGARUAK: Yes, I was hoping
42 that we would be able to look at some of this
43 information and help us prepare for cumulative effects.
44 I was hoping that we would be able to get into some of
45 the status that can understand how much activity occurs
46 in various years with various amounts of activities,
47 such as lease sales versus exploratory, versus
48 development of the unit versus development of a full
49 development unit and these kind of information is
50 really important for our discussions that we're going

1 to be having as we go forward, but as well as to help
2 us prepare and assess some of the cumulative effects to
3 our subsistence activities.

4

5 I'm also very, very concerned because
6 towards the Gulf after the spill started in -- when I
7 went down there watching the process of various
8 organizations really scrambling to get baseline data,
9 it's so much easier to get baseline data down there in
10 the Gulf than it is here in the Arctic and what do we
11 have in comparison to help us in the process after
12 learning how much they didn't have and what happened in
13 the Gulf.

14

15 Thank you.

16

17 CHAIRMAN BROWER: Thank you, Rosemary.

18

19 If there are no further questions or
20 comments, thank you.

21

22 (No comments)

23

24 CHAIRMAN BROWER: Denny, thank you for
25 your report.

26

27 MR. LASSUY: Mr. Chair. Council
28 members. Thank you very much.

29

30 CHAIRMAN BROWER: Yep, thank you for
31 your presentation.

32

33 That leads us to our recess for this
34 evening, it's almost 6:00 o'clock, so much for a half
35 an hour presentation.

36

37 (Laughter)

38

39 CHAIRMAN BROWER: Anyway, I guess the
40 other side of that we got to include a half an hour of
41 discussion after the presentation.

42

43 (Laughter)

44

45 CHAIRMAN BROWER: Anyway, we can recess
46 until tomorrow morning at 9:00, is that when we're
47 going to resume our Regional Advisory Council.

48

49 (Council nods affirmatively)

50

1 CHAIRMAN BROWER: We'll recess until
2 9:00 in the morning. We're at recess.
3
4 (Laughter)
5
6 CHAIRMAN BROWER: Okay, good evening
7 everybody, thank you.
8
9 MS. AHTUANGARUAK: Thank you to
10 everyone continuing to give more than the average
11 persons involved in local community meetings, giving
12 time into the lunch hour, thank you everyone.
13
14 MS. PATTON: Thank you, Rosemary for
15 being on line and thank you to everyone that was
16 calling in and we'll be back at 9:00 tomorrow morning.
17
18 CHAIRMAN BROWER: Recess until 9:00,
19 good night everybody.
20
21 (Off record)
22
23 (PROCEEDINGS TO BE CONTINUED)

C E R T I F I C A T E

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

11 THAT the foregoing pages numbered 2 through 137
12 contain a full, true and correct Transcript of the
13 NORTH SLOPE FEDERAL SUBSISTENCE REGIONAL ADVISORY
14 COUNCIL MEETING, VOLUME I taken electronically by
15 Computer Matrix Court Reporters on the 19th day of
16 February 2014;

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

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/14