

1 NORTH SLOPE FEDERAL SUBSISTENCE REGIONAL  
2  
3 ADVISORY COUNCIL MEETING  
4  
5 PUBLIC MEETING  
6  
7  
8

9 VOLUME I  
10

11  
12 North Slope Savaat Center  
13 Barrow, Alaska  
14 August 20, 2013  
15 9:03 a.m.  
16  
17

18 COUNCIL MEMBERS PRESENT:  
19

20 Harry Brower, Chair  
21 Rosemary Ahtuanguaruak  
22 Gordon Brower  
23 Theodore Frankson  
24 Lee Kayotuk  
25 James Nageak  
26 Robert Shears  
27  
28  
29  
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31 Regional Council Coordinator, Eva Patton  
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1 P R O C E E D I N G S  
2  
3 (Barrow, Alaska - 8/20/2013)  
4  
5 (On record)  
6  
7  
8 CHAIRMAN BROWER: Good morning,  
9 everyone. I welcome you all to Barrow and all those on  
10 teleconference as well. My name is Harry Brower. I'm  
11 the Chair of the North Slope Regional Advisory Council.  
12 I'd like to call the meeting to order at this time.  
13 It's a little bit after 9:00. It looks like 9:03.  
14  
15 I'll ask our secretary to call roll  
16 call to establish a quorum, please.  
17  
18 MR. KAYOTUK: Good morning. Thank you,  
19 Chair. Gordon Brower, Barrow.  
20  
21 (No response)  
22  
23 MR. KAYOTUK: Robert Shears,  
24 Wainwright.  
25  
26 MR. SHEARS: Here.  
27  
28 MR. KAYOTUK: Roy Maloney Nageak, Sr.  
29  
30 (No response)  
31  
32 MR. KAYOTUK: Number four is vacant.  
33 Number five, Harry K. Brower, Jr.  
34  
35 CHAIRMAN BROWER: Here.  
36  
37 MR. KAYOTUK: Number six is vacant.  
38 Number seven, James M. Nageak, Anaktuvuk Pass.  
39  
40 MR. J. NAGEAK: Here.  
41  
42 MR. KAYOTUK: Theodore A. Frankson,  
43 Jr., Point Hope.  
44  
45 MR. FRANKSON: Here.  
46  
47 MR. KAYOTUK: Lee Kayotuk. Here.  
48 Number 10, Rosemary Ahtuanguak, Barrow.  
49  
50 MS. AHTUANGARUAK: Here.

1 MR. KAYOTUK: Good morning. We have a  
2 quorum.

3  
4 CHAIRMAN BROWER: Thank you, Lee. At  
5 this time I've asked James to give us an invocation  
6 this morning, which wasn't really on our agenda, but  
7 I've asked James to do that this morning as part of our  
8 customs and practices here on the North Slope. So I'd  
9 ask James to give us an invocation this morning. If we  
10 all could stand, please.

11  
12 (Invocation)

13  
14 CHAIRMAN BROWER: Thank you, James.  
15 Under the welcome and introductions, again, my name is  
16 Harry Brower, Jr. I'm the Chair of the Regional  
17 Advisory Council. We'll just start to my left or to my  
18 right. I'm always awake. Rosemary, and go around and  
19 do the introductions this morning.

20  
21 MS. AHTUANGARUAK: I'm Rosemary  
22 Ahtuanguaruak. I've been living in Barrow for about  
23 four years. I spent 24 years in Nuiqsut and it's  
24 really good to be involved with this group.

25  
26 MR. KAYOTUK: Good morning. Lee  
27 Kayotuk from Kaktovik, Alaska.

28  
29 MR. SHEARS: Good morning. Robert  
30 Shears. Originally from Wainwright and I still  
31 maintain a primary residency there. However, four  
32 months ago I moved to Barrow to accept full-time  
33 employment with the North Slope Borough and maintaining  
34 a secondary residency here.

35  
36 CHAIRMAN BROWER: Teddy.

37  
38 MR. FRANKSON: Good morning. My name  
39 is Ted Frankson, Jr. I'm from Point Hope.

40  
41 MR. J. NAGEAK: My name is James M.  
42 Nageak. I'm from Anaktuvuk Pass. Originally was born  
43 here in Barrow, but raised in Kaktovik where Lee is.  
44 I'm also a representative to the Subsistence Resource  
45 Commission of the Park Service.

46  
47 CHAIRMAN BROWER: Go ahead with our  
48 agency staff and our guests.

49  
50 MS. PETRIVELLI: Pat Petrivelli with

1 Bureau of Indian Affairs out of Anchorage.

2

3 MR. MATHEWS: I'm Vince Mathews, with  
4 Arctic, Kanuti and Yukon Flats Refuges out of  
5 Fairbanks.

6

7 MR. GLASPELL: Good morning. I'm Brian  
8 Glaspell. I'm the Refuge Manager at Arctic National  
9 Wildlife Refuge. I live in Fairbanks.

10

11 DR. JENKINS: Good morning. I'm David  
12 Jenkins. I'm the policy coordinator for the Office of  
13 Subsistence Management.

14

15 MS. WINALSKI: I'm Dawn Winalski. I  
16 work with the North Slope Borough law department.

17

18 MS. BEHE: I'm Carolina Behe with the  
19 Inuit Circumpolar Council.

20

21 CHAIRMAN BROWER: Thank you, everyone.  
22 I think there's a couple people that just stepped out,  
23 but I think we can continue. I'll get to them as we go  
24 through with our agenda. Again, welcome you all to  
25 Barrow to attend the North Slope Regional Advisory  
26 Council meeting.

27

28 We'll be discussing a few of the  
29 wildlife that we deal with and looking back at some of  
30 our meetings. So we have approval of the agenda,  
31 review of minutes, then we'll have some reports  
32 presented from our Council members, and then we'll have  
33 some public and tribal comments on non-agenda items, if  
34 there's any participants in regard to that portion of  
35 the agenda. The agenda goes on with old business, new  
36 business, statewide proposals, regional proposals,  
37 agency reports and then later on we'll discuss the  
38 future meeting dates and closing comments. Probably  
39 sometime tomorrow we'll probably get to those portions.

40

41 Anyway, that's just a quick overview of  
42 our agenda. At this time, maybe I'd like to have the  
43 Council open up for discussion by way of motion review  
44 and adoption of the agenda.

45

46 MS. AHTUANGARUAK: Motion to approve  
47 the agenda.

48

49 MR. SHEARS: Second.

50

1 CHAIRMAN BROWER: Motion on the floor  
2 to approve the agenda for August 20 and 21, 2013.  
3 Seconded. Discussion. I could state a couple -- some  
4 of them we wrote down unless any of the Council members  
5 wish to do that or bring them up if I miss something.  
6 I'll start with under 4, between 4 and 5, we have a  
7 Service Award. I should have started with between 2  
8 and 3. We had invocation. Moving down, I think I've  
9 got under old business we have a B now, consultation  
10 report by Jack Lorrigan.

11  
12 Continuing to the next page under  
13 review of proposals we identified some names and I  
14 guess we'll have some of our participants from the  
15 teleconference chiming in with our discussion and with  
16 these proposals as we go through them. I'm trying to  
17 see if there's any significant changes to that, but I  
18 don't see anything under the wildlife proposals but to  
19 include the agency staff in part of the discussions on  
20 any of these statewide or regional proposals.

21  
22 The next item was in regards to agency  
23 reports, the changes I noted that were not in -- we  
24 talked about some of these yesterday during the review  
25 of the agenda was recruitment under agency reports.  
26 Staffing update, we'll have some questions to that.  
27 And then I identified again -- we're trying to identify  
28 who was to present the Draft Tribal Consultation  
29 Implementation Guidelines. So Jack will present that  
30 again or present that as soon as we get there.

31  
32 There's some other comments that I  
33 scribbled in there, but I think the next item would  
34 still be under the agency reports. Add on North Slope  
35 Borough Department of Wildlife Management, Brian  
36 Person, in regards to some of the discussions on  
37 wildlife, the proposals that we had worked on before.  
38 Then one with North Slope Borough Fish and Game  
39 Management Committee.

40  
41 Still with our North Slope Wildlife we  
42 have a committee that deals with all the wildlife  
43 proposals or recommendations for changes to proposals  
44 both from State and Federal and they deal with all our  
45 wildlife resources on the North Slope, including  
46 migratory birds, the marine mammals, fisheries. See,  
47 they cover the whole spectrum of what we don't cover in  
48 the North Slope Regional Advisory Council. Mike  
49 Pederson will give a background on that.  
50

1 I think that's what I have written down  
2 unless any of you Council members identified another  
3 area.

4  
5 MR. SHEARS: Sounds good to me, Mr.  
6 Chair.

7  
8 CHAIRMAN BROWER: I guess there's one  
9 more just reading over Eva's notes from yesterday under  
10 11, future meeting dates. Maybe before getting to that  
11 one we should, still under agency reports, is identify  
12 annual report topics. That's the last item. That's  
13 pretty much all I have from the notes taken on the two  
14 agendas.

15  
16 Any other Council members have any  
17 other items or agency Staff might have anything that  
18 we've missed.

19  
20 MS. AHTUANGARUAK: Motion to approve  
21 the amendments as presented.

22  
23 CHAIRMAN BROWER: We're still under  
24 discussion of the motion.

25  
26 MS. AHTUANGARUAK: Okay. Finish  
27 discussion.

28  
29 CHAIRMAN BROWER: Just calling the  
30 question is probably -- if there's no other changes to  
31 the agenda.

32  
33 MR. SHEARS: Call the question.

34  
35 CHAIRMAN BROWER: The question has been  
36 called on the motion to approve the agenda with the  
37 changes included. All in favor of the motion signify  
38 by saying aye.

39  
40 IN UNISON: Aye.

41  
42 CHAIRMAN BROWER: Opposed say nay.

43  
44 (No opposing votes)

45  
46 CHAIRMAN BROWER: None noted. Thank  
47 you. We have an agenda before us. Next on the agenda  
48 is the Service Award and I look to Eva as to who is  
49 going to be presenting that.

50

1 MS. PATTON: Today we want to honor  
2 Harry K. Brower, Jr. for his 20 years of service on the  
3 North Slope Regional Advisory Council and his  
4 dedication to subsistence in the North Slope Region.  
5 Harry has been with the program since the very  
6 beginning and we have our Federal Subsistence Board  
7 member, Charlie Brower, would like to honor Harry.

8  
9 MR. C. BROWER: On behalf of the  
10 Federal Subsistence Board Chairman Tim Towarak and your  
11 20 years of service, we'd like to honor you by  
12 presenting you a plaque. This plaque reads presented  
13 to Harry K. Brower, Jr. on August 20, 2013 in  
14 recognition of your 20 years of service on the North  
15 Slope Borough Subsistence Regional Advisory Council and  
16 a lifetime of dedication to subsistence for the  
17 regions.

18  
19 On behalf of the Federal Board and the  
20 Chairman Tim Towarak, I'd like to make the presentation  
21 to you.

22  
23 CHAIRMAN BROWER: Thank you.

24  
25 MR. C. BROWER: And this will encourage  
26 you to stay on for another 20 years.

27  
28 (Laughter)

29  
30 CHAIRMAN BROWER: I'm going to be  
31 looking backwards.

32  
33 MR. C. BROWER: I think with an early  
34 presentation in the meeting this can encourage your  
35 fellow committee members to stay on and do the hard  
36 work that you've done with the North Slope and it's  
37 dedication.

38  
39 CHAIRMAN BROWER: Thank you.

40  
41 MR. C. BROWER: And also I'd like to  
42 present you with another present on behalf of the  
43 Board.

44  
45 CHAIRMAN BROWER: Keep on hunting,  
46 right?

47  
48 MR. C. BROWER: Keep on hunting.

49  
50 (Applause)

1 CHAIRMAN BROWER: Thank you, Charlie.  
2  
3 MR. C. BROWER: You're welcome.  
4  
5 MS. PATTON: We have one more.  
6  
7 MR. C. BROWER: There's a certificate  
8 of appreciation presented to Harry K. Brower from 1993  
9 to 2013. In recognition of his service to the Federal  
10 Advisory Management Program as a member of the North  
11 Slope Subsistence Regional Advisory Council, we present  
12 you with a certificate of appreciation. It's signed by  
13 Chairman Tim Towarak today, August 20, 2013.  
14  
15 CHAIRMAN BROWER: Thank you. Tell the  
16 chairman thank you as well.  
17  
18 (Applause)  
19  
20 MS. PETRIVELLI: Thank you for all your  
21 service. This program is based upon Council members  
22 and with all your help and the role as a chairman is  
23 very important too.  
24  
25 Thank you.  
26  
27 CHAIRMAN BROWER: Thank you all for the  
28 presentations. I wasn't expecting this until Eva broke  
29 the news yesterday. I'll leave these here for now and  
30 we can show them -- people can see them. Anyway, thank  
31 you everyone for that. Like I said, it was a little  
32 bit of a surprise when I seen it on the agenda  
33 yesterday.  
34  
35 Anyway, thank you.  
36  
37 Continuing our agenda items, we have  
38 review and approval previous meeting minutes of  
39 February 26-27, 2013. The second ones are April 16,  
40 2013 teleconference. It's an action item by the  
41 Council.  
42  
43 While I'm still on reviewing that part  
44 of the agenda, I should state that public comments are  
45 welcome for each agenda item and for regional concerns  
46 not included on the agenda. The Council appreciates  
47 hearing your concerns and knowledge. Please fill out a  
48 comment form to be recognized by the Council Chair.  
49 Time limits may be set to provide opportunity for all  
50 to testify and keep the meeting on schedule.



1 Another notice, these are estimated  
2 times on the agenda and it's subject to change.  
3 Contact Staff for the current schedule. Evening  
4 sessions are at the call of the Chair. I think we have  
5 an evening setting meeting happening tonight, as Eva  
6 mentioned, in regards to the rural determination. So  
7 we'll have a follow-up meeting this evening that's  
8 going to be happening regarding that subject, rural  
9 determination.

10

11 What's the wish of the Council at this  
12 time. Review and approval of previous meeting minutes.

13

14 MR. SHEARS: Mr. Chairman, I'd like to  
15 make a motion to approve the meeting minutes for the  
16 North Slope Federal Subsistence Regional Advisory  
17 Council meeting held in Barrow on February 26-27, 2013.

18

19 CHAIRMAN BROWER: Motion on the floor  
20 to approve the February 26-27, 2013.....

21

22 MS. AHTUANGARUAK: Seconded.

23

24 CHAIRMAN BROWER: .....which has been  
25 seconded. Any further discussion on the meeting  
26 minutes of February 26-27.

27

28 MR. C. BROWER: Harry.

29

30 CHAIRMAN BROWER: Rosemary. Oh, sorry.  
31 Charlie.

32

33 MR. C. BROWER: Thank you, Mr.  
34 Chairman. I may be out of line, but just for  
35 information they've got me down as Charlie C. (Maasak)  
36 Brower. That's someone else. My name is Charles D.  
37 (Nasuk) for your corrections if you guys did not know  
38 what my middle name was and my Eskimo name. So Charlie  
39 Maasak is another person here in Barrow and in  
40 Kaktovik, so there is -- I just wanted to make that  
41 note.

42

43 Thank you, Mr. Chair.

44

45 CHAIRMAN BROWER: Can you identify what  
46 page you're looking at there.

47

48 MR. C. BROWER: On your February 26,  
49 page 5.

50

1 CHAIRMAN BROWER: The second name under  
2 the agency staff in person.  
3  
4 (Cell phone ringing)  
5  
6 CHAIRMAN BROWER: Attention.  
7  
8 (Laughter)  
9  
10 MR. C. BROWER: Thank you, Mr. Chair.  
11  
12 CHAIRMAN BROWER: Thank you, Charlie,  
13 for catching that. So it's Charles D. N. Brower. Any  
14 other questions by the Council.  
15  
16 (No comments)  
17  
18 MS. AHTUANGARUAK: Hearing no further  
19 discussion, call for question.  
20  
21 CHAIRMAN BROWER: The question has been  
22 called on the motion to approve the meeting minutes of  
23 February 26-27 with the minor change. All in favor of  
24 the motion signify by saying aye.  
25  
26 IN UNISON: Aye.  
27  
28 CHAIRMAN BROWER: Opposed say nay.  
29  
30 (No opposing votes)  
31  
32 CHAIRMAN BROWER: None noted. Thank  
33 you. We have the following minutes, item 5(B), dated  
34 April 16, 2013 for your consideration.  
35  
36 MS. AHTUANGARUAK: Motion to approve  
37 April 16, 2013 minutes.  
38  
39 CHAIRMAN BROWER: Motion on the floor  
40 to approve the April 16, 2013 meeting minutes,  
41 teleconference minutes.  
42  
43 (No comments)  
44  
45 CHAIRMAN BROWER: Motion on the floor.  
46  
47 (No comments)  
48  
49 CHAIRMAN BROWER: Did you hear a second  
50 on the motion, Rosemary?

1 MS. AHTUANGARUAK: Not yet.  
2  
3 MR. KAYOTUK: Second on the motion.  
4  
5 (Laughter)  
6  
7 CHAIRMAN BROWER: Thank you, Lee.  
8 Motion is to approve the meeting minutes of April 16,  
9 2013 and the motion has been seconded.  
10  
11 Any further discussion on the meeting  
12 minutes of April 16.  
13  
14 MR. J. NAGEAK: Mr. Chair.  
15  
16 CHAIRMAN BROWER: Yes, James.  
17  
18 MR. J. NAGEAK: I don't know who does  
19 the spelling and stuff. There was a word in there that  
20 I thought was supposed to be Kivgiq and I can't find it  
21 and it was Kiviuk or something like that. I don't  
22 know who takes care of the Inupiaq version parts of it.  
23  
24 MS. PATTON: Thank you, James. Could I  
25 get the correct spelling. Would you be able to spell  
26 that for me to make those edits.  
27  
28 MR. J. NAGEAK: Yeah. K-I-V-G-I-K(Q).  
29 I knew I seen it someplace, but I couldn't recall  
30 where. (In February minutes)  
31  
32 CHAIRMAN BROWER: Thank you, James.  
33  
34 MR. J. NAGEAK: Mr. Chair. I call for  
35 the question.  
36  
37 CHAIRMAN BROWER: The question has been  
38 called on the motion to approve the meeting minutes of  
39 April 16, 2013. All in favor of the motion signify by  
40 saying aye.  
41  
42 IN UNISON: Aye.  
43  
44 CHAIRMAN BROWER: Opposed say nay.  
45  
46 (No opposing votes)  
47  
48 CHAIRMAN BROWER: None noted. Thank  
49 you, James, Council. The next agenda item I'll be  
50 covering is under reports, Council member reports.

1 Concerns or issues that you've identified within your  
2 communities or have heard from other community members.  
3

4 Teddy, do you want to break the ice on  
5 that one.  
6

7 MR. FRANKSON: Yeah, I've got a problem  
8 with Shell doing their -- what do you call that --  
9 checking for oil. I was hoping they'd develop another  
10 system to check for oil other than the one they're  
11 using. With the one they used about 10 years ago we  
12 lost our cod stock and our clam stock for the walrus,  
13 which is why they went over to the Russian side to go  
14 eat. If they can develop another -- find a test to  
15 test for oil, which I'd like to see it because the one  
16 they're using currently kills whatever they eat  
17 wherever they are at. They're out there right now, I  
18 think. Question is what are we going to do about that  
19 one.  
20

21 That was my only concern at this time.  
22

23 THE COURT: Thank you, Teddy. I think  
24 it's a little bit out of our purview, but I think.....  
25

26 MR. FRANKSON: Yeah, it concerns our  
27 subsistence way of life because that's an annual food  
28 we have to get and we depend on that too year round. I  
29 just wanted to mention that one.  
30

31 MR. SHEARS: A question for Mr.  
32 Frankson. Are you referring to the seismic testing?  
33

34 MR. FRANKSON: Yes, I'm referring to  
35 the seismic testing. If we can get somebody to try and  
36 get that fixed. I don't know. I know it's out of place  
37 here, but it does deal with our subsistence use.  
38

39 CHAIRMAN BROWER: Maybe you can work  
40 with our coordinator and see about getting that  
41 forwarded to the appropriate organization, like the  
42 Eskimo Harvest Commission and maybe even to the Office  
43 of Oil and Gas Industry in regards to the concern. I'm  
44 not sure within our purview we can provide those  
45 comments. I'm not sure if you heard his concern, Eva,  
46 but.....  
47

48 (Phone technical difficulties)  
49

50 OPERATOR: This is the operator. You

1 might want to turn up the volume on your phone. Your  
2 participants are unable to hear you. I'll reconnect  
3 you.

4  
5 MS. PATTON: Operator, if you're still  
6 online, we have a new phone system set up here. The  
7 volume is turned up full volume on our side here. Are  
8 you able to hear me?

9  
10 (No response)

11  
12 MS. PATTON: Do we have anyone on  
13 teleconference that can hear me speaking right now?

14  
15 MS. LARSON-BLAIR: Hi, Eva. This is  
16 Kay at OSM.

17  
18 MS. KENNER: Hi, Eva. This is Pippa at  
19 OSM.

20  
21 MS. PATTON: Can you please tell me how  
22 the sound volume is when I'm speaking right now.

23  
24 MS. LARSON-BLAIR: I can hear you  
25 better, but when the other Regional Advisory Council  
26 members talk it's really hard to hear them.

27  
28 MS. PATTON: Maybe what we can do is  
29 I'll push the mics forward for Council members and if  
30 you can speak close up to the mic so it picks up the  
31 sound.

32  
33 CHAIRMAN BROWER: I'm not kissing the  
34 mic, but I'm getting pretty close to doing that.

35  
36 MS. PATTON: Thank you. We would like  
37 some assistance. I've been trying to get a hold of the  
38 operator. So if the operator is able to increase the  
39 sound through the teleconference system, that would be  
40 helpful. We have our sound turned up full blast on  
41 this end here. If we could get assistance. I was not  
42 able to get direct through to the operator just a  
43 little bit ago. If somebody could star the operator on  
44 your teleconference phone and ask her to increase her  
45 volume on the teleconference line.

46  
47 Thank you.

48  
49 MR. J. NAGEAK: Mr. Chair, I'd like to  
50 make a comment as a Board member.

1 CHAIRMAN BROWER: Yes, James.

2

3 MR. J. NAGEAK: Yes, one of the  
4 concerns that we have at Anaktuvuk Pass is what they  
5 call the Foothills West Transportation Access Road to  
6 Umiat. I was wondering what the status is for the  
7 report from the Army Corps of Engineers on this  
8 particular project.

9

10 MS. PATTON: Mr. Chair. James Nageak,  
11 as we discussed yesterday, we did have Army Corps of  
12 Engineers scheduled to give a presentation to the  
13 Council. That individual is on family medical leave  
14 right now and unable to attend this meeting. As we  
15 discussed yesterday, the Council can liberate if  
16 there's points that you want to make sure are brought  
17 forward at this time. The Council can still do that.  
18 She had offered to be present at the winter meeting in  
19 February and the current timeline for the draft EIS  
20 process it was estimated to be out in fall of 2014.

21

22 So the Army Corps of Engineers had said  
23 there's still plenty of time for the Council to be able  
24 to get an update from them. They said nothing had  
25 occurred since the last time she provided some  
26 information and that she would be able to attend the  
27 winter meeting and there's still time for the Council  
28 to draft either comments, concerns or input prior to  
29 that draft EIS in 2014.

30

31 MR. J. NAGEAK: That 2014 is coming  
32 right up. There should be some anticipation that there  
33 are things that could happen. Like, you know, they  
34 ought to prepare themselves maybe with a written report  
35 so that even if they are not going to be here, then  
36 that report could be given to us. You know, a lot  
37 could happen between now and February. We hear some  
38 rumors that there's some activity that might be related  
39 to the road to Umiat and disturbance of, you know,  
40 gathering gravel for one thing. So those are the types  
41 of things that we are concerned about at Anaktuvuk  
42 Pass.

43

44 Thank you.

45

46 Another thing that we discussed was the  
47 controlled use area. There was some concern that maybe  
48 the wording should be changed so that we can be more  
49 clear and more inclusive like the one at Noatak, the  
50 wording over there at our last meeting. I was tasked

1 to go back home and make a recommendation to this  
2 Council that it would affect the controlled use area  
3 north of Anaktuvuk Pass. There was some council that  
4 this might not be a good time to give to the Board of  
5 Game a whole new definition or a whole new way of  
6 determining what the controlled use area can be north  
7 of Anaktuvuk Pass.

8

9 The recommendation is to keep the  
10 current controlled use area that the Board of Game  
11 adopted a few years ago without any changes at this  
12 point. We might bring that up again whenever we feel  
13 that the Board of Game might be more receptive to some  
14 of the changes that we are seeking with that controlled  
15 use area we have.

16

17 It's unfortunate or maybe fortunate  
18 that there was a bear maul north of Anaktuvuk Pass and  
19 that might change some thinking from the State we're  
20 hoping, you know, when they had to medevac that person  
21 that was mauled by the bear not too far from Anaktuvuk  
22 Pass. It's almost within the controlled use area.

23

24 Thank you.

25

26 CHAIRMAN BROWER: Thank you, James for  
27 your comments and voicing the community's concerns as  
28 well. I think that's where we need to keep appraised  
29 on the activities in the different situations that come  
30 before us regarding the transportation access route to  
31 Umiat and the other concerns regarding the controlled  
32 use area. So I think we'll hear more, but I agree with  
33 you in regards to the first one you were talking about.

34

35 There needs to be some means of follow-  
36 up communications or establishing that communication to  
37 keep us appraised of what's being developed or what's  
38 developing over the course of time that we don't have  
39 any communications, such having written reports  
40 presented would be helpful. I think there's more than  
41 one person in that office of DOT that's knowledgeable  
42 of the access route. You know, depending just on one  
43 person seems to be an excuse in my mind indicating that  
44 we're not able to accommodate your request. You know,  
45 there's multiple staff there that could probably bring  
46 us and share information with us as to what the  
47 Department of Transportation from the State has  
48 developed to date. You know, that kind of  
49 communications. When that doesn't get shared, we're  
50 being, in my sense, denied information that could be

1 meaningful or raise other concerns that are brought  
2 forth due to the lack of communications.

3

4                   So I agree with James on that that  
5 there needs to be some better communications developed  
6 to the most impacted communities, specifically to AKP  
7 and maybe even work through the North Slope Borough.  
8 They're two State agencies that could be working  
9 together and providing communications to our  
10 communities that has the concerns.

11

12                   MR. J. NAGEAK: Mr. Chair.

13

14                   CHAIRMAN BROWER: Yes, James.

15

16                   MR. J. NAGEAK: I neglected to inform  
17 you that the oil company that has been working out of  
18 Umiat, Linc, has already developed some kind of way to  
19 get all of their equipment to Umiat area from that  
20 Dalton Highway and they were using that -- not ice  
21 road, but snow road they call it. They packed down the  
22 snow from the Dalton Highway and just go straight  
23 across toward Umiat. That activity has happened  
24 already. I'm wondering what kind of environmental  
25 impact that type of transportation route would be. So  
26 that's why I'm kind of leery about not hearing from the  
27 Army Corps of Engineers.

28

29                   Thank you.

30

31                   CHAIRMAN BROWER: Thank you, James.  
32 I'm not sure if we want to provide any comments.

33

34                   Eva, are you looking to provide some  
35 comments on this?

36

37                   MS. PATTON: Mr. Chair. We did have a  
38 request in to DOT initially to provide the updates on  
39 the Western Transportation Access Route Road and we  
40 were referred to the Army Corps of Engineers since they  
41 are the Federal agency that's overseeing the EIS  
42 process. Melissa Reardon is currently the only point  
43 of contact that they have to do the community outreach  
44 component of it. However, given the challenges of the  
45 circumstances of getting a speaker in to the Council  
46 when the Council only meets twice a year, I will make a  
47 request again to DOT and to Army Corps of Engineers to  
48 ensure that we can get an update in person next time.

49

50                   I did request a written report or a



1 written summary on updates and Melissa had referred me  
2 back to their website. I do have the current handouts  
3 for the Council. Nothing has changed on the timeline  
4 or the updates provided on that website since the last  
5 meeting, but I do have those handouts as a source.  
6 That website does include the scoping meetings that  
7 were held last spring. That was the last outreach that  
8 the Army Corps had conducted as part of this draft EIS  
9 process. So I'll get those handouts for the Council  
10 and I will pursue contacting DOT and Army Corps to see  
11 if there's a way we can follow up for the Council to  
12 get information sooner rather than later.

13

14 Thank you.

15

16 CHAIRMAN BROWER: So is the website  
17 address noted on this handout you're going to be  
18 handing out?

19

20 All right.

21

22 Thank you.

23

24 MS. AHTUANGARUAK: Mr. Chair.

25

26 CHAIRMAN BROWER: Rosemary.

27

28 MS. AHTUANGARUAK: This has been a very  
29 important issue for Anaktuvuk Pass. A year ago I  
30 traveled with members from the community into Juneau in  
31 which they shared seven resolutions from the villages  
32 up here in opposition to the road being developed and  
33 the concerns that they have for their traditional way  
34 of life that would be impacted by those changes. It is  
35 a very important issue. Timely informing their  
36 community needs to be done and keeping us abreast of  
37 this process is very important. We have very limited  
38 time to be effectively engaged in delays in getting  
39 updates. It's very concerning when our state governor  
40 is pushing to move this project forward. We really  
41 need to be informed on the process in ways that we can  
42 engage to help decrease the reaction that community is  
43 facing.

44

45 Thank you.

46

47 CHAIRMAN BROWER: Thank you.

48

49 MR. SHEARS: Good morning, Mr.

50 Chairman.

1 CHAIRMAN BROWER: Good morning.

2

3 MR. SHEARS: I'll give you a little  
4 more thorough update on my current situation. The last  
5 four years I've served the North Slope Borough as a  
6 planning commissioner representing the community of  
7 Wainwright. During that four-year period I had an  
8 opportunity to see the inner workings of development  
9 and its effects on subsistence across the North Slope.  
10 You know, having a relationship with commissioners from  
11 other communities. I saw the opportunity to effect  
12 greater change by actually becoming an employee of the  
13 planning department, so in April I resigned my seat  
14 with the planning commission and I took a full-time  
15 position with the North Slope Borough planning  
16 department as a capital improvement program specialist  
17 for the community development division. This gives me  
18 the opportunity to work closely with city councils and  
19 tribal councils of all the villages across the slope in  
20 the process of appropriating bond funds for capital  
21 projects and developing community development plans.

22

23 It gives me a little broader oversight  
24 of what's affecting the communities. Of particular  
25 concern to me today I want to mention is Nuiqsut. They  
26 do not have -- there is not a representative of Nuiqsut  
27 on this panel, which is a dramatic shortcoming because  
28 it is a community that is severely impacted by  
29 development today.

30

31 ConocoPhillips announced last month  
32 that they are going to develop the Greater Mooses Tooth  
33 Unit. Dave Yokel indicated to us at our last meeting in  
34 February that Conoco was going to be working in the  
35 Greater Mooses Tooth area this winter and doing  
36 plugging abandoned enclosures on five wells. Since  
37 Conoco has been there, they've changed their mind. One  
38 of their wells is good and they're going to continue  
39 developing it. This puts a development site in the  
40 future 15 miles to the west of Nuiqsut, effectively  
41 creating an arc of infrastructure from 15 miles to the  
42 west with Greater Mooses Tooth to five miles north with  
43 Alpine to 15 miles to the east with Brooks Range  
44 Petroleum Mustang Development Unit.

45

46 A full range, an arc across the top of  
47 Nuiqsut, that will affect the migration of the  
48 Teshekpuk Herd caribou as they work their way through  
49 that area. Nuiqsut is going to be severely affected  
50 and it will compromise their ability to exercise their

1 subsistence and traditional uses in the future. Not  
2 having a representative on this board is a severe  
3 shortcoming and I believe we should really reach out to  
4 get a member of that community here to speak for them.

5  
6 My final comment, my final portion of  
7 my report is something I'm very proud of. The Utukok  
8 River is 182 miles long and the mouth of it is halfway  
9 between Wainwright and Point Lay, just south of Icy  
10 Cape. It stretches up through NPR-A into the Brooks  
11 Range. Traditionally, it is the home of the people of  
12 the Utukok River, Utukokmiut, who about 100 years ago  
13 left their homes up there in the upper river. They  
14 were migratory people that would follow the river down  
15 in the spring. They would hunt whales and seals and  
16 walrus in the summer and then they would follow the  
17 caribou back up into the hills in the winter and they'd  
18 overwinter in the hills where they would depend on  
19 fishing and trapping for sustenance and they'd make  
20 that annual migration pattern.

21  
22 When the BIA established schools in the  
23 communities and during the periods of influenza and  
24 tuberculosis, the people of Utukok River moved out,  
25 died out, no longer existed. Since then the U.S.  
26 government created NPR-A. The Department of Interior  
27 and U.S.G.S. has studied the area and determined it's  
28 rich in resources. It's also rich in caribou and other  
29 wild game and fish. The EIS recently identified that  
30 area as a conservation district and the river in  
31 particular a Wild and Scenic Byway.

32  
33 In the wintertime, it's an important  
34 resource, subsistence resource for furbearing animals.  
35 In the fall time, an important resource to the people  
36 of Point Lay and Wainwright for fish, specifically  
37 grayling.

38  
39 In the summer, however, it is owned by  
40 the commercial recreation operations of Alaska where  
41 they fly in to the upper river and they do eco float  
42 trips out in canoes and kayaks and rafts. It seldom is  
43 seen by the -- it seldom experienced any traditional  
44 subsistence use, you know, since it did, you know, 100  
45 years ago.

46  
47 However, I'm proud to say that after 10  
48 years of planning, five years of budgeting, two years  
49 of constructing a small motorized watercraft, we  
50 managed to penetrate the Utukok River to 92 miles

1 upriver with a small craft this summer into the heart  
2 of the Western Arctic Caribou Herd calving grounds,  
3 primary calving grounds. What I saw was nothing. A  
4 lot of golden eagles. No animals.

5  
6 A month later in the upper Wainwright  
7 tributaries I saw many caribou, many female caribous  
8 with many calves. A good bull population. What was  
9 indicated there was the calves were quite mature for  
10 late July, early August, very large calves, indicating  
11 that we had an early rut last year. Just kind of  
12 wondering what patterns had changed with the Western  
13 Arctic Herd this year and last year and does our  
14 current science and understanding of the herd need to  
15 be adjusted. I hope to learn that through briefings in  
16 the next couple days.

17  
18 That's all I have, Mr. Chairman.

19  
20 CHAIRMAN BROWER: Thank you, Bob, for  
21 your comments. In regards to the representation,  
22 again, we're going to have to look to the community of  
23 Nuiqsut to see who they can identify. You know,  
24 they're overwhelmed with all the other committees and  
25 commissions that are formed. I think it's to their  
26 advantage that the communications continue. You  
27 identified them as needing representation with all this  
28 increased activity occurring. Maybe that's something  
29 we all can make mention to people that we know within  
30 the community of Nuiqsut to help maybe identify a  
31 person that they could bring forward to be submitted  
32 for the -- I think it's got to go through a formal  
33 process to be submitted to the planning commission for  
34 consideration. I think that's something that has to be  
35 following the protocols of the Borough and such in  
36 regard to that. So I think we could definitely keep  
37 that communications flowing with community members from  
38 Nuiqsut. Like you stated, it's only growing. The  
39 activity is on the increase.

40  
41 In regards to your latter comments in  
42 regards to your observations in the changes into the  
43 caribou in the rut season and the earlier calving, I  
44 think we could learn a bit more from our state  
45 biologist, maybe even Lincoln when he arrives and raise  
46 that concern to him to see what kind of observations  
47 they made in terms of the monitoring of that herd, the  
48 Western Arctic Caribou. I think that's the one you  
49 voiced your observations on. So we can follow up with  
50 that when he comes in.

1 I'm not sure if any of the biologists  
2 might have any new information or some information to  
3 that comment, but we definitely need to follow up on  
4 that to see what we could learn from the biologists.

5  
6 Thank you.

7  
8 I'd just like to note that Gordon  
9 Brower just arrived and put him on record.

10  
11 MR. G. BROWER: Good morning, Mr.  
12 Chair. I apologize for being late this morning. I had  
13 a few things I was trying to tie up some loose ends and  
14 then I didn't know where the meeting was. I went to  
15 the assembly room, went to the Heritage Center and then  
16 I had to go look at my emails.

17  
18 CHAIRMAN BROWER: Well, thank you for  
19 being here, Gordon, this morning.

20  
21 Rosemary.

22  
23 MS. AHTUANGARUAK: In this area, as Bob  
24 was referencing, I got to travel out to four of the  
25 villages this last year. I took the book with me On  
26 Arctic Ground. It has some wonderful pictures of this  
27 area and every village that I traveled to we had people  
28 sharing traditional knowledge about this area. Some of  
29 the young people would reference various points on the  
30 foothills for landmarks and get clarification from  
31 other community members as to whether this landmark was  
32 further inland of this valley or closer to the  
33 community, but this area had every village that I went  
34 through, Point Lay, Wainwright, Anaktuvuk Pass and  
35 Barrow and Nuiqsut, had people traveling up through the  
36 foothills throughout this area. May not go every year.  
37 Definitely go more with snowmachine travel than by  
38 boat, but it is an area that all of our villages are  
39 very well aware of.

40  
41 CHAIRMAN BROWER: Thank you, Rosemary.  
42 We're still under Council member reports.

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

45  
46 CHAIRMAN BROWER: Yes, Gordon, go  
47 ahead.

48  
49 MR. G. BROWER: Since we're on the  
50 Council member report, I'm just going to say a little

1 bit about being a land manager for the North Slope  
2 Borough for a second and concerns that were raised by  
3 subsistence hunters within NPR-A in Federal public  
4 lands about studies. I think one of our inspections  
5 that we conducted with a search and rescue with the  
6 authorization of the mayor from a complaint from  
7 citizens were these placements of several conexas out  
8 on the tundra around by Teshekpuk, Ikpikpuk, without  
9 consultation. Some of the Chipp River folks over there  
10 were very concerned that the conex that was placed was  
11 in the middle of a major caribou movement area where  
12 they're always expecting caribou to come in these  
13 areas.

14

15 When we landed to take a look, the  
16 activity was U.S. Geological Survey and Fish and  
17 Wildlife Service with about maybe 10 little orange dome  
18 tents around the conex. We did talk with those folks.  
19 They started talking to us, then you're going to have  
20 to talk to my attorney. We need your permits. We need  
21 to see what your authorization is to be here. They had  
22 BLM land use permits, but they didn't bother to look at  
23 the local governments permitting authority. When we  
24 consulted with BLM, BLM said go ahead and fine USGS.  
25 We're the land managers. They got their permits and  
26 they should be coming forward to get local permits as  
27 well so that the policies on subsistence that we are  
28 obligated to try to balance it be heard as well. So  
29 that was the issue that came up on an inspection trip  
30 from complaints from residents.

31

32 I'd just like to say a little bit.  
33 Like everybody else, I think whaling season was very  
34 difficult. We're looking very much forward to the fall  
35 season. It's been real rainy. I had some of my  
36 brothers drop me off a snowmachine up there and they  
37 said the rivers are really high, so I'm afraid that  
38 that kind of river is going to be real troublesome for  
39 fishing again. Last year it seemed to me it was a bust  
40 for our own fishing because of really high water.  
41 There's no way to put nets in that type of water, so  
42 we're seeing that again.

43

44 With that, that will be my comments as  
45 a Council member.

46

47 CHAIRMAN BROWER: Thank you, Gordon,  
48 for providing that. I'm not sure we have Dave here  
49 yet, or Eva might have a follow up on that.

50

1 MS. PATTON: Mr. Chair. Dave Yokel is  
2 in town. He was also attending some other meetings.  
3 He thought he would be able to be here later in the  
4 afternoon and then he will be presenting under agency  
5 reports tomorrow as well. So he will be present for  
6 questions.

7  
8 CHAIRMAN BROWER: Maybe if we could,  
9 Gordon -- I'm not sure of the duration of the time  
10 you'll be spending with us, but when we get to agency  
11 reports or before, if you're thinking that you're going  
12 to be out again, maybe while Dave is here we could  
13 bring that issue out again regarding this.....

14  
15 MR. G. BROWER: Yeah, Mr. Chairman, if  
16 that could happen, it would be good. I'm scheduled to  
17 depart this evening and will be checking in, so I'm  
18 running from one meeting to another. It's like I'm  
19 pulling my hair out. I'll be as bald as Charlie back  
20 there pretty soon.

21  
22 CHAIRMAN BROWER: All right, Gordon.  
23 We'll definitely follow up and see if we could get Dr.  
24 Yokel in this afternoon before your departure and  
25 getting to hear your concerns and maybe follow up on  
26 some of the findings that they may have on that.

27  
28 Thank you.

29  
30 Any other Council member wants to  
31 provide a report.

32  
33 MR. KAYOTUK: Mr. Chair. For the  
34 village of Kaktovik, in the spring the weather came and  
35 melted pretty fast in the area. We don't have ice in  
36 the area in the summer, so we don't have no sea ice.  
37 It's all open water. The water came pretty fast and  
38 people were boating even before July 4th. We did have  
39 a lot of waterfall. For the Porcupine Caribou Herd  
40 that came by, they just came and went and they're no  
41 longer staying anymore. Not even four or five days.  
42 It's just a matter of not even being seen in their  
43 calving area. We're not seeing too much caribou that  
44 hang around anymore like they used to.

45  
46 We do have a lot of aircraft in our  
47 area again that we're seeing. Like a couple weeks ago  
48 was below was below 200 feet was spotted a couple  
49 aircraft last week. At one time there was five private  
50 airplanes that were spotted flying together on the

1 coast. WE don't know what was up with that, but it was  
2 spotted five aircraft, private planes that were spotted  
3 in the area. The runway is still on the way and that's  
4 still happening now.

5  
6 We did get a few belugas in the area,  
7 but haven't seen any bowheads yet, but that's the time  
8 of season. Bowhead hunt will be starting here August  
9 30 in Kaktovik. That's when bowhead whaling will  
10 start.

11  
12 There's a few people got arctic char  
13 this summer and cisco, so not a whole lot of people got  
14 a lot of fish. That's some of the reports that we  
15 seen. There's tourists that's coming down the Hulahula  
16 River now and at different times we see people that are  
17 floating or rafting down the river that comes out into  
18 Kaktovik.

19  
20 That's all I have for now anyway.

21  
22 Thank you.

23  
24 MS. AHTUANGARUAK: This is.....

25  
26 CHAIRMAN BROWER: Rosemary, go ahead.

27  
28 MS. AHTUANGARUAK: I just wanted to add  
29 for me we had a good early spring caribou hunt. My son  
30 was able to harvest and bring one home for my birthday.  
31 We've had some caribou hunting through the summer with  
32 my neighbor sharing and I hear that the caribou are  
33 definitely getting fat out there, so that's really good  
34 to hear.

35  
36 We also had pretty good bearded seal  
37 season. A lot of sharing that occurred with us this  
38 year. There was a lot of sharing of the change this  
39 summer versus last summer. Last summer we had a  
40 tremendous amount of flight activity. A lot of  
41 helicopter traffic. There's still a lot of activity,  
42 but not as much as last year and it is noticeable the  
43 change in that activity and how it affects subsistence.  
44 There were some impacts with increased activities, but  
45 there were times when people felt more like they were  
46 able to get out and have subsistence activities without  
47 impacts, so that was nice to hear this year.

48  
49 It is important to discuss some of the  
50 routes that are occurring with these activities.



1 There's natural features that occur, like the lagoon  
2 between the elementary and the Browerville section,  
3 that amplification of noise when those helicopters are  
4 taking off from the airport is very impacting to us  
5 living in this area as well as our activities just  
6 trying to share in the household some of the stories of  
7 our usage on the lands and waters as well as when we're  
8 out there doing our traditional activities. When we're  
9 having a lot of flight activity, it is detrimental to  
10 the traditional activities we're doing in these same  
11 areas. The storytelling, the teaching and the sharing  
12 of the historical knowledge of these areas are changed  
13 with the increased activity and these are really  
14 important.

15

16 As we're hearing the changes, it's very  
17 concerning. Nuiqsut went through very similar  
18 complaints that Kaktovik is bringing and other  
19 communities are starting to share these types of  
20 concerns and we really need to get a good process as to  
21 how we're going to try to preserve a way of life that  
22 is so important to our people. The importance of our  
23 foods and our bodies and the health of our future  
24 generations.

25

26 Thank you.

27

28 CHAIRMAN BROWER: Thank you, Rosemary.

29

30 MR. J. NAGEAK: Mr. Chair.

31

32 CHAIRMAN BROWER: James.

33

34 MR. J. NAGEAK: Since we don't have a  
35 representation from the city of Nuiqsut, maybe many of  
36 you saw them on Facebook, the caribou coming right on  
37 through Nuiqsut. The thing that I have a question.  
38 What caused the caribou to move through that town? You  
39 know, there must be some disturbances west of Nuiqsut  
40 that would have a herd go right on through town, you  
41 know. Not just one or two caribou, but the whole herd  
42 coming through. That must be a concern for the people  
43 of Nuiqsut to see what kind of activities are  
44 happening, what disturbances are happening that made  
45 the caribou come to an area where it was more peaceful,  
46 like the city of Nuiqsut, you know. It would be nice  
47 to hear somebody from that town for those concerns.

48

49 MS. AHTUANGARUAK: When I first moved  
50 to the village of Nuiqsut, every year the caribou used

1 to come right through town. They would go right  
2 through the runway, right down to the river and out to  
3 the insect relief areas near the coast. With the  
4 changes that had occurred around Nuiqsut with the  
5 development of Alpine and the development of  
6 Mountwater, this had changed and the animals were no  
7 longer migrating through the village. My son was 11  
8 years old. He's 28 years old now and this is the first  
9 time since these changes that the caribou have come  
10 back through town.

11  
12 So it is an area where it was normal  
13 for them to move through this area, but with the  
14 changes that had happened. Now we've got a lot more  
15 activity to the south of the village with activities  
16 around Umiat and other activities and you've got more  
17 increased activities to the east of the village as well  
18 as now to the west of the village. With increased  
19 activity expanding around Alpine, it is definitely  
20 impacting the way the caribou are moving through these  
21 areas.

22  
23 CHAIRMAN BROWER: Thank you, Rosemary.

24  
25 MR. G. BROWER: Mr. Chair.

26  
27 CHAIRMAN BROWER: Gordon.

28  
29 MR. G. BROWER: I appreciate the  
30 comments from James Nageak. Yeah, I've often had  
31 meetings with wildlife department concerning caribou  
32 movements and wanting to recognize changes even if  
33 they're small, incremental changes in their movement,  
34 but there's always some parts of traditional knowledge  
35 that caribou don't always follow the same path all the  
36 time. When the area is grazed out, they will  
37 instinctively look for better pastures to graze, but  
38 the concerns that were raised by wildlife department  
39 and a lot of the reviews that the Board was engaged in  
40 in terms of Alpine required an extensive caribou  
41 monitoring program with satellite tagging to look at  
42 the changes or try to detect changes coupled with the  
43 concerns of the hunters with contemporary knowledge and  
44 things like that.

45  
46 I think we have yet to even sit down  
47 with the wildlife department and the stakeholders  
48 involved and look at interpreting that data and see if  
49 any of these things have a measurable difference in  
50 their availability where they're normally found for

1 their residence. I think that's an important question  
2 and I think I'll take that back to maybe Harry right  
3 here at wildlife. I think we need to sit down and talk  
4 about some of the rezoned ordinances that have large-  
5 scale studies for a long period of time and see what  
6 they measure up to these days.

7

8 CHAIRMAN BROWER: Thank you, Gordon.  
9 Maybe getting back to Gordon's comments, James'  
10 comments, there's been observations with the  
11 researchers in regards to another herd, the Central  
12 Arctic Herd, in regards of movement to a different area  
13 from where it used to be before the growth of the  
14 oilfield. This is the Central Arctic Caribou herd and  
15 there's been some observations with those changes. I  
16 think there could be some comparison work to  
17 identifying with that as well in terms of caribou  
18 movements and the concern of what causes a herd to move  
19 right through the community and having that not occur  
20 for many years and it occurs again. It seems to be an  
21 abnormality now when it used to be a normal thing.

22

23 So those kind of discussions I think we  
24 could follow up in the sense that when we have.....

25

26 MR. G. BROWER: Harry, can I bring up  
27 one.....

28

29 CHAIRMAN BROWER: Sure, Gordon.

30

31 MR. G. BROWER: This is an observation  
32 from elders when we go interview them and talk to them  
33 about impacts to caribou. This came up as a concern  
34 when there is an ice road versus a snow road. Ice road  
35 is real shiny and real smooth. It looks like a river  
36 that's frozen on the tundra. Observations that were  
37 from actual observations, caribou avoid the real shiny,  
38 freshly-frozen ice in the river and follow the river to  
39 a large extent and thinking they're going to break  
40 through and not be able to come out.

41

42 This observation was probably somewhere  
43 around 2000 or something like that, 2002. Why were the  
44 caribou on the extreme south end for a long period of  
45 time and there was active drilling outside of Barrow  
46 just east of Teshekpuk. There was a long ice road.  
47 One of the elders said that ice road could be perceived  
48 as a river. It's real slick and he had suggested that  
49 once they make an ice road and there's a lot of  
50 caribou, you can use a scraper and scrape it and make

1 grooves on it so it just breaks -- like makes a tread  
2 or something like that. I thought that was a great  
3 comment and a great observation from an elder on what  
4 could possibly cause hesitation to cross to areas where  
5 they're normally found. That's one observation.

6

7 I know exploration activities are going  
8 to ramp up on the NPR-A, so summer studies are very  
9 prominent this year. Summer studies with helicopters  
10 and things like that. You know, you can't pinpoint any  
11 one thing, but it leads you to think that these types  
12 of things impact and move caribou around. I've moved  
13 caribou around myself with a snowmachine. If we can do  
14 that, an operation can do quite a bit, I think.

15

16 CHAIRMAN BROWER: Thank you, Gordon. I  
17 could comment a little bit on my own observation as to  
18 what is occurring in my area. I'm similar to areas as  
19 Gordon. I did some earlier travel this summer in July,  
20 which was before the rainy season occurred. The rivers  
21 were a little bit low. We had a little bit of  
22 difficulty going up the river because of the shallow  
23 segments in the river system. Fishing was slow in our  
24 area. The day before we were leaving we just happened  
25 to hit a good run of fish, so we were fortunate to get  
26 those fish.

27

28 Then we got some caribou right along  
29 the edge of the Admiralty Bay and not up in the river  
30 system. They were up near the coastline moving east.  
31 When I thought they should have been moving west toward  
32 the coastline, all those animals were heading east.  
33 There was quite a bit of caribou. There were some  
34 changes in my observations from caribou hanging out in  
35 the Cape Simpson and Sinclair Lake areas, which we've  
36 not had caribou in that area for a couple years during  
37 the summertime. Then the Teshekpuk Herd moving to the  
38 west side of Teshekpuk into the Ikpikpuk delta area.  
39 That was kind of unusual just from my observations when  
40 we were boating up past Cape Simpson earlier this  
41 summer.

42

43 Otherwise, in regard to the report  
44 Gordon just brought up regarding the river being high,  
45 I wish I was out there right now, but I'm here. You  
46 know, it's been abnormal for the river to be in that  
47 state early on. We normally get that mid-September to  
48 be going up the river, but we've had a rainy season  
49 this summer.

50

1 I know the berry picking was good about  
2 the first two weeks of July, but after that we noticed  
3 the berries just starting to turn -- the salmonberries  
4 turning white and faded colors early on, so that  
5 created a situation for people that were looking to  
6 wait for the berries to get a little bit fruitier, but  
7 that wasn't the case. They just kept whittling and  
8 falling off. So that happened a little bit earlier  
9 this year than normal times. I thought I would be able  
10 to get out into the two little sites I know of for  
11 picking salmonberries and they weren't even in a good  
12 state to pick. They were too soft.

13

14 So those are just some of the  
15 observations that we have to deal with and share with  
16 you in regards to weather changes that are occurring up  
17 here and it's causing significant changes to the  
18 availability of resources as well. Some places might  
19 have a good hunting time, but then there could be  
20 another area where the availability of those same  
21 resources are not present. So there's some changes  
22 occurring in terms of timing and moving. As Bob  
23 mentioned, even the calving is occurring a little bit  
24 differently than what it used to be.

25

26 I'll stop here and ask if there's any  
27 questions from our agency representatives.

28

(No comments)

29

30  
31 CHAIRMAN BROWER: Maybe I should, while  
32 nobody's talking, introduce some guests that have  
33 arrived. Good morning, Terry.

34

35 MR. TAGAROOK: Good morning, Harry.

36

37 CHAIRMAN BROWER: Terry used to be one  
38 of our members as well to the Regional Advisory  
39 Council. Anyway, welcome you all. Geoff, good  
40 morning.

41

42 MR. CARROLL: Good morning.

43

44 CHAIRMAN BROWER: Coming back to  
45 Barrow, you look a little bit weathered out there for  
46 some reason.

47

48 MR. CARROLL: Well, I've been out for a  
49 while.

50

1 CHAIRMAN BROWER: Okay. More than I  
2 have. Anyway, if there's no questions or comments,  
3 we'll move on down to -- Rosemary, did you have a  
4 comment or.....  
5  
6 MS. PATTON: Mr. Chair, if we may.....  
7  
8 CHAIRMAN BROWER: Rosemary -- or Eva,  
9 sorry.  
10  
11 MS. PATTON: If we could at this point,  
12 since we've identified new folks in the audience, if we  
13 could check online with folks who have joined us.  
14 We're still online here.  
15  
16 CHAIRMAN BROWER: Sure. Go ahead.  
17  
18 MS. PATTON: Greeting folks on  
19 teleconference. We just want to check back in and see  
20 who has joined us here for the North Slope RAC Council  
21 meeting.  
22  
23 MS. KENNER: Hello. This is Pippa  
24 Kenner in Anchorage. I'm an anthropologist with the  
25 Office of Subsistence Management.  
26  
27 MS. PATTON: Do we have anyone else who  
28 has joined us online?  
29  
30 MS. LARSON-BLAIR: This is Kay from  
31 OSM.  
32  
33 MS. LEONARD: Beth Leonard from Fish  
34 and Game in Fairbanks is still on.  
35  
36 MR. MILLS: This is Dave Mills with the  
37 National Park Service in Anchorage. I'm still on.  
38  
39 MR. BROOKS: Jeff Brooks here in the  
40 Office of Subsistence Management. I'm a social  
41 scientist and I'm on the line.  
42  
43 MS. OKADA: Marcy Okada with Gates of  
44 the Arctic National Park and Preserve.  
45  
46 MS. PATTON: Okay. Anyone else online  
47 who has joined us this morning.  
48  
49 (No comments)  
50

1 MS. PATTON: Thank you. Could we just  
2 get a quick report back how the sound is. Are you  
3 folks able to hear our Council and our Chair Harry K.  
4 Brower?  
5  
6 CHAIRMAN BROWER: I can hear myself  
7 fairly well.  
8  
9 (Laughter)  
10  
11 MS. LEONARD: This is Beth in Fish and  
12 Game in Fairbanks and it's better, but I'm still having  
13 a little bit of a hard time.  
14  
15 MS. PATTON: Okay, thanks, Beth.  
16  
17 MR. BROOKS: This is Jeff in Anchorage  
18 and the sound is still quite low. I can hear some of  
19 the speech, but not all of it. I may join up with Kay  
20 at a different phone here in the office to help my  
21 situation.  
22  
23 MS. PATTON: Okay, thank you. We may  
24 swap out a mic here during the break and see if that  
25 makes a difference.  
26  
27 CHAIRMAN BROWER: Did you want to take  
28 a break now? How is the Council? Do you feel like a  
29 break now? I guess we'll go for a 10-minute recess at  
30 this time.  
31  
32 Thank you.  
33  
34 (Off record)  
35  
36 (On record)  
37  
38 CHAIRMAN BROWER: I'd like to call the  
39 meeting of the North Slope Regional Advisory Council  
40 back to order at this time. If we all could take our  
41 seats, please.  
42  
43 MR. EVANS: Harry, I have a change to  
44 the agenda and I wasn't here earlier. I was trying to  
45 get a jump drive that I left back at the hotel. In  
46 discussing the wildlife proposals, I was wondering if  
47 it would be okay that when I discuss them I'll do the  
48 statewide proposal first and then I'll do the Unit 26  
49 or the North Slope area proposals and then I'll do the  
50 WP-51 last, the one that's Cane Creek and Red Sheep

1 moose proposal last if that's okay with everyone else.  
2  
3 MR. J. NAGEAK: You need to state your  
4 name.  
5  
6 MR. EVANS: Oh, my name is Tom Evans.  
7 Pardon me. I work with -- a wildlife biologist with  
8 the Office of Subsistence Management.  
9  
10 CHAIRMAN BROWER: Okay. We'll do that  
11 when we get to the proposals.  
12  
13 MR. EVANS: Okay. Thank you.  
14  
15 CHAIRMAN BROWER: Thank you. Thank you  
16 everyone. We're still under the Council member  
17 reports. I'd like to recognize Rosemary at this time.  
18  
19 MS. AHTUANGARUAK: During our meeting  
20 yesterday there were a number of meetings that were  
21 identified that are coming up that's important to let  
22 people know about within the North Slope region where  
23 there's a process in our state to bring 30 delegates  
24 down to Washington, D.C. to discuss issues related to  
25 land and subsistence. There's also going to be some  
26 discussion around Arctic National Wildlife Refuge.  
27 There's also the meeting coming up related to the  
28 marine mammals in the arctic with ICC and the Arctic  
29 Circle in Iceland.  
30  
31 For myself, I was nominated to  
32 participate with the White House Commission on Climate  
33 Change through the National Tribal Environmental Health  
34 Think Tank, so those are some important things that are  
35 coming up that's important to let people know that  
36 they're happening.  
37  
38 Thank you.  
39  
40 CHAIRMAN BROWER: Thank you, Rosemary.  
41  
42 Any other comments regarding Council  
43 member reports.  
44  
45 (No comments)  
46  
47 CHAIRMAN BROWER: If there are none, at  
48 this time we have.....  
49  
50 MR. FRANKSON: I've got one.



1 CHAIRMAN BROWER: Teddy, go ahead.  
2  
3 MR. FRANKSON: This summer we got a few  
4 caribou, but there was enough to go around. The  
5 problem that we had was the local airlines out of  
6 Kotzebue were providing air charters and they were kind  
7 of scaring our caribous out of the way. But we did get  
8 enough. However, we're not happy with the air charters  
9 because they were chasing our caribous away. We've got  
10 water on three sides of us and we need to go at least  
11 20 to 30 miles just to try and get some. That was my  
12 concern as far as planes going around our area just for  
13 tourists. They don't eat that stuff, but we do. We  
14 need to eat that. So if we can get somebody to help us  
15 in that situation, maybe we'll get our people somewhat  
16 happy other than the little that we do get when they're  
17 around. That was my concern.  
18  
19 MR. SHEARS: Mr. Chairman. I'd like to  
20 also iterate that this concern that Teddy brings to the  
21 table was also voiced as a concern during the Point  
22 Hope City Council meeting on July 17th.  
23  
24 CHAIRMAN BROWER: Okay. Thank you,  
25 Teddy.  
26  
27 MR. G. BROWER: Mr. Chair.  
28  
29 CHAIRMAN BROWER: Gordon.  
30  
31 MR. G. BROWER: The planning department  
32 from the North Slope Borough did receive the concerns  
33 as well and we did our own, just speaking and taking  
34 off my hat and putting on my land manager hat. I had  
35 staff maybe work with wildlife department to try to  
36 identify what was going on. In one case, I think it  
37 was ADF&G doing caribou, either counting or studying in  
38 the area. I think it might be important to note even  
39 our governmental organizations conducting studies out  
40 there really need to be cognizant to work with the  
41 local government, the North Slope Borough, in terms of  
42 effectively mitigating any impacts to our local  
43 residents so that caribou and other resources are not  
44 displaced out of their normal reach because the  
45 policies of the Borough is the caribou need to be able  
46 to be in reach where they're normally found. That's a  
47 policy. Where they're reasonably available and  
48 normally found by our residents.  
49  
50 Thank you.

1                   CHAIRMAN BROWER: Thank you, Gordon.  
2 Teddy.  
3  
4                   MR. FRANKSON: Yeah, as far as the  
5 wildlife biologist going there, I know of them and I  
6 know that they are conducting their surveys. The ones  
7 that are doing it I approved of already because we need  
8 to have some count done on our herd to make sure that  
9 we do have enough. The ones that we're doing the  
10 survey we approved of already with WAC committee.  
11  
12                  As far as the rest of the other guys  
13 doing their stuff, I don't know, but the ones I do know  
14 of are the wildlife biologists conducting the surveys.  
15 We already approved them.  
16  
17                  CHAIRMAN BROWER: Is that it, Teddy?  
18  
19                  MR. FRANKSON: Yeah.  
20  
21                  CHAIRMAN BROWER: Thank you.  
22  
23                  MR. J. NAGEAK: Mr. Chair.  
24  
25                  CHAIRMAN BROWER: James.  
26  
27                  MR. J. NAGEAK: I was making little  
28 notes here that some of the things that happened over  
29 the last 60 years, you know, Anaktuvuk Pass became a  
30 reality in 1950, 1949. We had our 50th anniversary 10  
31 years ago in the village. One of the things that we  
32 forget, the people in the Brooks Range, the inland  
33 Inupiaq, they had three groups that were a part of that  
34 particular Nunamiut designation; the Ulamiut (ph) on  
35 Itkillik, Tulugakmiut just north of Anaktuvuk, and then  
36 the Kitlikmiut. The Kitlikmiut decided to move in 1949  
37 walking from the Killik area all the way to Tulugak.  
38 The thing that we forget is that these are nomadic  
39 people and we forget that the reason they are nomadic  
40 is they follow the resources, especially the caribou.  
41  
42                  Where the caribou goes, then the wolves  
43 go, the bears go. We soon forget that the caribou know  
44 when they are depleting the resources to feed in an  
45 area, so they go to a different area and winter in  
46 different areas. That's what the Nunamiut people did  
47 in the wintertime before they had the spring migration  
48 and the fall migration. The caribou are in an area up  
49 there where the feed is good, the ones that they  
50 haven't depleted, so they go to that area.

1                   So the Nunamiut people followed them  
2 around and now we can't go anywhere without getting a  
3 permit from the National Park to be able to travel to  
4 where the caribou are. You know, we can't even do that  
5 anymore. So when we start talking about traditional  
6 and cultural ways of subsistence people, we need to  
7 maybe focus back into how the Inupiaq people were able  
8 to survive in the harsh environment, being able to move  
9 around. We can't do that with a school there and the  
10 post office and the runway and all these factors that  
11 the other culture brought to us, which made life easier  
12 in a way, but culturally, you know, it's hard to get  
13 that soul food. I'm an (indiscernible) myself and I  
14 live in the inland and my body starts wishing for a  
15 really stink walrus flipper, you know, and it does. My  
16 body tells me that, hey, what the heck are you doing  
17 not getting a taste of walrus meat or polar bear meat.

18

19

20                   So that's why it's important for us to  
21 be able to follow the resources that we have. I just  
22 wanted to put -- I think about these things -- I'm just  
23 starting to think about them, you know, where the  
24 caribou goes around where their feed is available.

25

26                   Thank you.

27

28                   CHAIRMAN BROWER: Thank you, James.

29

30                   Any other comments.

31

32                   (No comments)

33

34                   CHAIRMAN BROWER: If there are none, I  
35 will move on to the next agenda item. It's the Chair's  
36 Report. I wasn't involved in any other meetings. I  
37 went to one Federal Subsistence Board meeting in the  
38 spring. I think Rosemary was sitting on the  
39 teleconference at that time. There was discussions  
40 about the rural determination that was going to be  
41 considered for presentations in terms of what criteria  
42 to use at that time. That's the one I can recall right  
43 off the bat in terms of any other meetings.

44

45                   I think Bob had represented us at a  
46 previous meeting with the Western Arctic Caribou  
47 Working Group. I couldn't attend. We followed up with  
48 that. It's reflected in our minutes as well. The  
49 concerns that we are voicing regarding the proposals  
50 that we're being subjected to be submitted regarding to

1 the controlled use areas. I think there's going to be  
2 further discussion on those proposals in regards to  
3 what occurred with the community input and input from  
4 other biologists as well regarding the language that  
5 was being addressed in the proposals. So there's some  
6 follow-up communications that we need to provide in  
7 regards to that controlled use area. I think that's  
8 another one that had some continued correspondence on  
9 that. I'm just looking at our booklet in terms of our  
10 -- I'm just trying to recall what else was occurring  
11 before.

12

13                   Maybe I'll Eva if you could help me  
14 remember some of the discussions that we've had in  
15 regard to Chair's Report. I think it's the report that  
16 we submitted, annual report from the Council submitted  
17 through the Chair and to the Chair of the Federal  
18 Subsistence Board. I don't have that right before me.  
19 Maybe you could help with that.

20

21                   MS. PATTON: Mr. Chair, if I may.  
22 You've covered the main points and the meetings that  
23 you and Council members have attended. The reply, the  
24 Council's annual report that the Council drafted and  
25 reviewed at the winter meeting is in your book. That  
26 takes some time for agency Staff and the Board to  
27 develop and respond to those questions and the Board  
28 just gave the final approval with Tim Towarak's  
29 signature on that yesterday. So we have the annual  
30 report replies, which just came in hot off the press  
31 this morning and we will have a chance to address that  
32 on the agenda here next.

33

34                   CHAIRMAN BROWER: All right. Thank  
35 you.

36

37                   I'd just ask the Council to see if  
38 there's any questions in regard to the Chair's Report  
39 or if I might have missed anything.

40

41                   MS. AHTUANGARUAK: The only thing that  
42 comes out for me is the Lands Conservation presentation  
43 too that we went through last spring. You don't have  
44 that noted there.

45

46                   CHAIRMAN BROWER: The LCC?

47

48                   MS. AHTUANGARUAK: Yes.

49

50                   CHAIRMAN BROWER: Yeah, I just can't

1 recall what we -- that was just an introduction of the  
2 program that was being developed and coming out to be  
3 used as land conservation. I think that part of that,  
4 the LCC -- I can't really recall what the acronym  
5 stands for.

6  
7 MS. AHTUANGARUAK: I don't recall the  
8 acronym standing for, but I know that we had some  
9 concerns as to where does this plan lay out within the  
10 various layers of all the plans that are out there and  
11 how it will impact decisions in the arctic. The  
12 question we had was whether or not we wanted to be  
13 engaged with that. We had a lot of discussion at that  
14 meeting and concerns, but we didn't come up with a  
15 decision.

16  
17 CHAIRMAN BROWER: Thank you, Rosemary,  
18 for bringing that up. Maybe within one of the agency  
19 reports we could have the agency that's involved with  
20 the Land Conservation bring it up. I apologize for not  
21 knowing the acronym.

22  
23 Yes, Gordon.

24  
25 MR. G. BROWER: Yeah, Mr. Chair. I  
26 don't know if we had other further dialogue about the  
27 other issues. I didn't really see them on the Chair's  
28 Report. I think some dealt with emergency measures for  
29 Kaktovik and then an effort to recognize the biologies  
30 of the transient nature of moose in the area to  
31 increase the harvest quota for Kaktovik in that area.  
32 It seems like that's something that we had not had any  
33 other feedback. Maybe I'm not reading my materials.  
34 And those were questions in the actions taken.

35  
36 One of them was an emergency measure to  
37 extend by a week or two and the other was to I think be  
38 in accord with the biologist saying the moose was  
39 transient in nature in the area over there and that we  
40 should not unduly hinder harvestability of available  
41 moose because they replenished from another stock that  
42 was transient in nature.

43  
44 I'm sure there was a little bit more  
45 about concerns of the no fly zone limited to caribou  
46 and that other airplanes were still flying in the area,  
47 but they were after bear and other resources in the  
48 area and it seemed to defeat the purpose anyway because  
49 caribou is still maybe being impacted in their movement  
50 from the bear hunts, from the wolf hunts or whatever

1 other hunts there is in these areas when the no fly  
2 zone is just limited to caribou.

3

4 CHAIRMAN BROWER: Thank you, Gordon,  
5 for providing those comments. I think the action  
6 regarding the moose was still in process, still moving  
7 through the proposal timeframe and the conditions were  
8 that we needed to hear back from the community as well  
9 in terms of how long that time should be and when that  
10 time should be, that extended period for the moose hunt  
11 in 26C. I'm trying to think if it was conducted in 26B  
12 or that distance that had to be traversed to get to the  
13 hunting area to be allowed to take the moose.

14

15 Eva, I see you're nodding your head.  
16 Maybe you could elaborate a bit more on that specific  
17 item.

18

19 MS. PATTON: Sure. Mr. Chair and the  
20 Council, we did send out a notice to the Council and  
21 the community and Tom Evans, our wildlife biologist,  
22 may speak to this more and also Lee may be able to give  
23 a report back from the community. The special action  
24 request, which was a request to change the regulatory  
25 seasons for moose and extend the harvest quota was  
26 submitted by the community of Kaktovik with the support  
27 of the Council. That was reviewed and approved with  
28 modification. Tom Evans can speak to the modification.  
29 Lee may be able to report back on how the community was  
30 able to utilize that request. The Board did approve it  
31 and that went into place to extend the season before  
32 the seasons end.

33

34 There was a second proposal, which was  
35 to request to extend the season, which was part of the  
36 regular regulatory process, so that is still in process  
37 and that's the report with the analysis from the  
38 wildlife staff that's in your book today, so the  
39 Council will be weighing in on that proposal today.  
40 But Tom Evans could speak a little bit to the special  
41 action request and Lee can also from the community of  
42 Kaktovik that did pass.

43

44 CHAIRMAN BROWER: Before we go any  
45 further with Tom, I think the discussion needs to  
46 continue with -- these items are going to be reflected  
47 in this year's annual report. They're oncoming because  
48 of the concerns that we voiced in regards to the  
49 emergency order. That's going to be reflected in this  
50 new report that's coming for this 2012 season -- 2013

1 season, I'm sorry.

2

3 MS. PATTON: Mr. Chair. So you're  
4 saying you would like these concerns to be in the  
5 annual report for the Council for this year in the new  
6 letter.

7

8 CHAIRMAN BROWER: Yes, I think these  
9 are important topics that the Council had a lot of  
10 deliberation on and communication to that to address  
11 the concerns from the Kaktovik area by their  
12 representative Lee indicating that emergency opening  
13 for that timeframe and then the follow up was to get it  
14 into the proposal timeframe so that could be reflected  
15 as an important resource for the community. So I think  
16 that would be something that we could identify.

17

18 Is that something you could agree with,  
19 Gordon? I think the reason we don't see it here, it's  
20 still in the works. I think we could see it as we  
21 develop the 2013 annual report.

22

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

24

25 CHAIRMAN BROWER: Yes, Gordon.

26

27 MR. G. BROWER: I think it's important  
28 to at least put a little brief. Sometimes we forget  
29 about it and it jars the memory. The other one, I  
30 think, is to move the moose around the Ikpihpuk/Chipp  
31 River as well. There was a concern raised like last  
32 year about that as those moose come down or become  
33 available.

34

35 CHAIRMAN BROWER: Rosemary.

36

37 MS. AHTUANGARUAK: We also had  
38 discussion that there were other hunts that were  
39 impacting this discussion. There were bear hunts that  
40 were having fly-in hunters that were impacting this  
41 just to note that.

42

43 CHAIRMAN BROWER: Thank you, Rosemary.

44

45 Tom.

46

47 MR. EVANS: Mr. Chair. So, if I  
48 understand, there's actually three issues that were  
49 raised here. The first one was an extension to the  
50 moose season for the residents of Kaktovik and we did

1 approve using a special action to allow a two-week  
2 extension to the season and Lee could give us a  
3 briefing. I don't think they got anything, but I think  
4 they did go hunting, so maybe Lee could provide a  
5 little where they went.

6

7 In addition to that, the State opened  
8 up an area in 26B as well for an additional four moose  
9 at that time during the spring, so we'll deal with that  
10 one first.

11

12 MR. KAYOTUK: Mr. Chair, Council.

13

14 CHAIRMAN BROWER: Yes, Lee.

15

16 MR. KAYOTUK: Yeah, we did proceed in  
17 that area due to the hunting area. Again, I did see a  
18 report on emergency hunt, but I did not see it in the  
19 handbook that was issued out during the time of the  
20 moose hunt. There was two successful hunts, but the  
21 third was too late in the season already to harvest the  
22 moose in 26C, but there was a couple moose hunts that  
23 were successful, but it followed into the late spring.  
24 So, again, that was a great hunt, but, again, I'd like  
25 to see that throughout the coming years, you know, for  
26 extension of the weather in our area. During that time  
27 would be appropriate for these hunters to go out to  
28 harvest the moose in these areas that we have to travel  
29 a long distance in order to get the moose for  
30 conditions of climate change in our area.

31

32 Thank you.

33

34 CHAIRMAN BROWER: Thank you, Lee.

35

36 Go ahead, Tom.

37

38 MR. EVANS: Mr. Chair. So one of the  
39 proposals WP14-53, which is in your book now, deals  
40 with that, so that will be something that will be  
41 discussed and brought up here later when I go through  
42 the wildlife proposals.

43

44 The second proposal that Gordon brought  
45 up was the moose issue in Kaktovik that there's two  
46 separate populations and whether to try to increase the  
47 harvest for the village of Kaktovik is the thing that  
48 will be considered. Opening the closure is considered  
49 in proposal WP14-55 and that will be discussed later as  
50 well.



1                   The third proposal that Gordon brought  
2 up was the Chipp River extension and that also is a  
3 proposal. That's WP14-53 if my memory is correct. So  
4 those three issues will all be brought up today or  
5 tomorrow whenever we get to the wildlife proposals.

6

7                   Thank you, Mr. Chair.

8

9                   CHAIRMAN BROWER: Thank you. I think  
10 that helps with the discussion in regard to concerns  
11 voiced in regard to the moose in the Kaktovik area and  
12 the Ikpikpuk.

13

14                   We're still under the Chair's Report.  
15 Any other items that need to be brought up in regards  
16 to the annual report. The 2012 annual report, as James  
17 indicated, is on Page 23 as well. I'm trying to  
18 reflect back in terms of how we proceeded forward with  
19 the Council's activity in working with that and  
20 generating the Chair's Report to the Federal  
21 Subsistence Board's Chair. Eva.

22

23                   MS. PATTON: Mr. Chair. Because the  
24 Council has just only received this letter, so the  
25 letter that the Council drafted and approved at the  
26 winter meeting is on Page 23, but the reply from the  
27 Board with assistance from their staff to provide the  
28 response to these questions and concerns is what I just  
29 handed out to you now. The Council will want time to  
30 read and review the reply. It might work to bring this  
31 item up tomorrow as well and the Council has an  
32 opportunity to have read the letter and provide any  
33 comments, concerns or questions on the information  
34 here.

35

36                   CHAIRMAN BROWER: Right. Thank you.  
37 What's the wish of the Council. As Eva just indicated,  
38 we could table this item until tomorrow and give you an  
39 opportunity as Council members to review the response  
40 letter from the Chair of the Federal Subsistence Board.

41

42                   How does that sound to the Council to  
43 table this item to have the opportunity to review the  
44 reply.

45

46                   MS. AHTUANGARUAK: Yes, we definitely  
47 need to look into this. We have a lot of concerns  
48 related to some of the issues that are there and we do  
49 have a response and limitations as to what we can do,  
50 so we have to assess what our response is going to be

1 to that.

2

3 Thank you.

4

5 CHAIRMAN BROWER: Thank you, Rosemary.

6 James. James is nodding yes.

7

8 Bob.

9

10 MR. SHEARS: Yeah, Mr. Chairman. The

11 reply references some online website material that I

12 need to review to be comfortable with the response to

13 the foothills west at road to Umiat.

14

15 CHAIRMAN BROWER: Thank you. The

16 indication I'm getting is that we table this

17 communication in regard to the report, agenda item 6 on

18 the 2012 annual report and then the 2012 report reply

19 from the Federal Subsistence Board until tomorrow. I'm

20 not sure exactly when tomorrow, but before the closing

21 of the meeting. Maybe we could add a J to agency

22 reports. We added an H, annual report topics, and then

23 put a J for review of reply of Federal Subsistence

24 Board Chair.

25

26 MS. AHTUANGARUAK: So moved.

27

28 CHAIRMAN BROWER: Motion on the floor

29 to amend the agenda to add J under agency report.

30

31 MR. SHEARS: Second.

32

33 CHAIRMAN BROWER: Seconded. Further

34 discussion.

35

36 MR. J. NAGEAK: Question.

37

38 CHAIRMAN BROWER: Question has been

39 called on the motion to add item J under 10 agency

40 report. All in favor of the motion signify by saying

41 aye.

42

43 IN UNISON: Aye.

44

45 CHAIRMAN BROWER: Opposed say nay.

46

47 (No opposing votes)

48

49 CHAIRMAN BROWER: None noted. Thank

50 you. Moving on to our next agenda item we'll have

1 number 7, public and tribal comments on non-agenda  
2 items. Have we received any correspondence on that,  
3 Eva, or received any notes to provide comments this  
4 morning?

5  
6 MS. PATTON: Mr. Chair. We haven't  
7 received any comments via email or over the telephone,  
8 but we do have some representatives in the audience  
9 today. There may be people online as well, so we would  
10 want to check online and see who has joined us. Do we  
11 have anyone online who has joined us recently who would  
12 like to speak, any comments on non-agenda items from  
13 tribes or the public?

14  
15 (No comments)

16  
17 MR. J. NAGEAK: Those of us can speak  
18 also?

19  
20 CHAIRMAN BROWER: You're part of the  
21 Council.

22  
23 MR. J. NAGEAK: I don't know whether to  
24 comment on something that happens at Anaktuvuk Pass.  
25 When we're confronted with some kind of an issue, what  
26 we call the leadership group gets together and it  
27 really helps to have that group of people come  
28 together. There's a city of Anaktuvuk Pass council  
29 members, the Nunamiut Corporation board of directors  
30 and the Nagsragmiut Tribal Council members.

31  
32 They get together as a leadership group  
33 from the community of Anaktuvuk Pass and out here among  
34 themselves without having the people that are coming  
35 into here so we could have a unified voice whenever the  
36 agency that is coming to listen to the village of  
37 Anaktuvuk Pass because the village of Anaktuvuk Pass is  
38 segmented into these three big agencies, you know, the  
39 corporation, city council and the tribal.

40  
41 So we hash out things beforehand and we  
42 sometimes include the whole community. The school is  
43 involved, the clinic, you know, because we're dealing  
44 with some of the issues of violence and issues of drugs  
45 and alcohol, issues of having our own members not  
46 having their soul food or caribou, you know. It's  
47 pretty hard. So it's been very helpful.

48  
49 Since it's a non-agenda item I figured  
50 that I would share with you the opportunity of some of

1 the villages to get together as leaders in the  
2 community and involve the whole community, you know.  
3 It's a way of unifying our voice so that we can have a  
4 bigger voice when we have to deal with like the Corps  
5 of Engineers or oil company Linc that is going to Umiat  
6 with that ice -- not ice road, but snow road, or DOT  
7 comes. They make us meet until 2:00 o'clock in the  
8 morning, so we are unified in this way. So I just  
9 wanted to share that with you.

10

11 Thank you.

12

13 CHAIRMAN BROWER: Thank you, James. I  
14 think that's an important message to share or issue to  
15 voice. Such as identifying -- you know, we keep  
16 indicating that this is an important issue, hearing  
17 from Anaktuvuk Pass. When the replies come back,  
18 there's nothing happening, and then a community meeting  
19 is being held till 2:00 in the morning. That signifies  
20 the importance of a concern. I think there needs to be  
21 some documentation to that effect that we could be  
22 responsive to. I think these are, you know, Department  
23 of Transportation or Army Corps of Engineers needing to  
24 share some of that documentation as well in terms of  
25 the length of the meeting and the duration of the  
26 meeting and the community voicing its concerns on the  
27 subject.

28

29 So there is some significant importance  
30 to the discussions on these things and the lag time  
31 that prevents us from the communications. It puts a  
32 hindrance to the community and I guess anxiety develops  
33 over the lack of communications because of what's being  
34 proposed and limited information. What are we doing  
35 from here or what's going on. It seems like what's  
36 going on behind closed doors is progressing, but the  
37 open-faced meetings are nothing more. There's something  
38 happening behind the curtain we don't know about.

39

40 So I just state that as part of my  
41 concerns and trying to help steer that there needs to  
42 be more communications with them, the communities that  
43 are being impacted from any of the activities along the  
44 North Slope.

45

46 Thank you.

47

48 MS. AHTUANGARUAK: As well as this is a  
49 very important concern with the youth of Anaktuvuk  
50 Pass. Your students did ask a lot of questions when I

1 was able to go out there in May about this project and  
2 what's happening with it. They are invested in  
3 identifying the changes that are coming and want to be  
4 more engaged in the process and I really appreciate  
5 your students for being engaged.

6

7 CHAIRMAN BROWER: Thank you, Rosemary.

8

9 MR. FRANKSON: It was quite an  
10 experience for me to start translating from an iPhone  
11 because the young people make their notes and make  
12 their speeches on one of these things and I have to  
13 translate what they're saying into Inupiaq and it was  
14 quite an experience to start using technology to do  
15 that without having to write things on paper, they  
16 write them in these things.

17

18 CHAIRMAN BROWER: Old school meets the  
19 new school. Thank you, James. I think that goes to  
20 show that there's a lot of interest from community  
21 leadership on any activity that's near your community  
22 especially and there's a lot of interest, not just from  
23 elders or representatives, but the community and the  
24 students as well. I think that goes to show that there  
25 needs to be a further collaboration and communications  
26 developed into these proposed projects or changes to  
27 any area of the North Slope.

28

29 Any further comments in regards to  
30 public and tribal comments on non-agenda concerns.  
31 Yes, Teddy.

32

33 MR. FRANKSON: Yeah, maybe I should  
34 have put that comment I made earlier about the seismic  
35 testing on this part of the agenda because I wanted to  
36 make a point that we lost our cod stock and clam stock,  
37 which made it kind of hard for us to get walrus, which  
38 we're used to every year. Now we're lucky if we get  
39 two, maybe three a year now. So I just wanted to  
40 comment and put this on non-agenda items.

41

42 CHAIRMAN BROWER: Thank you. I'm not  
43 sure if you recall any of the comments you made earlier  
44 in regards to that, Eva. I think this is something the  
45 community is facing in regards to marine mammals and  
46 walrus hunting specifically. I'm not sure if the  
47 impact generates from activity offshore with oil and  
48 gas seismic. That's what you're referring to, seismic  
49 activity offshore.

50

1 Eva.

2

3 MS. PATTON: Mr. Chair. This program,  
4 the Office of Subsistence Management, and the role of  
5 the Federal Subsistence Management Council is inland  
6 waters and doesn't have the authority to address the  
7 near shore and coastal areas. However, I did contact  
8 the people that are involved that review the  
9 environmental permits. There is the Bureau of Ocean  
10 Management. That is the organization that oversees  
11 that. And the marine mammals staff. We also have  
12 contacts through ADF&G because of their involvement on  
13 the traditional knowledge studies for the fisheries.  
14 We have connections with those folks who have the  
15 authority to be able to look into those concerns. So I  
16 have their numbers for you and if you would like to, if  
17 it's okay to share your number, that would be a way to  
18 get the concerns to the people who are able to oversee  
19 the near shore waters and the cod and walrus.

20

21 Thank you.

22

23 MR. FRANKSON: Regardless of what they  
24 put their authorizations on what we can do is still a  
25 subsistence issue regardless of where you put it,  
26 inland waters or out in the ocean waters. To me it  
27 doesn't make a difference. I'm still going to eat.  
28 I've got to eat something. That's why I've got to  
29 hunt. I don't have land except to the east of us. We  
30 survive on the ocean and the inland waters, which we  
31 have one, Kukpuk River. We depend on all around us.  
32 We don't make any determinations as to whether should I  
33 have a license to go get some fish or should I have a  
34 license to go get some caribou. We don't have no what  
35 you call authorizations as to where we can go, what we  
36 can put across to the board here as far as what we can  
37 talk about.

38

39 This is important to us. It doesn't  
40 really matter to me because I've still got to eat. The  
41 village of Point Hope has been shy of eating our  
42 regular stock of cod fish that we depend on every year  
43 and the availability of the walrus that come near.  
44 With the loss of our clam stock, they've had to go down  
45 to the Russian side to go eat, which means we're going  
46 to starve as far as eating walrus. That's why I'm  
47 making this comment because it's important to us. We  
48 don't put any restrictions as far as what we can do to  
49 try to get those things. This subsistence board should  
50 cover all of that. That's what it is. That's my

1 information.

2

3 (Teleconference technical difficulties)

4

5 MS. PATTON: Thank you for your  
6 patience online. We'll ask for everyone speaking here  
7 if you could speak close to the mic and loud if  
8 possible and we will work on the connections over lunch  
9 again and see what we can do with our phone line  
10 connection here.

11

12 I would like to respond to Teddy  
13 Frankson that absolutely these issues are very  
14 important and important to bring forward to this  
15 Council and to the Board. The subsistence is all  
16 connected and we will make an attempt to make a  
17 connection for you to be able to look into that.

18

19 Tom Evans is a wildlife biologist with  
20 OSM, but he also worked for a long time with the marine  
21 mammals division and he may be able to answer some  
22 questions as well.

23

24 MR. EVANS: Mr. Chair. So, Teddy, one  
25 of the things -- I'm fairly familiar with a lot of the  
26 research that USGS is doing on walrus and they've been  
27 tagging the walrus for the last four or five years and  
28 they're noticing big shifts of where the walrus go.  
29 We're getting the haul outs, as you know, up on the  
30 coast of Alaska and when the walrus haul out on the  
31 coast of Alaska, they tend to feed closer to shore, so  
32 they probably deplete the clam supply closer to shore  
33 and once they do that, then you're right, they have to  
34 move.

35

36 The though from the researchers is that  
37 that's primarily an effect of the changing ice and the  
38 loss of ice or when the ice movement stuff is going on.  
39 So I think the seismic could have an effect as well,  
40 I'm not saying it doesn't, but their feeling is that  
41 the ice -- that the walrus movement is sort of directed  
42 by the ice. Perhaps that's one reason that we're  
43 seeing shifts in walrus behavior and migration patterns  
44 because of their having to respond to, you know,  
45 changing ice patterns and whatnot.

46

47 That doesn't belittle the fact that the  
48 seismic stuff should be considered and I think  
49 contacting Shell and the folks directly is what you  
50 need to do in terms of looking at that. I know there's

1 protocols in place when they do the seismic for  
2 disturbance right, you know, as they're doing the  
3 seismic. You know, obviously the people that live in  
4 the villages that can see the impacts where a person  
5 sitting in Anchorage can't see that, it would be good  
6 to get that information to them so we can see if there  
7 needs to be something done differently in terms of when  
8 they conduct the surveys or how they conduct the  
9 surveys.

10

11 MR. FRANKSON: Yeah, I've been talking,  
12 spreading the -- telling people about this, but I  
13 haven't heard anything. I've been saying for, I don't  
14 know, maybe five years now, six years. Two years after  
15 it happened is when we really missed them and after  
16 that is when I started commenting that we lost these,  
17 but nobody has said anything. It hasn't been passed  
18 down to anyone. Now it's 2013 and finally somebody,  
19 even someone like you, will be able to pass it around.  
20 But what I've been trying to pass around for the past  
21 few years hasn't -- you know, it's been in one ear and  
22 out the other and hasn't done anything.

23

24 MR. EVANS: I'll definitely pass the  
25 information over to the walrus biologist and marine  
26 mammals and try to get them to readdress the issue  
27 because I think they have probably already, but if they  
28 need to do it again, I will go ahead and do that.

29

30 CHAIRMAN BROWER: Thank you, Teddy, for  
31 voicing your concerns on these non-agenda items, but I  
32 think the thoughts need to be also concerning in terms  
33 of how this research is being conducted, the research  
34 of tagging and monitoring the walrus as they're moving  
35 within the spring and moving north and following the  
36 walrus. I recall there's a bunch of tagging going on  
37 early in the spring in regards to walrus tagging as  
38 they're moving south of St. Lawrence or north of St.  
39 Lawrence and the tagging starts occurring there.

40

41 That kind of breaks the tradition of  
42 what we've stated before to a lot of the researchers to  
43 leave animals alone until there's a significant number  
44 of them have passed by to create a scent trail. If  
45 there's any kind of disturbance, they deflect out and  
46 take another route or go to another area. So that's  
47 something that all researchers need to keep in mind in  
48 terms of what's being considered in terms of research.

49

50



1                   Even though it's great data that  
2 they're collecting, but there's also impacts that are  
3 associated with that level of activity, so maybe some  
4 communications need to be again brought to the  
5 communities to see how they could help minimize the  
6 impacts on availability of a resource. You know,  
7 research does seem like it's not impacting anything  
8 placing instruments on animals, but there also could be  
9 an impact if there is -- that's unknowingly being  
10 brought forth to these animals because of what's  
11 occurring.

12  
13                   I think, again, that communications  
14 need to occur. These folks should not be relying after  
15 the fact. They should have at least communicated with  
16 the communities that rely on these resources.

17  
18                   Thank you.

19  
20                   James, did you have a comment?

21  
22                   MR. J. NAGEAK: No.

23  
24                   CHAIRMAN BROWER: Okay. Thank you.

25  
26                   MS. AHTUANGARUAK: I did.

27  
28                   CHAIRMAN BROWER: Rosemary.

29  
30                   MS. AHTUANGARUAK: This is coming back  
31 to a repeated issue that we've said over many meetings  
32 is that we are a board that's looking at subsistence,  
33 but the reality is within our state the complexity of  
34 us to address our issues is really hindered by the  
35 multilayered approach. We have responsibilities for  
36 each of our communities to be engaged in this process  
37 and we need to work to find the answers to help us more  
38 effectively address the issues related to subsistence.  
39 We have multiple species that are being discussed that  
40 are concerning to multiple communities and we can't  
41 allow this system to prevent us from coming up with  
42 solutions to address these issues.

43  
44                   Thank you.

45  
46                   CHAIRMAN BROWER: Thank you. Any  
47 other comments or issues to be brought forth regarding  
48 the agenda item of public and tribal comments on non-  
49 agenda items.

50

1 MR. KAYOTUK: Mr. Chair.

2

3 CHAIRMAN BROWER: Yes, Lee.

4

5 MR. KAYOTUK: Under the oil development  
6 and seismic issues like Ted brings up, there is in-  
7 house that there wants to be a 3D seismic in our area  
8 that is open for 120 days comment period. I think  
9 that's a pretty important issue is to be seismic in our  
10 area in Arctic National Wildlife Refuge. It's going to  
11 be a big concern if they do open it up for seismic.  
12 There's going to be a lot of change in that area if  
13 they go ahead and do seismic in our area. It's going  
14 to be affected throughout the winter if this passes.

15

16 Thank you.

17

18 CHAIRMAN BROWER: Thank you, Lee, for  
19 providing those comments on seismic. Any other  
20 comments or concerns to be voiced regarding this agenda  
21 item.

22

23 MR. G. BROWER: Mr. Chair.

24

25 CHAIRMAN BROWER: Gordon.

26

27 MR. G. BROWER: In terms of seismic, I  
28 just wanted to add a couple sense to that. We've seen  
29 seismic for many, many years in NPR-A, State land,  
30 Federal public land. I think there are limited  
31 impacts, I think. We had requested studies of what  
32 happened when the Navy did exploration with dynamite as  
33 seismic and then we had back in the '40s and '50s and  
34 then the seismic exploration using vibriosis very stark  
35 difference in approach and in impact and noise. I  
36 think it would be worthwhile to read up a little bit  
37 about the impacts of seismic, all the way up to even  
38 fish. Dynamite would cause large-scale lakes to even  
39 go dry. It could crack. Also the pressure would hurt  
40 fish and decimate populations of fish, but vibriosis is  
41 very different. We've seen vibriosis, active vibriosis  
42 on a study with fish, live fish, and the fish were  
43 still swimming around. That was our major concern in  
44 the past.

45

46 I think one of the more bigger concerns  
47 about seismic is just the possible displacement for a  
48 period of time of resources because of putting 145-man  
49 camp, running trails with a CAT and stringing the lines  
50 over many miles. That seems to be a little bit more

1 impacting than we've seen in the past.

2

3                   There was a big concern about natural  
4 environment, the natural noises that are in place, and  
5 introducing engines, Caterpillar noise, generators for  
6 up to maybe 60 days or something to that effect. I  
7 don't know if these two are linked in any way, but  
8 wildlife biologist I think back in the maybe early  
9 2000's, somewhere around there, around the Ikpihpuk  
10 when there was two or three simultaneous seismic  
11 operations going on in NPR-A. We suddenly had really  
12 extreme weather with glaciation of the top of the snow  
13 where it was cutting caribou hoofs for them to dig into  
14 the -- get to where their feeding was underneath.

15

16                   On top of that, extreme, you know,  
17 extended 50-below-zero days and then somewhat, maybe  
18 about 1,000 caribou, maybe 900 or so that died or  
19 succumbed to the environment. There was some  
20 interpretation that he could have been -- that the  
21 caribou could not rest. There was up to probably 500  
22 folks on three different seismic operations going 24  
23 hours a day and the caribou depend on listening to  
24 their environment and not being able to hear wolves and  
25 other things like that that they couldn't rest and  
26 exhausted themselves.

27

28                   That was one interpretation, but I'm  
29 not saying that that's the actual cause of why we had a  
30 big die-off that year. That's limited information I  
31 have about caribou, seismic noise, seismic operations.  
32 It could have gone either way. It was environment and  
33 could have been -- maybe it's all the factors all at  
34 once. Who knows. I thought it was worth talking  
35 about.

36

37                   I don't think they'll get a seismic  
38 operation in the ANWR. I think Congress and somebody  
39 has to really change their mind to do something like  
40 that.

41

42                   CHAIRMAN BROWER: Thank you, Gordon.  
43 Any other comments. I'm just looking at the clock.  
44 It's about 10 till 12:00. We're supposed to be out of  
45 here at noon. They lock the doors unless you all want  
46 to be locked in for the lunch hour. What's the wish of  
47 the Council, we take a lunch break until 1:00. Would  
48 that be all right?

49

50                   Okay, we'll go on lunch recess until

1 1:05 p.m.

2

3

Thank you.

4

5

(Off record)

6

7

(On record)

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CHAIRMAN BROWER: Call the meeting back to order after our lunch recess. It's probably 1:07 looking at the clock on the wall. Anyway, we're down to our agenda item 8, old business. We have 8(A) customary and traditional use determinations. David Jenkins. David, you have the floor.

DR. JENKINS: Mr. Chair, Council members. My name is David Jenkins. I'm the policy coordinator for the Office of Subsistence Management. This is my first opportunity to attend your Council meetings and I'm happy to be here.

I assume you had a copy of this briefing delivered to you yesterday on customary and traditional use. I'd like to go through this fairly carefully with you today. The Federal Subsistence Board and also the Southeast Alaska Subsistence Regional Advisory Council would like your recommendations on the current customary and traditional use determination process.

The Board last asked the Councils to comment on this process in 2011 as directed by the Secretary of Interior and the Secretary of Agriculture. All of the Councils at that time, with the exception of the Southeast Council, indicated that the existing customary and traditional use determination process was working. At the request of the Southeast Council, we are giving you this briefing and this additional review for your input.

Now our focus in this briefing I snot on how customary and traditional use determinations are made, but rather on why they are made. The Southeast Council would like you to recommend as a Council to eliminate or amend or to make no changes to the current customary and traditional use determination process.

ANILCA does not require customary and traditional use determinations. These determinations were adopted from the State when the Federal

1 Subsistence Program was established in 1990. In the  
2 early 1990s, the Federal Subsistence Board considered  
3 four customary and traditional use options and  
4 recommended to the Secretaries that the State process  
5 continue to be used. So the State's eight criteria for  
6 thinking about customary and traditional use were  
7 subsequently slightly modified and adopted into Federal  
8 regulations. Since that time the Federal Subsistence  
9 Board has made some 300 customary and traditional use  
10 determinations across the state of Alaska.

11  
12 Now the Board initially adopted the  
13 State's customary and traditional use criteria because  
14 it anticipated that the State would resume management  
15 of subsistence on Federal lands. The Board did not  
16 want to disrupt traditional State regulation in  
17 management of fish and wildlife, so the Board adopted  
18 the State customary and traditional use regulations  
19 anticipating the State would resume management. As we  
20 all know, the State has not resumed management of  
21 subsistence regulations. It appears that the Federal  
22 program will be permanent.

23  
24 The Board does not make customary and  
25 traditional use determinations to restrict amounts of  
26 harvest. What the Board does do is make these  
27 determinations relative to particular stocks of fish  
28 and game in order to recognize a community or an area  
29 whose residents generally exhibit eight factors of  
30 customary and traditional use. Remember these factors  
31 were adopted from the State.

32  
33 Now the Southeast Council is concerned  
34 that the effect is to exclude Federally-qualified rural  
35 residents who do not generally exhibit these eight  
36 factors from participating in subsistence harvest.

37  
38 You probably also recall that in 2009  
39 the Secretary of the Interior announced a review of the  
40 Federal Subsistence Program and one part of that review  
41 was to focus on customary and traditional use  
42 determinations. Specifically the Secretary asked the  
43 Board to review with Regional Advisory Council input  
44 customary and traditional use determination, the  
45 process, and to present recommendations for regulatory  
46 changes.

47  
48 You probably remember that all 10  
49 Councils were asked for their perspectives in 2011.  
50 Nine Councils, including this Council, did not suggest

1 changes to the process. The Southeast Council,  
2 however, suggested one modification and you can see  
3 that in the briefing material. It included this in its  
4 annual report. This is what the Council suggested.  
5 The Board shall determine which fish and wildlife have  
6 been customarily and traditionally used for  
7 subsistence. These determinations shall identify the  
8 specific community s or area s use of all species of  
9 fish and wildlife that have been traditionally used in  
10 their past and present geographic areas.

11  
12 In other words, once a customary and  
13 traditional use determination is made for an area,  
14 residents in that area would get customary and  
15 traditional use for all species, so there would be no  
16 need for a customary and traditional use determination  
17 for a specific fish and wildlife populations or on a  
18 species-by-species basis.

19  
20 So after the Council made this  
21 recommendation it formed a workgroup and that workgroup  
22 then was tasked with analyzing this customary and  
23 traditional process. The workgroup looked through all  
24 the Regional Advisory Council transcripts in which the  
25 Councils were asked to weigh in on this question and  
26 determined that the Councils were not adequately  
27 briefed in 2011 on the Secretary's request for Council  
28 recommendations on the C&T process.

29  
30 So the Southeast Council drafted a  
31 letter and a briefing document, which were provided to  
32 all Regional Advisory Councils, and these are included  
33 in your meeting materials as well, so you have that  
34 briefing material and you have that letter from the  
35 Southeast Council.

36  
37 So the Council then, as you can see in  
38 that briefing, had this to say. I'm going to quote  
39 them directly. The Southeast Councils says: The  
40 current customary and traditional use determination  
41 process is being used to allocate resources between  
42 rural residents often in times of abundance. This is  
43 an inappropriate method of deciding which residents can  
44 harvest fish or wildlife in an area and may result in  
45 unnecessarily restricting subsistence users. The  
46 Southeast Council has a history of generally  
47 recommending a broad geographic scale when reviewing  
48 proposals for customary and traditional use  
49 determinations. Subsistence users primarily harvest  
50 resources near their community of residence and there

1 is normally no management reason to restrict use by  
2 rural resident from distance communities. If there is  
3 a shortage of resources, then a Section .804 of ANILCA  
4 provides direction and the correct method of allocating  
5 resources.

6  
7 In other words, the Southeast Council  
8 does not support retaining the current customary and  
9 traditional use determination process and instead  
10 suggests that when necessary the Board restrict harvest  
11 by applying ANILCA Section .804 criteria and those  
12 criteria are also replicated in your briefing. There  
13 are only three criteria under Section .804; customary  
14 and direct dependents upon the populations as a  
15 mainstay of livelihood, local residency and the  
16 availability of alternative resources.

17  
18 So the Federal Subsistence Board and  
19 also the Southeast Council would like your  
20 recommendations on the current C&T process and  
21 specifically the Council would like you to consider  
22 whether to eliminate customary and traditional use  
23 determinations and instead, when necessary, apply  
24 ANILCA Section .804 criteria or to change the way such  
25 determinations are made by making area-wide customary  
26 and traditional use determinations for all species and  
27 not on a species-by-species basis or to make some other  
28 change that this Council sees fit to make or to suggest  
29 or to make no change.

30  
31 So the Council input, your Council's  
32 input, will provide the basis for a briefing to the  
33 Federal Subsistence Board and it will also provide the  
34 basis for the Southeast Council to continue thinking  
35 about its options and its perspective on this. So the  
36 Board could -- at that point, if you have  
37 recommendations and the Southeast Council and the other  
38 Councils continue to have recommendations, the Board  
39 could recommend to the Secretaries to eliminate or  
40 amend or make no change to the current process.

41  
42 Thank you, Mr. Chair.

43  
44 That's the end of my briefing.

45  
46 CHAIRMAN BROWER: Thank you. Any  
47 comments.

48  
49 Gordon.

50

1 MR. G. BROWER: It seems not too long  
2 ago we have customary use determinations that we were  
3 talking about species by species. Was that the State  
4 regulation we were going by and determining customary  
5 and traditional use determination? And this, by area,  
6 is that what is more the process that the Federal  
7 government would have been using if we didn't  
8 anticipate the takeover of subsistence or continued  
9 management by the State? I just want to get a little  
10 clearer picture of that.

11  
12 DR. JENKINS: The Federal program  
13 adopted the State's customary and traditional use  
14 criteria and slightly modified them in the Federal  
15 regulations. So the Federal program was using Federal  
16 regulations that were modeled on the State customary  
17 and traditional use determinations. So it was then a  
18 species-by-species analysis. I think that answers your  
19 first question. So it wasn't a State regulation, but  
20 it was based on State regulations, then modified for  
21 Federal purposes.

22  
23 Your second question is a question that  
24 you could weigh in on. Is there a different way in  
25 which this process could be thought about or modified?  
26 Would you prefer an area outside of how we do it now  
27 with game management units or some other way to think  
28 about customary and traditional use? The Southeast  
29 Council has recommended that we eliminate it entirely  
30 and use.....

31  
32 MR. G. BROWER: I've got another  
33 question. This is an example. Maybe about 10 years  
34 ago there was a fellow hunting polar bear up here and  
35 he said he had a customary and traditional use right to  
36 it because he was a Native somewhere down in the  
37 Southeast. A hunter up here was guiding him to take  
38 him to get his first polar bear. Does that customary  
39 and traditional use determination for an area is the  
40 right of all Natives within Alaska regardless of where  
41 you're currently situated?

42  
43 DR. JENKINS: Well, the example of the  
44 polar bear is not a very good one for our program  
45 because the Federal Subsistence Program does not manage  
46 polar bears, but your larger question has to do with  
47 whether or not somebody from a different area could  
48 come into an area that is not part of where they live  
49 or near their community to hunt. The Southeast Council  
50 would say yes if the resources were sufficient for all



1 rural residents, all folks who are Federally qualified.  
2 Their concern that the customary and traditional use  
3 process as it stands effectively eliminates those who  
4 don't have those eight factors and don't have a  
5 customary and traditional use. They would like that  
6 process to be rethought so it doesn't exclude those  
7 people.

8

9 MR. G. BROWER: Just a follow up, Mr.  
10 Chair.

11

12 CHAIRMAN BROWER: Continue, Gordon.

13

14 MR. G. BROWER: Yeah, I think that's a  
15 more efficient way of looking at things because I would  
16 hate to have to argue over rights of individuals, you  
17 know, our indigenous right to subsist on these lands.  
18 I'm saying these lands, meaning whatever is in there I  
19 have the right to subsist harvest in the way I've done,  
20 my forefathers did, without having to write it on a  
21 piece of paper. Does Gordon Brower have a customary  
22 and traditional use determination to a little black  
23 fish or to a squirrel. All these little things that  
24 you could take for granted.

25

26 The species by species seemed to me was  
27 cumbersome, was tedious, being able to do all that kind  
28 of -- I mean I kind of agree with an area -- of having  
29 a customary use determination by area that encompasses  
30 all the animals and resources in the land and take the  
31 arguments away.

32

33 Thank you.

34

35 MR. J. NAGEAK: Mr. Chair.

36

37 CHAIRMAN BROWER: Thank you, Gordon.

38

39 James.

40

41 MR. J. NAGEAK: I had an experience in  
42 trying to determine who owns the skin of a polar bear.  
43 That was a question that came up some time ago when  
44 somebody from a different area other than this area  
45 shot and killed a polar bear with a boat and the  
46 customary and traditional way of distributing parts of  
47 an animal like a polar bear is determined locally and  
48 the local custom is that the owner of the boat gets the  
49 skin. It's the same way with walrus tusks head. The  
50 person that provides the transportation for hunting the

1 species in this area has the local custom that needs to  
2 be followed by and that was challenged in the court  
3 system, that customary and traditional way of  
4 distribution of the parts of the animal like the polar  
5 bear skin. That was the question I remember.

6

7 I was summoned to testify as a  
8 customary and traditional expert in those areas.  
9 Unfortunately the skin was destroyed by being wet and  
10 the hairs came off in the process in which they were  
11 waiting for the courts to decide, so I was not called  
12 to be in the courtroom testifying to the local  
13 customary and traditional ways of distribution was used  
14 -- has been used. We understood it as an Inupiaq  
15 person living on the North Slope. The transportation  
16 system comes into part. The owner of the outboard and  
17 the owner of the longboat was Inupiaq, you know. The  
18 person who shot it was from a different area and didn't  
19 know about the customary and traditional use  
20 determinations.

21

22 I just wanted to get that in.

23

24 Thank you.

25

26 CHAIRMAN BROWER: Thank you, James.

27

28 Any other comments.

29

30 Rosemary.

31

32 MS. AHTUANGARUAK: In previous  
33 meetings, we did have a lot of discussion related to  
34 this and I also have a lot of concerns on how this  
35 process has been used. It's really important that we  
36 recognize our intervillage relations in the usage of  
37 our foods within this way and the traditions that we  
38 have to honor in ceremonial use and funeral processes  
39 are so important with the wellness of our people as we  
40 continue our traditions into the future and  
41 recognition.

42

43 These issues are very complex and  
44 difficult to put into a quick, one-line sentence  
45 because each of our different regions are so very  
46 different, but with our intervillage relations we have  
47 connections that go back through generations and  
48 continue to share our foods in many ways that are  
49 important to do in retaining relations and willingness  
50 to work with one another on issues before us.

1                   The process before us should not  
2 belittle the importance of recognizing the local issues  
3 on these processes and also facilitate the recognition  
4 that we need to transport our foods for these special  
5 activities in other ways that we're going to use them  
6 in our relationship building and using our foods in  
7 celebration and recognition of how we live our lives in  
8 celebrating the lands and waters where we live.

9  
10                   I worry about putting in priorities for  
11 limiting areas on part of our river system and  
12 decreasing availability with access and changing  
13 priority of who gets access at different spots,  
14 conflicting with continued access and traditional  
15 culture. Understanding that we want to continue  
16 sustaining our foods into the future is a primary part  
17 of it, but also not belittling the importance of the  
18 various ways that is important to continue to use.

19  
20                   Having a young man having to face this  
21 issue when I was in Point Lay, it is important to  
22 recognize the complexities each of our young people  
23 have. Our process with boarding schools expanded the  
24 interactions in many different ways. One of our  
25 whalers was talking about the importance of sharing  
26 foods when the Exxon Valdez happened and how that was  
27 so important for the relationship-building and the  
28 process that they had to deal with, the decisions that  
29 came from changes to having access to food.

30  
31                   These are really important issues and  
32 it's really important that we look at these in a broad  
33 way. Unfortunately, the limitations within this multi-  
34 layered approach does not allow us to effectively do  
35 this. Whatever we can do to remedy this situation is  
36 important because we are talking about these issues.

37  
38                   CHAIRMAN BROWER: Thank you, Rosemary.

39  
40                   Any other comments.

41  
42                   (No comments)

43  
44                   CHAIRMAN BROWER: I'd like to provide  
45 some comments as well in terms of starting with the  
46 presentation. I think the recommendation by Southeast  
47 Council I kind of support it because of what it  
48 reflects in identifying ANILCA .804 processes. We  
49 subject it in the time of need or there's a shortage.  
50 I have to look at our own Council. I mean we've been

1 dealing with something from the very manner that we  
2 deal with customary and traditional uses of resources.  
3 When times change and the resources are not so  
4 available or the lack of the resource, we start looking  
5 at other resources and their availability. I mean I  
6 look to our own Council as to what we've been dealing  
7 with Kaktovik and we've dealt with some with Nuiqsut  
8 and Anaktuvuk as well and trying to provide other  
9 resources that are more readily available in a time of  
10 shortage.

11  
12 I think we need to reflect back into  
13 our own conditions that we've been dealing with and  
14 regulatory management processes by State and Federal  
15 agencies in terms of what's prescriptive in terms of  
16 how far we have to travel, where the resources are  
17 available, where the numbers are sufficient to lessen  
18 the animal for a community need of one or two animals  
19 in the time of need.

20  
21 I'm just looking back in terms of our  
22 own usage of regulatory process and the State  
23 regulations, the Federal regulations that are before us  
24 and then how do we mix in and try to provide for the  
25 preference for subsistence. It just keeps coming down  
26 and trickling down. Sometimes it gets watered down so  
27 much that we're not able to do anything.

28  
29 So I make my comments in regards to  
30 what was presented to us on this customary and  
31 traditional use determinations paper in regards to the  
32 Federal Subsistence Board request for Regional Advisory  
33 Council recommendations on this traditional use  
34 determination process. The recommendation from the  
35 Southeast Council is to rely on .804 ANILCA process and  
36 do away with the practice that was adopted by the  
37 Federal Subsistence Board in the early days and looking  
38 to what the real management should have been where the  
39 Federal Subsistence Board relied on Federal regulatory  
40 means that was already in place, was the Title VIII,  
41 subsistence management use.

42  
43 So I think that this is a change in  
44 terms of -- it's going to create a change to a process  
45 that we use in a time of need. I mean I have to look  
46 at the muskox as one resource. Moose is another  
47 resource. Caribou at different times, different years,  
48 depending on their movements, creates needs for  
49 communities while others have the availability right  
50 next to them just a couple miles away from their homes.

1 So those things we need to keep in mind.

2

3 I was wanting to ask in regards to if  
4 there's an example that could be provided in terms of  
5 where the .804 is -- just an example of how .804 is  
6 applied in the sense when a community is in need of a  
7 resource or the regulations become more restrictive.  
8 Even though the resources are available, the  
9 regulations are restricted or they can't conduct a  
10 hunt. Was there any kind of example that was provided  
11 for a situation of that sort?

12

13 DR. JENKINS: Mr. Chair. To date, the  
14 Federal Subsistence Program has made, I believe, seven  
15 ANILCA .804 determinations, so there are not very many  
16 of them that have been made. The process is to use the  
17 three criteria that I've outlined, and it's in your  
18 briefing, to restrict among subsistence users who has  
19 access to a limited resource. So that's the general  
20 approach. If the resource cannot handle lots of users,  
21 then we'd end up limiting those resources.

22

23 Pat, do you have a local example?

24

25 MS. PETRIVELLI: Not on the North  
26 Slope, except for Kaktovik.

27

28 DR. JENKINS: Kaktovik.

29

30 MS. PETRIVELLI: We could go to .804  
31 there.

32

33 DR. JENKINS: So there are only seven  
34 examples that we have and I can bring one of these  
35 examples to you. I don't have one right now.

36

37 CHAIRMAN BROWER: Okay.

38

39 MS. PETRIVELLI: Kaktovik is for moose.

40

41 MS. PATTON: Yes.

42

43 DR. JENKINS: Was it?

44

45 MS. PATTON: Yes. Mr. Chair and  
46 Council. The current circumstances in Kaktovik is one  
47 example of Section .804 being applied. The limited  
48 number of moose in the area around that community, the  
49 importance of moose as a food resource for that  
50 community prompted the Board to take action. So

1 currently the community of Kaktovik has Federal  
2 subsistence priority to harvest moose. It is in  
3 regulation and part of the actions of the community  
4 were requesting because of the conservation concerns,  
5 it's still a limited harvest for that community, a very  
6 limited harvest for that community because of the  
7 conservation concerns. Currently it is only Kaktovik  
8 that has access to be able to hunt and that was part of  
9 the .804 analysis.

10

11 CHAIRMAN BROWER: Thank you, Eva and  
12 David. That's why I was looking back in terms of our  
13 own Council and I think we've applied it there. I'm  
14 trying to learn a bit more if there were other examples  
15 within our region that may have been applied  
16 specifically to that .804.

17

18 I mentioned muskox and moose because  
19 we've had the populations go up and down and  
20 availability for subsistence gets restricted in a sense  
21 when the population takes a downward dive and  
22 availability for subsistence is basically cut off and  
23 then we have to start looking to other resources that  
24 are nearby or close to the community that's in need of  
25 a resource and looking at that in a sense.

26

27 Thank you.

28

29 Any further comments or discussion.

30

31 MR. G. BROWER: Mr. Chair.

32

33 CHAIRMAN BROWER: Yes, Gordon.

34

35 MR. G. BROWER: I would just like to  
36 get a very clear picture on certain things. Customary  
37 and traditional use determination. To make that  
38 determination on a resource, is this a tiered level of  
39 management that includes customary and traditional use  
40 determination for resources that are struggling or is  
41 this just something that needs to be done just so that  
42 we can harvest even if there's 200,000 of these  
43 animals.

44

45 DR. JENKINS: Mr. Chair, Mr. Brower.  
46 The Federal Subsistence Program does not use the  
47 customary and traditional use determination process to  
48 allocate resources. It uses it to identify a group of  
49 people who exhibit eight factors of customary and  
50 traditional use. So they don't use it to allocate

1 resources or to limit the amounts of harvest, but just  
2 to identify a pool of users. The eight criteria are on  
3 Page 4 of your briefing, so you can read through those  
4 if you want to refresh your memory of how those  
5 criteria read.

6

7 Let me say it again, the Board uses  
8 these criteria to identify a group of people who  
9 exhibit these eight factors and not to allocate amounts  
10 of resource to them. Traditional management tools are  
11 used for allocation of resource once that pool of users  
12 is recognized.

13

14 MR. G. BROWER: Yeah, just a follow up.  
15 Knowing that there is a pool of people that has this  
16 determination, that information should be used in a way  
17 that gives preference to the use of those resources in  
18 times of scarcity as a preference, a tool developed for  
19 that. I used to think that there were language because  
20 of subsistence issues with the State of Alaska didn't  
21 become realized. The State didn't want to adopt the  
22 subsistence preference because the Federal government  
23 had a preference for our Native rights under ANILCA and  
24 that's what I thought the language had written hard-  
25 wired into it.

26

27 To some extent, the Federal government  
28 adopt a rural designation. I think all of these are so  
29 intermixed and part of State, part of Federal and then  
30 make soup out of it and you come out with this stuff.  
31 It would seem to me that the Federal legislation  
32 enacting that stuff would be the stuff we would be  
33 using. That's where my train of thought is.

34

35 CHAIRMAN BROWER: Thank you, Gordon.

36

37 James.

38

39 MR. J. NAGEAK: On those eight ways of  
40 determining, the thing -- the first Board that I see  
41 here on number one is a long-term consistent pattern of  
42 use. I'm wondering how long term is that because, you  
43 know, for the Nunamiut people of Anaktuvuk Pass that  
44 the traditional way of accessing the resources was to  
45 be a nomadic person and because of the creation of the  
46 Gates of the Arctic National Park there are some  
47 restrictions of the people to be nomadic in order to  
48 have consistent use of resources that started a long  
49 time ago. I'm thinking in that terms. How long back  
50 is that definition or determination figured into.

1                   You know, I could say, hey, we could go  
2 to Killik over there, you know, because that's where  
3 the caribou are this particular year. We could go over  
4 there, but we can't because there's easement problems  
5 because of the Gates of the Arctic National Park.

6  
7                   I don't know what the process would be  
8 for whether I would become a criminal because I'm  
9 passing through a national park which is used for the  
10 whole nation, but traditionally that's how the people  
11 survived. I'm just throwing out something to think  
12 about or, you know, reading this particular long-term  
13 consistent pattern of use. That's the State  
14 determination.

15  
16                   Thank you.

17  
18                   CHAIRMAN BROWER: I was going to say,  
19 James, while you were talking but I didn't want to say  
20 anything until you were finished, I think we need an  
21 anthropologist to help determine that long-term use. I  
22 don't think we have one right now, but we could use one  
23 while we're discussing this.

24  
25                   (Laughter)

26  
27                   CHAIRMAN BROWER: So that would be  
28 something that we need to consider in the sense during  
29 our discussion. Robert, did you want to make a  
30 comment. I'll allow public comments. I have to look  
31 to my packet. It reads public comments are welcome for  
32 each agenda item for regional concerns not included in  
33 the agenda. Council appreciates hearing your concerns  
34 and knowledge. After your comments you can fill out a  
35 form we can share with our Staff to give them the  
36 appropriate names and spelling of your name and so on.

37  
38                   Robert, I'll recognize you.

39  
40                   ROBERT EDWARDSON, SR.: Thank you, Mr.  
41 Chair. My name is Robert A. Edwardson, Sr. I'm a  
42 former subsistence -- I used to work with Robert  
43 Schneider. From what I see that the traditional times  
44 is over because the industry has taken over our time  
45 because they're doing activities right now. The  
46 activities are so busy. The caribou herds are being  
47 hurt by so much activity of studying biology and  
48 they're constantly flying all over.

49  
50                   I had an experience last summer. We



1 were waiting on caribou for a half a day and this  
2 whirlybird come around and landed and took off and then  
3 the caribous took off. See, we need to find -- what  
4 I'm trying to say is the traditional times are no  
5 longer traditional because the industry's activities is  
6 so busy. That's where our traditional time has failed  
7 because the industry is so busy without, you know,  
8 consulting us.

9

10 They say this amongst us, but there's  
11 so much activity going on on biological studies and all  
12 these that's ongoing and I think some of these studies  
13 the industry should look at some of the studies that  
14 have already been studied instead of creating their own  
15 doctrine. We've got so many doctrines on subsistence  
16 issues and it's all mingled. I think we ought to  
17 untangle it and try to find the right timing for these  
18 issues instead of the industry's time. We are  
19 regulated by industry. We are not being regulated by  
20 you regulatory people. That's the total amount.

21

22 Anyway, I'm not here to cause problems,  
23 but I see problems that are occurring daily, daily  
24 occurring because we have so many flights going in and  
25 out every day. These animals got used to it in Prudhoe  
26 Bay on trucks, but on helicopters and running around  
27 east side, west side, you know, it's too much activity  
28 going on. That's why the migrating routes are being  
29 disturbed because we have this bunch here and that  
30 bunch there and we need to focus on this very  
31 carefully. Otherwise, like I said, our traditional  
32 times and subsistence times are over because the  
33 industry has taken over that time.

34

35 Thank you.

36

37 CHAIRMAN BROWER: Thank you, Robert,  
38 for your comments. David, we'll continue with our  
39 discussion. Our current discussion topic is on this  
40 Regional Advisory Council briefing paper and customary  
41 and traditional use determinations.

42

43 We have additional material on the side  
44 of the wall here for anybody that needs materials.  
45 Robert, you're welcome to that material as well, so  
46 this is a public meeting and we'll continue to follow  
47 through in that sense.

48

49 David, did you have any other items  
50 that you wish to provide? Maybe I'll stop there

1 instead of asking too many questions.

2

3 DR. JENKINS: Yes, let me just mention  
4 I understand Mr. Nageak's point on the first criteria,  
5 what does long-term mean, but the Southeast Council --  
6 and you could ask that question for each of those eight  
7 factors, what do each of them mean. But the Southeast  
8 Council has not asked you to think about how these  
9 determinations are made but why they're made in the  
10 first place and whether they should persist being made.  
11 So that's the issue the Southeast Council and the  
12 Federal Subsistence Board and actually the Secretaries  
13 of Interior and Agriculture would like you to address  
14 and talk about as a Council and then give the Board and  
15 the Southeast Council your recommendations on how to  
16 proceed at this point.

17

18 Should we go for an ANILCA .804 style  
19 analysis, should we keep the eight factors as they are,  
20 should we make other modifications, should we continue  
21 to do a species-by-species C&T determination or make an  
22 area and say all species within an area are customary  
23 and traditionally used by the residents of that area.  
24 That's essentially what the Southeast Council is asking  
25 you all to think about here.

26

27 Mr. Chair.

28

29 CHAIRMAN BROWER: Thank you, David. I  
30 guess when you made your comments I'm starting to think  
31 back. This could be a continuous agenda item into our  
32 next meetings into the future. I'm not sure how far  
33 and how many times or what kind of timeline you're  
34 looking at to make their final call on hearing comments  
35 from Regional Advisory Councils. That's one thing I'm  
36 airing out as you read your presentation, the last set  
37 of comments.

38

39 We're to think about it in the sense  
40 that there's -- we still have sufficient time probably  
41 to our next meeting maybe. I'm not sure, but I'm not  
42 sure what -- it's at the call of the Federal  
43 Subsistence Board to close the discussion timeframe of  
44 this subject. I'm not sure in terms of what timeline  
45 you're looking at or the Federal Subsistence Board is  
46 looking at.

47

48 DR. JENKINS: Mr. Chair. There's no  
49 particular timeline for this. The Southeast Council,  
50 when it was looking at this process, formed a

1 workgroup, which then analyzed what was going on and  
2 reported back to its Council, so that's one avenue you  
3 can think about. You can have continuous discussions  
4 here in order to inform the Southeast Council for their  
5 next meeting about what you had to say and they could  
6 take that into advisement as they, themselves, begin to  
7 develop some ideas about how to change regulations or  
8 you could continue to talk about it.

9

10 It is an important issue, as Rosemary  
11 mentioned. It's complicated and it's not going to be  
12 decided right now. The Board and the Southeast Council  
13 is asking for your advice on how for your region it's  
14 best to proceed.

15

16 Thank you.

17

18 CHAIRMAN BROWER: Thank you again.

19

20 MR. J. NAGEAK: Mr. Chair.

21

22 CHAIRMAN BROWER: Yes, James.

23

24 MR. J. NAGEAK: Maybe I -- since we  
25 know that we have to ask the why, is it because the  
26 people on Anaktuvuk Pass on the Brooks Range have  
27 started a sedentary lifestyle? Is that why we are  
28 talking about the customary and traditional use since  
29 the Nunamiut people have become sedentary people?  
30 That's a question I'm asking. It's a long-term  
31 question.

32

33 MR. G. BROWER: Mr. Chair, if he was  
34 here.

35

36 MS. AHTUANGARUAK: He'll be back in a  
37 moment.

38

39 MR. G. BROWER: I think it would be  
40 very appropriate to get an analysis of what the eight  
41 criteria or the current system does for us and an  
42 analysis of what other impacts Section .804 or if  
43 they're identical in doing the same provisions of the  
44 law, and to also maybe provide the authorizing  
45 language. I think those are important things.

46

47 If we're going to go into deliberation  
48 and talk about what's good for everybody versus what's  
49 good for just the Native people and what the law says,  
50 maybe we need to know some boundaries and being able to

1 adequately express them. Like I said, I think ANILCA  
2 was founded with Native subsistence priorities and  
3 this, you know, rural determinations or rural  
4 subsistence priority is something that was borne out of  
5 the State.

6  
7 Other than that I think it's  
8 interesting to look at how these things could unfold on  
9 us and we should be informed with dialogue and  
10 authorizing languages and what it says and if they fit,  
11 if the mold fits the law.

12  
13 MS. AHTUANGARUAK: Okay. I did see a  
14 couple people from the audience that also wanted to  
15 comment, but I wanted to give members of us an  
16 opportunity if anyone else wanted to add in on this  
17 process.

18  
19 (No comments)

20  
21 MS. AHTUANGARUAK: Okay. Pat, did you  
22 still want to add to the discussion.

23  
24 MS. PETRIVELLI: One thing I wanted to  
25 say is David Jenkins is an anthropologist, so just for  
26 future reference. If you have questions of an  
27 anthropologist, just ask David and he's perfectly  
28 qualified. I don't know if you want my comments on --  
29 well, if you want to have the discussion about ANILCA  
30 and the authorizing legislation because it does get  
31 kind of muddled as we go through.

32  
33 But, yes, Gordon, as you go through it  
34 with -- when ANILCA was passed, the authorizing  
35 language has for the -- I think it's the social,  
36 cultural, economic and something use for Native people  
37 and then it has this socioeconomic and physical use of  
38 non-Native people. So Congress didn't make a  
39 distinction between Native and non-Native, that there  
40 were different types of uses amongst Native and non-  
41 Native people and they put the cultural part in there  
42 with Natives.

43  
44 Then the only thing -- but they did  
45 acknowledge the importance of using resources for  
46 subsistence for both groups of people because in rural  
47 areas of Alaska rural people need to eat food also and  
48 they use the resources to survive. So that's how both  
49 types of uses got recognized.

50

1 I think in this area of the state a lot  
2 of the C&T determinations -- like for the moose one, it  
3 says residents of Unit 26, plus Anaktuvuk Pass and  
4 Point Hope because they're at the edges of Unit 26,  
5 have a customary and traditional use of moose. Then  
6 the .804 criteria, when there was a shortage, it got  
7 restricted to just Kaktovik. So that's how those two  
8 processes work in Southeast Alaska because they adopted  
9 the determinations from the State of Alaska because  
10 there's so much interaction with an urban area right in  
11 the middle of Southeast.

12  
13 So in there the State had made  
14 distinctions for like residents of Sitka, residents of  
15 Kake, residents of this and no one else got a C&T  
16 determination. Say just on the next island over and  
17 people used commercial fishing boats and they traveled  
18 back and forth. So their C&T determinations are very  
19 restrictive. There's none that cover the whole region  
20 except for when the Southeast Council has made those  
21 determinations to be less restrictive, but then there's  
22 always someone saying, well, did you prove that they  
23 used that area. We all know the difficulties in  
24 proving use when people don't participate with licenses  
25 or if surveys aren't done all the time, so they have  
26 some frustration.

27  
28 That's just generally how this  
29 discussion came about. They just wondered couldn't it  
30 be less cumbersome. So when they asked -- when they  
31 thought of making it less cumbersome or even a regional  
32 basis, but rather than exploring, changing the whole  
33 thing, the Southeast Council wanted to hear from the  
34 other regions on what their thought was on how the C&T  
35 process worked and if it worked for them and if people  
36 are happy with the way it works for them, then  
37 Southeast will just try to figure out a way to make it  
38 work in their region without involving a wholesale --  
39 recommending a wholesale change to the process.

40  
41 But that's my only -- and I only got --  
42 I sat in on their subcommittee work, so I got to hear  
43 their discussions and I thought I'd just share a little  
44 bit with you.

45  
46 CHAIRMAN BROWER: Thank you, Pat. Dr.  
47 Yokel. I forgot to introduce you this morning. You  
48 must have been invisible. Dr. Yokel, you have the  
49 floor.  
50

1 DR. YOKEL: Thank you, Mr. Chair. I  
2 apologize for coming in a couple hours late. My name  
3 is Dave Yokel with the Bureau of Land Management. I  
4 was double booked for meetings this morning, so I was a  
5 couple hours late coming in. That's why I didn't get  
6 introduced.

7  
8 I just wanted to make one really quick  
9 comment on this C&T issue that's before you now and  
10 that's to remind you of something that occurred 20-plus  
11 years ago when this program was first instituted. When  
12 the Federal Subsistence Program first came into being.  
13 When it did, C&T determinations were adopted straight  
14 across from the State. Couldn't start with nothing, so  
15 they started with what the State had already put in  
16 place. There was no C&T determination for caribou up  
17 here at that time, so the situation then was kind of  
18 like what Southeast RAC wants now, no C&T  
19 determination. It's just open for all rural residents.

20  
21 Well, the North Slope is bisected by  
22 the Dalton Highway. We had people from as far away as  
23 Haines, which is on the highway system, driving up to  
24 the North Slope to hunt caribou under Federal  
25 subsistence regulations because they're rural residents  
26 and there was no C&T determination. We had GIs from  
27 Fort Greeley south of Delta Junction driving up to the  
28 North Slope to hunt caribou under the Federal  
29 subsistence regulations.

30  
31 So I don't know what's going to be done  
32 in this process. I'm sure it could be done more  
33 intelligently than it was back then and not that the  
34 folks weren't intelligent then, it's just that they  
35 were in a rush to put some regulations in place and  
36 that's what came out of it. For some of those who  
37 weren't aware of the program back then and what it was  
38 like when there were no C&T determinations, I just  
39 wanted to remind you of a few situations that we had  
40 that were problematic.

41  
42 Thank you.

43  
44 CHAIRMAN BROWER: Thank you, Dr. Yokel,  
45 for sharing that information.

46  
47 Any other comments.

48  
49 MR. SHEARS: Mr. Chairman.

50

1 CHAIRMAN BROWER: Yes, Robert.

2

3 MR. SHEARS: I'd like to bring the  
4 topic of customary and traditional use determination to  
5 a different framework. About six years ago Senator  
6 Stevens put through a bill. Let me go back further.  
7 1972, Alaska Native Interest Lands Claim Act, and, Pat,  
8 you could probably fill me in and clarify this, it's  
9 before my time, the local residents of the North Slope,  
10 well across Alaska, was allowed to make selections for  
11 Native allotments.

12

13 A number of parties who were currently  
14 involved in the Vietnam war did not get to participate  
15 in that and their allotment request never got received  
16 or adjudicated. Senator Stevens, about eight years  
17 ago, I guess, it's been a while, put through a bill,  
18 got it passed in Congress, that allowed the Department  
19 of Interior to go back and recognize those people that  
20 were left out of the land claim selection process for  
21 Native allotments, the Vietnam veterans who were  
22 currently overseas, to submit applications for land  
23 claims to establish 160-acre Native allotments on areas  
24 where they could prove that that property had a  
25 customary and traditional use determination associated  
26 with it.

27

28 Many of these Native veterans that  
29 applied for these properties were subsequently rejected  
30 because they could not prove customary and traditional  
31 use of those properties. There was no anthropologic  
32 evidence on these properties that suggested they were  
33 used in the past for customary and traditional  
34 subsistence use.

35

36 So it gets back to what I heard Mr.  
37 Nageak was saying, you know, the questioning. What  
38 establishes the envelope? What is the threshold for  
39 defining customary and traditional use? That's a  
40 question that weighs heavily on my mind as we're  
41 considering all of this because, honestly, I've been  
42 here on the North Slope for 16 years living a  
43 subsistence lifestyle, but what customary or  
44 traditional rights do I have to live this lifestyle.  
45 The question weighs heavily on my mind. I'd like to  
46 hear more on this subject.

47 CHAIRMAN BROWER: Any other comments.  
48 I wish we had our anthropologist. Maybe we wouldn't  
49 prolong the discussion. Robert. I just did that  
50 because I know we don't have one here, I don't think.

1 MS. AHTUANGARUAK: Dave is an  
2 anthropologist.  
3  
4 CHAIRMAN BROWER: Dave. Okay, I'm  
5 sorry. We do have one.  
6  
7 DR. JENKINS: Okay, I admit it.  
8  
9 MS. PETRIVELLI: I'll jump in as an  
10 anthropologist.  
11  
12 CHAIRMAN BROWER: Okay. And Pat.  
13  
14 MS. PETRIVELLI: One of the things  
15 about -- and Congress discussed this -- about the idea  
16 of individual and community and the Board discussed  
17 individual and community. The Park Service allows the  
18 individual stuff and they're just -- they have a whole  
19 bunch of legislation and we won't even go there, but in  
20 general the Federal Board recognizes communities and  
21 they don't go as far as individuals.  
22  
23 Even when Congress discussed it, they  
24 didn't really want to have proving of evidence of use  
25 that much because they recognized that there would be  
26 young men in each community and the community would  
27 have young people that have never hunted and just  
28 learning, so the Federal Board has always recognized a  
29 community's area of use or a community's use so that  
30 the young hunters would have that opportunity to be  
31 taught by their elders without proving past  
32 participation in the resource because they realized for  
33 it to be passed on -- and the people who testified  
34 before Congress said it was important to them that the  
35 subsistence way of life continues and Congress said,  
36 yes, Federal public lands should have a preference. If  
37 people in these rural communities want to continue a  
38 subsistence way of life, they should be allowed to  
39 continue that use and that use involves teaching young  
40 people who have no past experience.  
41  
42 So it's just the continued preference  
43 to use the resources to have subsistence. It's no  
44 one's right to have subsistence. It's just that the  
45 preference to continue to do subsistence. So there  
46 isn't that kind of requirement to show just because  
47 they recognized there would be young people and for  
48 subsistence communities it's important to teach those  
49 young people.  
50



1 CHAIRMAN BROWER: I'm starting to think  
2 back in terms of subsistence. When we were talking  
3 subsistence, I think if we took that word away and used  
4 the way of life, how would it alter the communications?  
5 I mean it's something that got brought into the English  
6 language to help identify people's way of living in  
7 rural areas. I'm just thinking out loud in terms of  
8 how specific words could change the meaning of a  
9 situation or conditions and use of resources and  
10 subsistence seems to be the key word. I have some  
11 difficulties about how that gets interpreted into areas  
12 of use and wildlife resources availability.

13  
14 I mean James brought on the discussion  
15 of how people from Anaktuvuk Pass and people from  
16 Wainwright and other areas, even from Barrow, were  
17 nomadic, following the resources. They weren't  
18 following the resources. The resources were not being  
19 waited on to be made available, to be taken. They  
20 followed the resources to wherever they went to take  
21 the resource there, following the seasons. So that's  
22 changed somewhat and again the language has changed  
23 over time to subsistence use to determine -- and  
24 categorizing different people and the use of the  
25 resources, so we have a little bit of difficulty  
26 sometimes in trying to use that term.

27  
28 Anyway, I thought I'd just state that  
29 and maybe I'll ask the Council to see if there's any  
30 further discussion on customary and traditional use  
31 determinations.

32  
33 MS. AHTUANGARUAK: Mr. Chair.

34  
35 CHAIRMAN BROWER: Rosemary.

36  
37 MS. AHTUANGARUAK: This is a very  
38 complex issue. It's really important for us to look at  
39 how it's going to be used in affecting decisions. It  
40 is important for us to look at the way that the changes  
41 have occurred. I have great hesitancy participating in  
42 the statewide meetings, looking at the various ways  
43 that units are being managed and the difficulty of  
44 continuing traditional cultural activities in these  
45 units, the reality of the changes that have come upon  
46 us.

47  
48 You know, I understand Bob's concerns.  
49 My mom was selected to be a nurse. Her Native  
50 allotment is out of Fairbanks and Denali Park and

1 subsistence hunting is restricted in that area. She  
2 was born and raised up here, but selected her and  
3 encouraged to become a nurse after the epidemics,  
4 losing her family. We did hunt and subsist in that  
5 area when we were young children living in that area  
6 until we found out that the land that we had our house  
7 on we could not drink the water that we had dug a well  
8 to use for our family's usage.

9  
10 We moved to Tacoma, Washington and we  
11 went to better schools down there. We were able to  
12 continue having our traditional foods because we had  
13 families that were still living in traditional lands  
14 and waters, hunting and harvesting. When the  
15 opportunity arose for them to interact with us, they  
16 brought us our foods. We would interact with other  
17 Native families within the area. Some from the North  
18 Slope area, some from other areas in Washington, but it  
19 was always a celebration of our foods and our lands and  
20 our waters and our language, singing our traditional  
21 songs and telling the stories of usage and how our  
22 generations have come to change.

23  
24 Coming back to the North Slope out of  
25 high school, watching the changes to our lands and  
26 waters up here, I had to learn how to prepare our  
27 traditional foods, but it's part of the life that I  
28 live and my children now continue to harvest in areas  
29 that are in Nuiqsut as well as my children are now  
30 harvesting here in Barrow since I've been back to  
31 Barrow these last four years. It is important for me,  
32 the value of our foods, especially when we were far  
33 away. You only had a few bites when we were feasting  
34 and yet those values are so important.

35  
36 My grandchildren love the black meat,  
37 the bearded seal and it was passed on from my mother to  
38 me through a complex way to come here and talk about  
39 the importance of customary and traditional use, but we  
40 can't let others determine the importance of this.  
41 It's our traditional and customary use. It's ways of  
42 life that's important to our families.

43  
44 In Nuiqsut, when multiple species are  
45 impacted, the changes that go to our families are  
46 devastating. The hardship when you don't have food in  
47 your ice cellars is a reality that brings a lot of  
48 change, of all the bad things that go on in  
49 communities. That's the importance of what we're  
50 discussing here. We can't let things happen that take

1 away and cause us to change as people and the bad  
2 things that happen with communities when we go without  
3 our traditional foods and our way of life.

4  
5 CHAIRMAN BROWER: Thank you for sharing  
6 that, Rosemary.

7  
8 David.

9  
10 DR. JENKINS: Mr. Chair. I just wanted  
11 to remind you that this is an action item on your  
12 agenda and you can take one of the Southeast Council's  
13 suggestions or develop one of your own or, as I hear  
14 the discussion, decide to continue thinking about this  
15 issue at a later date.

16  
17 Thank you.

18  
19 CHAIRMAN BROWER: Thank you for  
20 bringing that up. That's why I was kind of looking at  
21 the asterisk and I've been trying to identify if we  
22 needed to make a determination or if there's a timeline  
23 in terms of how the Federal Subsistence Boards are  
24 looking to give some leeway in terms of the discussion  
25 and what do we wish to do as a Council. Maybe document  
26 some of our own practices here that we've applied and  
27 sharing that. I mean in terms of how the agencies or  
28 Federal Subsistence Board is considering in making its  
29 determinations for the availability of a different  
30 resource.

31  
32 I have to reflect back on those things  
33 that we've been dealing with locally. There's so much  
34 of the outside influences that come about or are  
35 mentioned and we have to use our own experiences within  
36 our own communities that we've been dealing with and I  
37 think that's what I was trying to get at earlier in  
38 terms of when I was questioning you what kind of  
39 timeline or timeframe are we being subjected to to  
40 provide meaningful comments, you know.

41  
42 I think the example Dr. Yokel was  
43 providing earlier too is that we need to reflect back  
44 in terms of how these things were started and the  
45 things that led to ongoing for many years, but now  
46 there's a change in time in the structure of the  
47 Federal Subsistence Board as well. Maybe I'll stop  
48 here. Eva, are you wanting to comment. I see your  
49 finger ready to press the button over there.

50

1 MS. PATTON: No, Mr. Chair. I just  
2 wanted to reconfirm that the -- it's an action item.  
3 The Council can take whatever action it wishes. There  
4 is no deadline, no need to feel pressured to make any  
5 sort of decision at this time. The feedback that is on  
6 the record, the questions and concerns and bringing  
7 forth information that's important to the Council does  
8 inform the Board also and there is time to continue to  
9 deliberate, to think about it, get more information.

10

11 Gordon has requested assistance to the  
12 Council with analyses, trying to understand, as you  
13 have said, how this has worked, how it works in the  
14 North Slope region, you know, what it might mean to do  
15 away with it or to change it. So certainly the OSM  
16 Staff are here and can help provide that information if  
17 the Council wishes to continue deliberation on this  
18 through another meeting.

19

20 I just wanted to make that clear,  
21 there's no pressure, a specific timeline to make a  
22 decision just for the input of the Council.

23

24 CHAIRMAN BROWER: Thank you. I think  
25 those are good suggestions and recommendations. In  
26 regards to when do we -- when will we provide that  
27 analysis would be my question. An analysis to be  
28 considered and developed by Staff. When would the  
29 reply be brought forth and discussed for the Council or  
30 with the Council to learn more of in regards to the  
31 North Slope concerns in the process that we've been  
32 applying as well?

33

34 MS. PATTON: Mr. Chair. I can't speak  
35 to that timeline exactly. We would have to work at the  
36 office in particular with our anthropology staff. We  
37 do have a couple anthropology and social science staff  
38 on there for the Council to get that information back  
39 and then be able to deliberate on that. The earliest  
40 would be the next scheduled Council meeting.

41

42 CHAIRMAN BROWER: If we could identify  
43 it as an agenda item for that meeting, I think it would  
44 be appropriate for us to continue that discussion.  
45 Like I say, you can't learn everything overnight and  
46 try to make a decision tomorrow. I think it's going to  
47 take some time for us to make the appropriate  
48 determination.

49

50 Thank you.

1 I'd like to hear from the Council if  
2 there are any further comments on this matter.  
3  
4 MR. SHEARS: Mr. Chairman.  
5  
6 CHAIRMAN BROWER: Yes, Robert.  
7  
8 MR. SHEARS: Are you soliciting  
9 opinions from us then on the subject? I'm unaffected  
10 by the current interpretation of the ruling, the  
11 current ruling for customary and traditional use and  
12 the way it's liberally applied and managed by OSM. I  
13 don't feel any pressure to change it at this time. I  
14 am concerned that it could be under different  
15 management or under a different administration. The  
16 ruling could be applied differently, more stringently,  
17 and it could be impactful on us, but right now there's  
18 nobody that I participate in subsistence with in my  
19 communities that's currently impacted by the way it's  
20 interpreted.  
21  
22 I see no reason why we can't delay and  
23 continue to deliberate on this subject.  
24  
25 CHAIRMAN BROWER: Thank you for sharing  
26 that Robert. I didn't quite picture it in my own mind  
27 about what kind of timeline we were discussing and when  
28 did we need to decide. I just brought those comments  
29 out in terms of when would be the right time to make  
30 that decision. I wasn't sure because there's -- I  
31 mean, like I said, I used the North Slope Council  
32 because we're currently under that process right now  
33 and I'd like to see how it works out for us because  
34 it's still in the works in my mind and we'll get to  
35 learn a little bit more in terms of what gets  
36 identified through continuing that process.  
37  
38 MR. SHEARS: We've got a comment in the  
39 back of room.  
40  
41 CHAIRMAN BROWER: Come on up, Terry.  
42  
43 MS. AHTUANGARUAK: I don't know if he  
44 had finished.  
45  
46 CHAIRMAN BROWER: Who?  
47  
48 MS. AHTUANGARUAK: This guy.  
49  
50 CHAIRMAN BROWER: David?

1 MS. AHTUANGARUAK: Yeah. Were you  
2 finished?  
3  
4 DR. JENKINS: I'm done.  
5  
6 CHAIRMAN BROWER: Okay. Thank you.  
7 Terry.  
8  
9 MR. TAGAROOK: Good afternoon.  
10  
11 CHAIRMAN BROWER: Good afternoon.  
12  
13 MR. TAGAROOK: After listening to some  
14 of you explaining what customary and traditional use  
15 and who knows our customary and traditional use better  
16 than the people from each region. They know their  
17 resources, they know their land, the ocean. How many  
18 different agencies know our land use and traditional  
19 use and harvesting of our subsistence animals that we  
20 hunt to survive? In listening to the Southeast, I  
21 think they should have their own customary and  
22 traditional use for their own region.  
23  
24 It comes to my mind what is the  
25 definition of rural and urban. Up here we are rural,  
26 we are away from the hub zone, but down in Southeast  
27 it's different. They're in an urban area living a  
28 rural lifestyle, so that is something that needs to be  
29 looked into.  
30  
31 Like I've always said before, if you  
32 are going to make regulations or draft regulations,  
33 proposals, come to the people that are going to be  
34 impacted before making these rules and regulations. If  
35 you do and make them regulations without conferring  
36 with the people, we would be criminals because we are  
37 breaking your rules.  
38  
39 Looking at the documents of the early  
40 '60s, the season for hunting waterfowl was closed when  
41 they closed the season down in Southcentral or  
42 Southwest. By the time the ducks came up, we were  
43 taking them out of season. So our seasons for hunting  
44 different species of animal are different than other  
45 people and on the North Slope.  
46  
47 You need to consider this fact that all  
48 these animals -- I don't know where Anaktuvuk hunts  
49 this or that or Point Hope or Northwest area, but we  
50 have just one thing that we share. It's all up here in

1 our heads. We share the information where to hunt the  
2 sheep if you go to a different area, where to hunt the  
3 moose or the muskox, and people will ask don't go  
4 through that way. If you do, you won't come out. You  
5 know, that information is shared among all the people  
6 that live on the North Slope and Northwest and some  
7 places that our ancestors have walked.

8

9                   You know navigable waters. You got  
10 boating and when you hit shallow water, you walk  
11 through shallow water and that's still navigable. The  
12 definitions are very hard to understand. And if you  
13 want to know customary and traditional uses, ask the  
14 people that know the land and they know what is  
15 happening with the climate changing and everything.  
16 There's going to be some time when we have to adapt,  
17 like the walruses. The ice came and went and never  
18 came back and that's one year we were hurting for  
19 walrus like Teddy was saying. We were hurting. Now  
20 that global warming is happening you guys need to think  
21 ahead and plan ahead and make these regulations fit to  
22 each region, not just North Slope, but different  
23 regions. The whole state of Alaska.

24

25                   That is all I have to say and I hope  
26 you can understand what I'm saying.

27

28                   CHAIRMAN BROWER: Thank you, Terry, for  
29 sharing your comments and concerns. Any further  
30 discussion on customary and traditional use  
31 determination.

32

33                   MR. FRANKSON: Mr. Chair.

34

35                   CHAIRMAN BROWER: Teddy.

36

37                   MR. FRANKSON: On this one that they  
38 have us deciding whether or not it should be included  
39 in, I think it should be. It's just pretty much  
40 basically all the same with all the regions. You know,  
41 they all know their customary uses and we do. Around  
42 Point Hope we always share with what we have, but we  
43 also limit them to getting so much so we don't run out.  
44 This one I think would work even statewide, even with  
45 us, because that way they don't tell us we can't hunt  
46 grayling at this time of the year or we can't hunt  
47 seals at this time of the year, you know, things like  
48 that.

49

50                   So this one I think would help us in

1 the long run even though -- yeah, I think it would help  
2 us in the long run if we adopted this one to help. I  
3 would agree with this one.

4  
5 CHAIRMAN BROWER: Teddy, Rosemary is  
6 asking which one are you talking about?

7  
8 MR. FRANKSON: The Board will determine  
9 which fish and wildlife populations is the one we're  
10 talking about right now, this change.

11  
12 MS. AHTUANGARUAK: The eight?

13  
14 MR. FRANKSON: Yeah. I'm not sure we  
15 want to wait too much longer because, you know, next  
16 year they might change.

17  
18 MS. AHTUANGARUAK: I understand the  
19 discussion that's going on with all of this. My  
20 concern is the way that the decision-making process led  
21 to having to have us discuss this. Because of changes  
22 that have occurred throughout the state with multiple  
23 species and restrictions and increased regional units,  
24 it has made it very difficult for traditional cultural  
25 activities to occur in some areas of the state. When  
26 there are activities that are approved by the State or  
27 other activities such as industrial development, a road  
28 or a bridge put in that also impacts the continued  
29 traditional and cultural activities, when the State is  
30 looking to approve a project, some of our issues are  
31 left behind in priority of understanding in the  
32 decision-making process.

33  
34 Because of these issues, it's really  
35 important that we look at it further and have some good  
36 assessment and decide is this recommendation from the  
37 state the best recommendation we can use for us. There  
38 are some good points in it, but because of the  
39 fragmentation of units throughout our state and the  
40 concerns of continued changes to many regions, these  
41 are issues that we're going to have to face.

42  
43 I don't want the State saying that the  
44 importance for one of our young people to go to a  
45 funeral and not being able to take traditional foods  
46 for that process is a decision they should make. I  
47 think those are decisions that we already have criteria  
48 that we use as tribal people on how to do these types  
49 of activities and the importance of when our food  
50 should be used and how to maintain our sources.



1 There's other factors that are coming to us that are  
2 affecting the way our species are available for our  
3 traditional and cultural uses.

4

5 Putting in a big runway in Nuiqsut,  
6 outside of Nuiqsut, for Alpine changed the way caribou  
7 were accessible to the community of Nuiqsut. It wasn't  
8 what Nuiqsut was doing to harvest caribou, yet these  
9 criterias or some things are being used to affect the  
10 way decisions are occurring in other species in our  
11 state and that's very concerning. We need to look at  
12 it very carefully and decide what's best for us in our  
13 traditional way of life and to the future.

14

15 CHAIRMAN BROWER: Thank you, Rosemary.

16

17 MR. KAYOTUK: Mr. Chair.

18

19 CHAIRMAN BROWER: Lee.

20

21 MR. KAYOTUK: I would also like to see,  
22 you know, in the long run when it comes down to  
23 development, oil and gas or any industry on the North  
24 Slope that when it comes down to allotments that before  
25 anything happens like that the people that own the  
26 land, Native allotments, like should be notified or to  
27 make sure that their land is not destructed by any  
28 development of any kind. That that's their land and  
29 they're trespassing and they should know before any  
30 kind of structure or anything that happens on the land  
31 should be put in writing so at least they could know  
32 what's going on in their area.

33

34 Thank you.

35

36 CHAIRMAN BROWER: Thank you, Lee.  
37 Customary and traditional use determinations. As I  
38 indicated earlier, we don't have to make a decision  
39 right then and there today because of what I read in  
40 the agenda. It's again where we have time to consider  
41 what's before us. I don't think we have to make a real  
42 definitive action item on this subject. I think we  
43 could take time to adjust our communications and learn  
44 more about what's being considered here or being  
45 proposed here and consider that at a different time in  
46 terms of the approach that we'd like to take as a  
47 Council.

48

49 MR. G. BROWER: Mr. Chair.

50

1 CHAIRMAN BROWER: Yes, Gordon.

2

3 MR. G. BROWER: I think that's  
4 appropriate to do. I think there's a wide varying  
5 degree of understanding and there's a wide degree of  
6 concerns that warrant us to, you know, see what a  
7 change would do. What does it mean in terms of  
8 changing the customary and traditional use  
9 determination method or methodology or do away with it  
10 altogether and do something different?

11

12 I think in order to make a decision we  
13 need to be well informed of the consequences in making  
14 those determinations or those types of recommendations.  
15 The analogy that Mr. Shears put up a little earlier  
16 about the Vietnam vets and using the word customary and  
17 traditional use determination to an area that couldn't  
18 be proved. There's a wide variety of using the same  
19 kind of term. Say that we can't prove something, but  
20 we've eaten that resource for many years or our  
21 forefathers did and talked about it and we'd like to  
22 taste it once again, you know. That's some of the  
23 concerns.

24

25 I think having some analysis and some  
26 potential outcomes that we could see would benefit us  
27 in making some sort of informed decision.

28

29 Thank you, Mr. Chair.

30

31 CHAIRMAN BROWER: Thank you, Gordon.  
32 I've got a whole bunch to talk more, but I'm trying to  
33 keep quiet and trying to chair the meeting at the same  
34 time.

35

36 (Laughter)

37

38 CHAIRMAN BROWER: This is an important  
39 subject to cover, customary and traditional use  
40 determinations. We've got different interpretations as  
41 to how it's applied and translated into a name and  
42 terms sometimes is the most difficult thing because we  
43 have multiple determinations or definitions in  
44 customary and traditional practices that we need to  
45 consider. I don't think we could identify them all in  
46 one setting. So I think it's only appropriate that we  
47 defer to take any actions at this time.

48

49 If there's no further discussion, we  
50 can move on to our next agenda item if that's okay with

1 the Council. David.

2

3 DR. JENKINS: That's great. And I  
4 think one of things the Southeast Council wanted was  
5 the discussion to start again so that we start thinking  
6 collectively about what customary and traditional use  
7 refers to and what sort of changes would happen if we  
8 altered it to an .804 for your particular region. So I  
9 think the discussion is really what the Southeast  
10 Council was looking for.

11

12 So thank you very much.

13

14 CHAIRMAN BROWER: Thank you.

15

16 MR. J. NAGEAK: Mr. Chair.

17

18 CHAIRMAN BROWER: Yes, James.

19

20 MR. J. NAGEAK: I think one way that we  
21 can determine what the customary and traditional uses  
22 are with DNA.

23

24 (Laughter)

25

26 CHAIRMAN BROWER: Yeah, that's one  
27 process. Like I said, I had a lot of thoughts on  
28 different subjects as they were coming out and I  
29 refrained from making comments, but that customary and  
30 traditional use, even just of the land as you were  
31 talking to in terms of allotments, I see that changing  
32 over time because I've seen historical sites being  
33 washed away by a river system, eroding because of  
34 global climate changes, the conditions all around it,  
35 the ground conditions changing, the river shifting from  
36 one side of the banks to the other side and taking  
37 things away as we see in our daily life today, the  
38 storms that come about. The ocean caused a lot of  
39 erosion and flooding stages occurring.

40

41 So those things are -- I'm not sure if  
42 they're being considered in the sense that these are  
43 some of the shifting that's occurring as well within  
44 the customary and traditional uses of land sites that  
45 were identified and now the evidence has been washed  
46 away so to speak but the land remains in a different  
47 setting. It's not the original state when the person  
48 was using it 60 years ago. It's shifted a little bit  
49 if you look at the coastal areas and lake areas, the  
50 large lakes and then the river systems themselves. I

1 see a lot of shift and changing that has occurred over  
2 time, so I'm not sure how all that is being considered  
3 in the sense to prove that there was use of the land  
4 and the resources within that land. Like I said, I  
5 have some differing thoughts at times, but they come  
6 about with all the different discussion points.

7

8 So I think at this time I'd like to  
9 change the subject and go on to our next agenda item,  
10 but before that maybe we should ask for a 10-minute  
11 recess. Is that okay? And no smoking.

12

13 (Off record)

14

15 (On record)

16

17 CHAIRMAN BROWER: I'd like to call the  
18 North Slope meeting back to order after a short recess.  
19 We're down to agenda item 8(B). We've identified a  
20 consultation report by Jack Lorrigan. So, Jack. I'd  
21 like to let the Council know that Jack is going to be  
22 departing in the morning, so he's got another subject  
23 that we're probably going to cover tomorrow, but I'd  
24 like to have him bring it up as well. That would be on  
25 the consultation implementation guidelines. So that  
26 would be the second item he's going to cover. The  
27 first one is the consultation report.

28

29 Jack, you have the floor.

30

31 MR. LORRIGAN: Thank you, Mr. Chairman.  
32 First of all, I'd like to formally introduce myself to  
33 the Council. My name is Jack Lorrigan. I'm a Native  
34 liaison for the Office of Subsistence Management. I  
35 come from Sitka. I'm a tribal member with the Sitka  
36 Tribe of Alaska. I'm a former Regional Advisory  
37 Council member from the Southeast Council. I got my  
38 degree from Sheldon Jackson. Mr. Nageak and I  
39 discovered we're alumni. He knows some of the same  
40 people I know.

41

42 I worked for about 10 years as a  
43 biologist for the Sitka Tribe of Alaska, so I'm  
44 familiar from the tribal perspective the issues that  
45 the tribes are dealing with when they're dealing with  
46 the State and Federal government. My kids are also  
47 enrolled with the Sitka Tribe of Alaska. I'm a  
48 customary and traditional user. I have a power trawl  
49 permit. My intention is to go back to Sitka someday  
50 and go back into the lifestyle.

1 Right now my job is to bring culture to  
2 the table on your behalf. I'm Tsimshian, Tlingit and  
3 Haida by lineage, so I've got everything from Yakutat  
4 south pretty well covered. I'm coho, L'ooknax adi. My  
5 grandmother was Tsimshian. She was from the Metlakatla  
6 area. My grandmother that raised me was Haida, so all  
7 three tribes.

8  
9 My goal -- like I said, my job at the  
10 Office of Subsistence Management is to bring the  
11 culture to the table as much as I can, as much as I  
12 understand it, and the more I learn is the more I need  
13 to learn. That's where you come in as the teachers and  
14 educators to myself and everybody that I work with. My  
15 job is to also bring understanding of the Federal  
16 regulation side to your understanding as best I can.

17  
18 With that said, one of the jobs I've  
19 been doing is working on the consultation  
20 implementation guidelines. I've been working on it  
21 with Ms. Rosemary Ahtuanguaruak. Right now the  
22 implementation guidelines are still in draft form. We  
23 presented them before the Federal Subsistence Board at  
24 their last work session. In doing so, we discovered  
25 that we needed to round out some of the consultation  
26 descriptors better. For example, when the Board has  
27 their regulatory meetings and the tribes are there,  
28 what should consultation look like, how should it feel.  
29 If it's consultation, it should taste like it, feel  
30 like it, act like it, so we're still trying to round  
31 out the process so that the tribes and the Board have a  
32 meaningful dialogue when they're together.

33  
34 In conversing in this, we've discovered  
35 that we need to talk about it more. So we're going to  
36 have some more meetings with the implementation  
37 guideline workgroup and hopefully we'll have this ready  
38 for the Federal Subsistence Board April meeting. We'll  
39 give them an update in January. Right now that's the  
40 process we're working under. It's a draft and it leads  
41 me into what we're doing now.

42  
43 We had consultations last week with the  
44 North Slope and Northwest Regional Advisory Council  
45 regions. We invited the tribes and the corporations to  
46 call in. Since they happened last week, I typed up a  
47 report on how they went. Since the workbooks that  
48 you're using had already been printed, my report will  
49 have to be read into the record. So, with your  
50 indulgence, I'll go into that and get this in the

1 transcript, Mr. Chairman.

2

3 CHAIRMAN BROWER: Yes, continue.

4

5 MR. LORRIGAN: Tribal and ANCSA  
6 corporation consultation report for August 14, 2013.  
7 Consultations were held for tribes at 9:30 in the  
8 morning on August 14th. Sue Masica, Regional Director  
9 for the National Park Service, was present as a sitting  
10 Board member along with Jerry Berg acting for Geoff  
11 Haskett, the Regional Director for the U.S. Fish and  
12 Wildlife Service and a Board member. Chairman Tim  
13 Towarak and Board member Charlie Brower were both  
14 present via phone. There were various staff from the  
15 Federal agencies in the room or had called in to listen  
16 in. We had one tribal member that actually made it to  
17 the meeting that was in the room with us and then we  
18 had three villages call in on the various proposals.

19

20 Some of these proposals are not from  
21 your area, but I'm going to read and demonstrate that  
22 they did participate, they did have comment and that  
23 they did have concerns on some of the proposals. A  
24 representative from Fort Yukon was first to comment on  
25 Proposal 14-50, I believe is one of yours you're going  
26 to be taking up, which is to allow taking of brown bear  
27 over bait. His statements were the proposal would  
28 legalize an activity already being practiced. People  
29 are in the woods as much as they used to be and there  
30 seems to be lots of bears of both species in their  
31 area. The OSM conclusion was to oppose the proposal  
32 because the most current population data that they're  
33 working with is 20 years old. The caller agreed that  
34 the population data needed to be updated.

35

36 This caller also commented on WP14-51,  
37 which is to rescind the Arctic Village sheep management  
38 area closure. This caller feels the proposal is good  
39 to keep as there were problems with trespassing,  
40 littering on Native allotments. They didn't feel the  
41 idea of a half-hour class on protocol was adequate  
42 enough to alleviate the problems. He knows about the  
43 low harvest numbers being reported from the area and  
44 thinks some people are harvesting without permits and  
45 that the use of sheep is underreported.

46

47 The OSM preliminary conclusion was that  
48 they reported there seems to be enough sheep for other  
49 harvest; however, the cultural aspect of this hunt has  
50 carried significant weight with the Board, which is why

1 the OSM conclusion is to oppose this proposal as well.  
2 The caller said that they would look into whether the  
3 current closures allowing for local residents to better  
4 access sheep because one of the original complaints was  
5 that non-local hunters flying in and camping near the  
6 hunting area drove the sheep higher and made them  
7 inaccessible.

8

9 The caller also had comments for WP14-  
10 48, which is to close portions of Unit 25A to the  
11 taking of moose except by rural residents of Arctic  
12 Village, Venetie, Chalkyitsik and Fort Yukon. The  
13 caller believed there was a sound reason for this  
14 request. OSM conversed extensively with Refuge staff  
15 in this area and concluded there was an adequate number  
16 of bull moose in the population to oppose the proposal  
17 and they said that other restrictions apply to non-  
18 rural hunters and not the local hunters, for example  
19 the cutting of antlers.

20

21 A caller from the Native Village of  
22 Tanana supported the Fort Yukon stance on Proposal 14-  
23 50, which is a brown bear over bait, and also supported  
24 Proposal 14-44, which is to extend the season in Unit  
25 20F to the end of September. This caller felt that  
26 climate change is a factor in the quality of harvested  
27 meat, that harvesting later in September would allow  
28 for the hanging of moose meat in cooler temperatures  
29 and keep it from spoiling. OSM conclusion is to  
30 support this proposal and there does not appear to be a  
31 conservation concern.

32

33 A caller from Kotzebue wanted to  
34 comment on Proposal 14-40 to remove the permanent  
35 requirement for brown bear registration. They stated  
36 that only a permit in the National Parks was needed and  
37 he'd like to see the need for more paperwork  
38 eliminated. OSM Staff concluded this would not align  
39 Federal and State requirements, but misalign them even  
40 more. The preliminary conclusion is to support the  
41 proposals with modifications. This analyst would go  
42 into more details before the Regional Advisory Council  
43 in Kotzebue and explain to them why he went with the  
44 proposal he did.

45

46 WP14-01, to require labeling and  
47 checking of traps as a statewide proposal. It was also  
48 commented on by this caller that they feel it's not  
49 appropriate for their area and it is not a problem in  
50 their area. There was other support from other callers

1 on this proposal. Callers from the Yukon-Kuskokwim  
2 area called in to request another consultation time for  
3 their area and this is currently being scheduled.

4  
5 The consultations then went on into  
6 rural determination and here are some of the comments  
7 from that. OSM Staff gave an overview of the Board's  
8 request for public comment on the rural determination  
9 criteria. The comments were there needs to be a rule  
10 that allows tribal folks to return to their villages to  
11 gather subsistence foods. Economic factors driving to  
12 the cities, but they still need to access their  
13 traditional foods. There should be a Native priority.

14  
15  
16 OSM Staff stated that a Native priority  
17 has to come from the Congress to modify ANILCA. The  
18 Board is only able to address the criteria for  
19 determination. They will then send the recommendations  
20 on to the Secretaries of the Interior and Agriculture  
21 for their action or no action. AFN could help champion  
22 this action. The member from Kenaitze stated that  
23 their area has hardships with the nonrural status as it  
24 proves difficult for them to subsist. They have to  
25 apply for Federal and State grants to assist their  
26 constituency in getting by. They will have a stronger  
27 position at the September 11th consultation when their  
28 tribal members are able to attend.

29  
30 There was concern about the 2,500  
31 threshold. Unless a community is connected by a road  
32 system, they should remain rural. A discussion about  
33 Native preference would have to go before Congress and  
34 the population number criteria should be modified. One  
35 caller requested that the highest population be  
36 eliminated and go with other characteristics to define  
37 rural. He feels the population numbers are an  
38 arbitrary means of determination. Another caller  
39 requested a Native preference for subsistence need, but  
40 that again has to go through the Congress. Another  
41 caller stated that in ANILCA it only defines or  
42 mentions rural, not nonrural. Why is that part of the  
43 dialogue. There was some discussion on that.

44  
45 The Kenaitze Tribe had conducted their  
46 own needs assessment, which helped them define the  
47 subsistence use, schooling, employment and medical  
48 needs. This could be used to help the Board make a  
49 recommendation. Sue Masica, the Board member that was  
50 present, was interested in this information and she



1 requested them to forward it on to the Staff at OSM.  
2 The Board could use that information to show how  
3 different Kenaitze is from the rest of the Kenai  
4 population.

5  
6 The tribal consultation concluded and  
7 Sue Masica gave an oral report back to the participants  
8 so that everything in the consultation we covered so to  
9 make sure that everything was captured. That  
10 consultation concluded and then we moved on to the  
11 ANCSA corporation consultations that started at 1:30 in  
12 the afternoon. Pretty much everybody that was present  
13 for the tribal consultations were present. The tribes  
14 were invited to call into that consultation also.

15  
16 Three corporations called in but  
17 provided no comment on the proposals. Two tribes also  
18 called in represented on the call. OSM provided an  
19 overview summary of the proposals under consideration  
20 during the cycle that affected Northwest Arctic and  
21 North Slope regions and statewide proposals. Most of  
22 the participants on the telephone indicated they were  
23 only listening to gain information and did not have  
24 specific comments or questions at that time.

25  
26 The Native Village of Nuiqsut did call  
27 in and they raised concerns regarding -- and I heard  
28 that this morning -- was the potential impacts of  
29 subsistence hunting for caribou, moose in the vicinity  
30 of the Colville River by aircraft flying in the area.  
31 Rural residents have experienced having to go further  
32 to obtain their caribou and moose and the question was  
33 posed whether there's anything the Federal Subsistence  
34 Board can do in this circumstance.

35  
36 Myself and Crystal Leonetti agreed to  
37 speak with those residents to find out if there's a way  
38 to resolve this. The Board doesn't have jurisdiction  
39 over air traffic. We have to find out who does. So  
40 that concluded as there was no comment on the proposals  
41 and then we moved into rural determination process.

42  
43 OSM Staff opened the session with a  
44 brief overview of the history and current outreach  
45 process the Board is conducting on the rural  
46 determination criteria. Some of the comments received  
47 is need for the Board to consider possible changes in  
48 the population threshold and for the Board to be  
49 mindful of local subsistence practices and schedules  
50 when planning the public meetings seeking comment. The

1 Board member Sue Masica also concluded the meeting with  
2 an overview of what was captured during that  
3 consultation.

4

5 These consultations occurred on August  
6 14th for the two most northerly regions because you  
7 guys are going to start hunting for caribou and whales  
8 soon. September 11th is when we're having the  
9 consultations for the rest of the regions, the other  
10 eight regions. That concludes this report.

11

12 CHAIRMAN BROWER: Questions or comments  
13 from the Council. Gordon.

14

15 MR. G. BROWER: Would you elaborate on  
16 14-53. There's a preliminary conclusion for OSM to  
17 oppose.

18

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

20

21 CHAIRMAN BROWER: Yes, Eva.

22

23 MS. PATTON: Jack was just reporting on  
24 the proposals that tribes had called in to comment on,  
25 so some of the proposals he covered are not for the  
26 North Slope region. They were other regions. So we  
27 haven't covered 14-53. The tribal consultation at this  
28 point was to provide input from the tribal feedback,  
29 but we'll be getting into the wildlife proposals now  
30 and Tom Evans will be going through the analyses for  
31 each one of these proposals, both the ones the Council  
32 submitted and others that were submitted for the North  
33 Slope region.

34

35 MR. LORRIGAN: Mr. Chairman. This was  
36 to give the council an idea of the feedback from the  
37 tribes who did choose to participate.

38

39 CHAIRMAN BROWER: Thank you.

40

41 MR. J. NAGEAK: Mr. Chair.

42

43 CHAIRMAN BROWER: James.

44

45 MR. J. NAGEAK: You mentioned something  
46 about the population determination was 20 years old.  
47 If you get the new numbers, do you have any idea how  
48 those numbers are going to affect the areas?

49

50 MR. LORRIGAN: Through the Chair.....

1 MR. J. NAGEAK: I thought you mentioned  
2 20 year old numbers on determining and how those new  
3 numbers are going to be affecting some areas, I'm sure.  
4 Do you have any idea where those would be?  
5  
6 MR. LORRIGAN: Mr. Nageak, the 20-year-  
7 old data I was referring to was for Proposal 14-50 on  
8 moose.....  
9  
10 MR. J. NAGEAK: A lot of moose?  
11  
12 MR. LORRIGAN: .....or on brown bears  
13 over bait. I didn't.....  
14  
15 MR. J. NAGEAK: Oh, I thought it  
16 included every -- the area that we were.....  
17  
18 MR. LORRIGAN: No, sir.  
19  
20 CHAIRMAN BROWER: Specific to one  
21 proposal.  
22  
23 MR. LORRIGAN: Yes, sir.  
24  
25 CHAIRMAN BROWER: Did you hear what I  
26 said? It's specific to one proposal.  
27  
28 MR. J. NAGEAK: Yeah. Okay, now I  
29 know.  
30  
31 CHAIRMAN BROWER: Any other comments or  
32 concerns.  
33  
34 (No comments)  
35  
36 CHAIRMAN BROWER: If not, Jack, we can  
37 move on to your next agenda item, draft tribal  
38 consultation implementation guidelines.  
39  
40 MR. SHEARS: Mr. Chairman. At this  
41 time could I request an absence for about 30 minutes.  
42 I'll be right back.  
43  
44 CHAIRMAN BROWER: Yes.  
45  
46 MR. SHEARS: I'll have Lee fill me in.  
47  
48 CHAIRMAN BROWER: Yes.  
49  
50 MR. SHEARS: Thank you.

1 MR. LORRIGAN: Mr. Chairman. I'll go  
2 over that again. The consultation update, speaking  
3 specifically to the consultation implementation  
4 guidelines that the Board was going to take and adopt  
5 for the OSM Staff and particularly me, right now that's  
6 still in draft form. Ms. Ahtuanguaruak and I and  
7 several other members of tribal and corporate  
8 representation and Federal staff are working on that  
9 and we're going to be working on it monthly until we  
10 get it finalized and hopefully present it to the Board  
11 in April.

12  
13 CHAIRMAN BROWER: Thank you. I must  
14 have been listening too hard and it just went right  
15 past me.

16  
17 MR. LORRIGAN: Mr. Chairman. With  
18 that, after the Board accepts these guidelines, then  
19 the workgroup will turn its attention to the ANCSA  
20 consultation policy and their implementation  
21 guidelines.

22  
23 CHAIRMAN BROWER: So that's forthcoming  
24 yet.

25  
26 MR. LORRIGAN: Yes, sir.

27  
28 CHAIRMAN BROWER: Thank you.

29  
30 Thank you for your presentation, Jack,  
31 and safe travels back home.

32  
33 MR. LORRIGAN: Thank you, Mr. Chairman.

34  
35 (No comments)

36  
37 CHAIRMAN BROWER: Moving on with our  
38 agenda item. We have next under new business agenda  
39 item 9, wildlife regulatory proposals. The asterisk is  
40 indicated there. The asterisk identifies action items.  
41 So we'll hear their introduction of the proposal to be  
42 considered here. Tom Evans will be introducing the  
43 proposals. I have to get my magnifying glasses out so  
44 I could read this small presentation procedures for  
45 proposals.

46  
47 (Laughter)

48  
49 CHAIRMAN BROWER: Okay, Tom, you have  
50 the floor. Go ahead.

1 MR. EVANS: Thank you, Mr. Chairman,  
2 members of the Council. I'm going to present a brief  
3 summary of each of the proposals and after each  
4 proposal I guess that will be the time that you'll make  
5 a decision on what the action the board will do.

6  
7 I'm going to start off with Proposal  
8 14-01, which is a statewide proposal, and then I'll go  
9 and present the proposals for the North Slope and then  
10 I'll finish up with the proposal for the Red Sheep and  
11 Cane Creek one, which is actually in Unit 25A, but  
12 because Arctic Village is more associated with the  
13 North Slope that's why we're bringing that up at this  
14 meeting as well even though it isn't in the North Slope  
15 region per se, this proposal.

16  
17 Proposal WP14-01 was submitted by Kevin  
18 Bopp of Nome and requests the establishment of new  
19 statewide provisions for Federal trapping regulations  
20 that require trapper identification tags on all traps  
21 and snares, establish a maximum allowable time limit  
22 for checking traps, and establish a harvest/trapping  
23 report form to collect data on non-target species  
24 captured in traps and snares.

25  
26 The proposed requirements could lead to  
27 more humane trapping  
28 methods under Federal regulations; however, these  
29 regulatory provisions would not likely be manageable on  
30 a statewide basis due to vast differences in land  
31 ownership, population concentrations and habitats.

32  
33 Regulations of this nature would be  
34 better suited in response to issues on an area-specific  
35 basis, for example  
36 Kenai National Wildlife Refuge special use permits,  
37 like similar restrictions currently in State and  
38 Federal trapping regulations. Alignment would require a  
39 substantial increase in law enforcement  
40 and public education efforts, also requiring trappers  
41 to check traps during inclement weather could lead to  
42 health and safety issues. In many instances, Federally  
43 qualified subsistence users could simply trap under  
44 State regulations to avoid the additional proposed  
45 Federal restrictions.

46  
47 While the information gathered from a  
48 harvest report form of non-target species caught in  
49 traps and snares could provide useful information, it  
50 would be an unnecessary requirement for Federally

1 qualified subsistence users. The report would require  
2 additional time commitments for Federally qualified  
3 subsistence users and Federal staff which currently are  
4 unwarranted. Similar reports would be more useful in  
5 areas with specific issues with the capture of  
6 non-target species, such as areas where there are  
7 threatened or endangered species or significant  
8 user-conflict issues.

9

10 The preliminary conclusion from OSM is  
11 to oppose the statewide Proposal WP14-01.

12

13 CHAIRMAN BROWER: Thank you, Tom. The  
14 next one is agency comments. Do we have anyone from  
15 Alaska Department of Fish and Game.

16

17 MS. YUHAS: Thank you, Mr. Chairman.  
18 This is Jennifer Yuhas and I'm here by teleconference  
19 rather than in person since you have a barge in town.  
20 I was a little disappointed about that. So, sorry I'm  
21 just on the teleconference.

22

23 The proposal before you would be a  
24 statewide regulation. The Department does have trap  
25 marking requirements, but they are not statewide and if  
26 adopted this proposal would be more restrictive than  
27 what the State has and that is the extent of our  
28 comments, Mr. Chairman.

29

30 CHAIRMAN BROWER: Thank you, Jennifer.  
31 Okay, with my magnifying glasses I see Federal  
32 agencies. Do we have any other comments on this  
33 Proposal WP14-01 from any other Federal agencies.

34

35 (No comments)

36

37 CHAIRMAN BROWER: No hands raised.  
38 Native, Tribal or village comments.

39

40 (No comments)

41

42 CHAIRMAN BROWER: No hands raised.  
43 Interagency Staff Committee comments.

44

45 (No comments)

46

47 CHAIRMAN BROWER: Advisory group  
48 comments.

49

50 (No comments)

1 CHAIRMAN BROWER: Neighboring Regional  
2 Councils.  
3  
4 (No comments)  
5  
6 CHAIRMAN BROWER: Local fish and game  
7 advisory committees.  
8  
9 (No comments)  
10  
11 CHAIRMAN BROWER: National Park Service  
12 Subsistence Resource Commission.  
13  
14 (No comments)  
15  
16 CHAIRMAN BROWER: No hands raised. I  
17 can't see anybody on the teleconference, so I hope  
18 somebody caught that.  
19  
20 MS. PATTON: Mr. Chair. If we could,  
21 maybe we could just check in with teleconference folks  
22 and see who is online there.  
23  
24 CHAIRMAN BROWER: Okay. Can we have a  
25 roll call as to who is all online at this time, please.  
26  
27 MR. SHARP: This is Dan Sharp with BLM.  
28  
29 MS. LENART: Beth Lenart from Fish and  
30 Game in Fairbanks.  
31  
32 MR. MILLS: Dave Mills with the Park  
33 Service in Anchorage.  
34  
35 MR. BROOKS: Jeff Brooks in Anchorage  
36 with the Office of Subsistence Management.  
37  
38 MS. INGLES: Palma Ingles with OSM.  
39  
40 TAYLOR: Taylor (indiscernible).  
41  
42 MS. OKADA: Marcy Okada, National Park  
43 Service in Fairbanks.  
44  
45  
46 CHAIRMAN BROWER: I hope that's  
47 everybody. Thank you. Dan Sharp. There was a little  
48 noise in the background as he was making his  
49 introduction. Thank you. We're down to number 3(c)  
50 National Park Service Subsistence Resource Commission.

1 (No comments)

2

3 CHAIRMAN BROWER: No one present there.  
4 No comments on the proposal. We'll move to number 4,  
5 summary of written comments.

6

7 (No comments)

8

9 CHAIRMAN BROWER: I'm not sure who's  
10 supposed to be reading the written public comments.  
11 Eva.

12

13 MS. PATTON: Mr. Chair. I could read  
14 the comments for you or summarize the comments. There  
15 were two public comments that were submitted for this  
16 proposal. You'll find those on Page 41. One was  
17 submitted by AHTNA Inc., their Customary and  
18 Traditional Use Committee. They oppose Proposal  
19 WP14-01 and identify that it will be cumbersome,  
20 unnecessary and burdensome for Federally qualified  
21 trappers to have constraints placed upon them to have  
22 to put identification tags on snares and traps and to  
23 check traps and snares every six days. Incidental  
24 catch of non-target species and reporting it is good,  
25 and should be done voluntarily  
26 by trappers. Traps and snares should only be checked  
27 if weather conditions are safe to check snares and  
28 traps. In rural areas, temperature conditions can be  
29 minus forty to fifty for three consecutive weeks. It  
30 would be unsafe to have regulations in place stating  
31 that snares and traps must be checked every six days.  
32 That was Ahtna Inc., their Customary and Traditional  
33 Use Committee.

34

35 We also have a comment from Miki and  
36 Julie Collins from Lake Minchumina, which is back side  
37 of Denali on the Upper Kuskokwim area. They have  
38 written to oppose Proposal WP14-01. They says with  
39 kind personal regards to Kevin Bopp, who was the  
40 proponent who submitted this proposal. They say with  
41 kind regards to Kevin Bopp, who gave us one of the best  
42 lead dogs we ever had, I strongly disagree with this.

43

44 Trap tags might work for short  
45 traplines, but when you run 80 miles of traps, tags for  
46 every trap would be very onerous and also subject to  
47 loss when an animal is caught. The time limit proposal  
48 is utterly unworkable for many people. It usually  
49 takes us 10-12 days by dog team to make the round trip  
50 of up to 130 miles to check our traps. If we had to



1 check every trap every six days, we would have to cut  
2 the length of our line in half, which would eliminate  
3 the most profitable distant areas, cutting profit more  
4 than in half. We'd also be forced to travel even when  
5 it was not safe, e.g. -60 degrees or blowing in excess  
6 of 50 miles per hour.

7

8                   Additionally there are times travel is  
9 physically impossible  
10 due to flooding, bad ice or other hazards. That s why  
11 previously proposed time limits have never been  
12 established. This becomes even more unworkable for  
13 fly-in pilots for whom travel in weather extremes can  
14 quickly prove fatal. Neither of these even actually  
15 directly address the mentioned problem of trapping near  
16 settlements and highways.

17

18                   Again, that was Miki and Julie Collins  
19 from Lake Minchumina.

20

21                   CHAIRMAN BROWER: Thank you, Eva. Down  
22 to number 5, public testimony.

23

24                   Anybody from the public wanting to  
25 testify on Proposal WP14-01.

26

27                   (No comments)

28

29                   CHAIRMAN BROWER: No comments. Number  
30 6, Regional Council recommendation, always a positive  
31 motion. What's the wish of the Council at this time.

32

33                   MS. AHTUANGARUAK: So we need to make a  
34 motion to approve the proposal to open it for  
35 discussion or we can just.....

36

37                   CHAIRMAN BROWER: It can be approved or  
38 disapproved.

39

40                   MS. AHTUANGARUAK: I'd like to oppose  
41 this proposal and get into further discussion.

42

43                   CHAIRMAN BROWER: Motion on the floor  
44 to oppose the proposal.

45

46                   MR. J. NAGEAK: I'll second the motion.

47

48                   CHAIRMAN BROWER: Seconded. Further  
49 discussion.

50

1 MS. AHTUANGARUAK: The justification is  
2 that it would be an undue hardship to our Federal  
3 subsistence users to add on a requirement to do so.  
4 Our extreme temperatures are extreme variety and  
5 terrain and the distances that our trappers use in  
6 traveling to do their trapping and the lack of  
7 enforceability up here to go out and do this process  
8 would not be good for us. It would put additional risk  
9 on our Federal subsistence users to have a time limit  
10 to try to get out. It would make it unsafe for them  
11 with our conditions and our weather and the  
12 environment.

13  
14 It also shows that we really work hard  
15 with educating our people on the process of trapping  
16 and hunting and the ways to do so and doing so in a  
17 safe manner. The traditional knowledge and sharing  
18 this with our generations continue the harvesting and  
19 trapping into the future. We work really hard to make  
20 sure that we educate our young people in this process.

21  
22  
23 It could cause other factors to affect  
24 activities by causing them to go out and have to put in  
25 extra time to meet this requirement. They wouldn't be  
26 available to go out and do other additional subsistence  
27 activities around this because of the time they would  
28 need to meet this requirement and that would be  
29 detrimental to our subsistence users. So that's why I  
30 oppose this regulation.

31  
32 CHAIRMAN BROWER: Any further  
33 discussion by the Council.

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

36  
37 CHAIRMAN BROWER: Gordon.

38  
39 MR. G. BROWER: Yeah, I think, you  
40 know, the provisions we have for trapping are good  
41 enough. If you look at least up here and the way  
42 trapping is traditionally done, you know, there's  
43 people that have areas and it's always kind of like  
44 you're a good neighbor and you don't infringe on  
45 somebody else's trapping area because you know who  
46 traps there or invited to trap in an area already  
47 occupied by a trapper. It limits conflict. So we have  
48 our own kind of accountability on who's doing what  
49 where, but having to start putting names, tags,  
50 identification and say you've got to be out there four

1 days from now, you know, that's -- a trapper knows  
2 his business and he puts only the amount of traps he  
3 can do. He doesn't go all around infringing on putting  
4 a trap -- oh, Harry's got a trapline over there, oh,  
5 he's got a good spot, I'm going to put a trap on the  
6 other side of his trap. That's a cardinal sin. You  
7 know, you can't do that. Some of these are old  
8 traditional laws that we hear about handed down.

9

10 Just for the sake of these kind of  
11 dialogue I would just oppose this thing. Trappers are  
12 opportunistic. They go out there when it's a good time  
13 to do the right things and harvest those furs that are  
14 in their area. Other than the wolf hunters that just  
15 go all over the whole world. That's about it.

16

17 MR. J. NAGEAK: Mr. Chair.

18

19 CHAIRMAN BROWER: James.

20

21 MR. J. NAGEAK: I would include -- you  
22 said he knows where to go. We have trappers in  
23 Anaktuvuk that are she, so she knows where to go.

24

25 (Laughter)

26

27 CHAIRMAN BROWER: Thank you, James.  
28 Any further discussion on the motion to oppose Proposal  
29 WP14-01.

30

31 (No comments)

32

33 MR. J. NAGEAK: Call for the question.

34

35 CHAIRMAN BROWER: The question has been  
36 called on the motion to oppose WP14-01. All in favor  
37 of the motion signify by saying aye.

38

39 IN UNISON: Aye.

40

41 CHAIRMAN BROWER: Opposed say nay.

42

43 (No opposing votes)

44

45 CHAIRMAN BROWER: None noted. Thank  
46 you.

47

48 Tom, next proposal, please.

49

50 MR. EVANS: Okay. The next proposal is

1 WP14-52. This was submitted by the North Slope  
2 Subsistence Regional Advisory Council and requests that  
3 the requirement for a State registration permit to  
4 harvest brown bears in Unit 26A be eliminated.

5  
6 I would ask that you guys -- this is  
7 kind of a complicated proposal because it's kind of got  
8 semantics in it, so if you guys could turn to Page 63  
9 and have that table so you could see that table because  
10 that really helps kind of clarify some of the issues  
11 surrounding this proposal.

12  
13 The proponent requests eliminating the  
14 requirement for a State registration permit to harvest  
15 brown bears in Unit 26A in order to align State and  
16 Federal regulations. Additionally, the proponent  
17 states that removing the permit requirement would ease  
18 confusion about hunting regulations for communities  
19 that hunt on Federal lands in the unit, allowing for  
20 more opportunistic harvest without having to possess a  
21 State permit for such harvest.

22  
23 A note here is that removal of the  
24 State registration permit requirement for subsistence  
25 harvest of brown bears in Unit 26A would cause Federal  
26 and State regulations to become misaligned as harvest  
27 under State subsistence regulations requires the use of  
28 a State registration permit.

29  
30 The following information -- again,  
31 this is the information on the table. The following  
32 information compares the requirements of subsistence  
33 versus general State regulations. I'd like to thank  
34 actually.....

35  
36 MS. PETRIVELLI: Pat.

37  
38 MR. EVANS: Pat. Sorry. For bringing  
39 this up at an earlier meeting because it really helps  
40 clarify the issue. For subsistence hunting, the meat  
41 must be salvaged for human consumption. For general  
42 hunting provisions, the meat need not be salvaged. For  
43 subsistence hunting, no tag is required, but you must  
44 register to hunt. For the State, you have to see the  
45 units for the seasons. The hide and skull need not be  
46 sealed under subsistence hunting regulations unless  
47 removed from the subsistence area or presented for  
48 tanning. If the sealing is  
49 required, it must be completed by an authorized sealing  
50 agent at the time of sealing. At this time, the skin

1 of the head and front claws are removed and kept by  
2 Alaska Fish and Game. Under the general hunting  
3 provisions, the hide and skull must be sealed by an  
4 authorized sealing agent statewide. Under the  
5 subsistence, there's no use of aircraft allowed in  
6 Units 21D, 22, 23, 24, and 26A. You can look under the  
7 unit regulations for the seasons and the dates for  
8 those particular areas.

9

10 In 1992, the Federal Subsistence Board  
11 adopted regulation mirroring the State s regulations  
12 with regard to the use of subsistence registration  
13 permits for brown bear in Unit 26A.

14 The Alaska Board of Game established two brown bear  
15 management areas in the state, one in western Alaska  
16 and one in northwestern Alaska, which included Unit  
17 26A. These were areas of the state where the use of  
18 brown bears for human consumption had been found to  
19 occur at significant levels. Regulations adopted by  
20 the State provided subsistence users a liberalized  
21 harvest limit of one bear per year, an extended season  
22 and elimination of the resident brown bear tag  
23 requirement. All edible meat was required to be  
24 salvaged. Sealing requirements were eliminated if the  
25 skin and skull of a harvested bear were not taken from  
26 the designated hunt area. An additional prohibition  
27 precluding the use of aircraft  
28 to hunt or take brown bears under subsistence  
29 regulations was also adopted for the northwestern bear  
30 hunting area.

31

32 In 2007, the Board adopted Proposal  
33 WP07-60 which aligned the State and Federal seasons to  
34 July 1st to May 31st. In 2012, the Board adopted  
35 Proposal WP12-82 which aligned the State and Federal  
36 season to a year-round hunt.

37

38 The biological information behind this.  
39 The State management goals for brown bears in Unit 26A  
40 are to maintain a brown bear population of  
41 approximately 800 bears per year, to monitor the  
42 harvest rate and to minimize adverse interactions  
43 between bears and people.

44

45 In 1995, a population survey of brown  
46 bears in the coastal plain, foothills and mountains of  
47 Unit 26A was 1,007 bears. There hasn't been a real  
48 complete survey since then, but recent reports by pilot  
49 and hunters and increased number of reported bear  
50 encounters on the coastal plain suggest that brown

1 bears populations may have increased.

2

3 The State subsistence registration  
4 permit has been required by Federally qualified  
5 subsistence users since the early 1990s. The average  
6 annual harvest of brown bears between 2000 and 2010 was  
7 23. The harvest continues to be well below the  
8 allowable harvest of a sustained yield calculation of  
9 approximately 51 bears per year in Unit 26A.

10

11 Other alternatives were considered.  
12 One alternative considered was to replace the State  
13 subsistence registration permit with a Federal  
14 registration permit. However, this would require the  
15 hunters to have both a State and Federal permit,  
16 depending upon the land status of the area in which  
17 they are hunting on. So if they were hunting on State  
18 land, they would need a State permit. If they were  
19 hunting on Federal land, they'd need a Federal permit.

20

21 If the Proposal WP14-52 were adopted,  
22 it would not provide for a brown bear harvest reporting  
23 mechanism in Unit 26A.

24 Eliminating the requirement for a State subsistence  
25 registration permit for Federally qualified subsistence  
26 users would effectively eliminate the ability of either  
27 the State or the Feds to track the harvest of brown  
28 bears. We feel that maintaining a harvest reporting  
29 requirement is important for documenting the harvest  
30 and population trends and helps ensure the long-term  
31 conservation of bears in the region.

32

33 Eliminating the State subsistence  
34 registration permit could also potentially result in  
35 increased harvest because there would no longer be a  
36 reporting requirement. Currently there is no sealing  
37 requirement in Unit 26A under the State subsistence  
38 regulations unless removes from Unit 26A or presented  
39 for commercial tanning

40

41 So basically it comes down to two  
42 options. If you oppose the permit, it would require  
43 sealing of the bears. If you support the proposal,  
44 then the State registration permit would remain in  
45 effect.

46

47 OSM's preliminary conclusion for this  
48 is to support Proposal WP14-52 with modification to  
49 insert the word subsistence in there and to clarify the  
50 permit requirements under the general provisions by

1 deleting the references to the State registration  
2 permit.

3

4                   The justification for this conclusion  
5 is to maintain a harvest reporting mechanism that  
6 provides both harvest and population trend information.  
7 Under the current regulations, qualified rural  
8 residents have two options when hunting brown bear on  
9 Federal lands. They can harvest under the State s  
10 general harvest regulations, which does not require a  
11 registration permit, but does require sealing of the  
12 hide and skull, or they can harvest under the  
13 State/Federal subsistence regulations, which require a  
14 State subsistence registration permit and salvage of  
15 all edible meat.

16

17                   As stated before, a State subsistence  
18 registration permit has been required for Federally  
19 qualified subsistence users since the early 1990s.  
20 Under the special provisions for this -- this is  
21 probably where most of the confusion came up. In Unit  
22 26A, it made it appear that subsistence hunters could  
23 hunt brown bear either under the general hunting tag or  
24 the State registration permit when hunting brown bear  
25 for food without the need for  
26 sealing. Changes in the special provisions would  
27 eliminate this kind of either/or option.

28

29                   Eliminating the requirement for a State  
30 subsistence registration permit would result in  
31 Federally qualified subsistence users to be able to  
32 hunt brown bears under the State s general provisions  
33 and would require the hide and skull to be sealed.

34

35                   That's the summary of that proposal  
36 there.

37

38                   CHAIRMAN BROWER: Thank you, Tom.

39

40                   Agency comments.

41

42                   Alaska Department of Fish and Game.

43

44                   MS. YUHAS: Thank you, Mr. Chairman.  
45 This is Jennifer Yuhas again with the Department via  
46 teleconference. I know how this RAC usually votes when  
47 the subject of using a State permit comes up, but I  
48 think you heard some testimony just now on what the  
49 benefits would actually be this time for moving along  
50 with that, one of those being the elimination of the

1 requirement for sealing. I believe that Mr. Geoff  
2 Carroll is present in person to answer some of the  
3 specific questions you might have regarding the  
4 biology.

5  
6 CHAIRMAN BROWER: Thank you.

7  
8 MR. CARROLL: All right. So what your  
9 recommendation is to change it so that 26A one bear by  
10 State subsistence registration permit only. Does that  
11 mean every hunter would be required to have the  
12 subsistence registration permit?

13  
14 MR. EVANS: Correct.

15  
16 MR. CARROLL: Okay. Well, you know, I  
17 mean the idea -- you know, when the State changed this  
18 regulations was to try to make it more convenient for  
19 your average hunter. So there's two options under the  
20 State regulations. You can either hunt under the  
21 general hunt rules, whereas all you need is a hunting  
22 license and then if you harvest a bear you need to come  
23 in and get it sealed, or you can, before you go  
24 hunting, get one of these subsistence registration  
25 permits, in which case you don't have to get it sealed.

26  
27  
28 As I understand it, this looks like it  
29 would require every hunter to get the subsistence  
30 registration permit in order to harvest a bear, is that  
31 right?

32  
33 MR. EVANS: That's correct.

34  
35 MR. CARROLL: Okay.

36  
37 MR. EVANS: Which is the way it's been  
38 since 1990.

39  
40 MR. CARROLL: But it's not that way  
41 under State regulations, so it does put us out of  
42 alignment.

43  
44 MR. EVANS: Right. If you put it under  
45 the State -- if you harvest under the State general  
46 harvest regulations, then that would -- if you didn't  
47 have to have the registration permit, you would be  
48 required to seal the skull.

49  
50 MR. CARROLL: Yeah. So one way or the



1 other all the bear harvest gets reported. The person  
2 legally either has to -- you know, under a hunting  
3 license they have to bring it in and get it sealed  
4 after they've harvested it if they've got the  
5 subsistence -- I guess the idea is that, you know, in  
6 reality, Harry doesn't -- a lot of times he's not  
7 particularly going out to hunt a bear. He doesn't come  
8 in and get a subsistence permit before he goes out or  
9 any of the rest of you probably for the most part. You  
10 get out to your camp and there's a nice fat-looking  
11 bear you'd like to eat or there's a bear messing up  
12 your cabin or fish rack, but you don't have your  
13 subsistence bear permit, then if you kill that bear,  
14 you're not legal.

15

16 So the idea with this is to make it  
17 easier for -- I mean with the State regulations is to  
18 make it easier so that if you get out there all you  
19 need is your hunting license and you're good to go.  
20 You can harvest a bear in 26A 12 months a year and  
21 harvest a bear every year.

22

23 To me, this doesn't get things in  
24 alignment, this change in wording. It makes it so that  
25 every hunter is legally required to get the subsistence  
26 registration permit before they go out and by my  
27 experience that's not such a -- that doesn't happen  
28 with a lot of hunters.

29

30 Anyway, that's my comment. From what I  
31 remember of the discussion last go around is that  
32 people wanted a system to make things simpler and to  
33 make it so that you could harvest a bear under --  
34 eliminate the requirement for the subsistence  
35 registration permit and make it very clear that you  
36 either need a subsistence registration permit or you  
37 need a hunting license and you're kind of covered  
38 either way.

39

40 You know, the other advantage to people  
41 being able to hunt under the general hunt provisions  
42 is, you know, you don't have to wreck your hide if you  
43 want to get it sealed. I mean if you want to -- under  
44 the subsistence regulations you've got to whack off the  
45 claws and the head before you can send it out. A lot  
46 of people, you know, it wasn't their big ambition to  
47 get a bear hide, but once you have one it's pretty neat  
48 and a lot of people end up wishing they could just get  
49 it sealed and have the entire hide.

50

1                   So I don't know. I think this needs a  
2 little more work. I think the subsistence hunters need  
3 to have the same option as other hunters that they can  
4 hunt either under the general hunt provisions or they  
5 can get a subsistence registration permit if they  
6 specifically don't want to mess around with getting the  
7 bear sealed and stuff. Either way the bear harvest  
8 gets reported.

9  
10                   MR. EVANS: But if you eliminate the  
11 requirement for the State subsistence registration  
12 permit, then if the hunter is hunting under the  
13 Federally qualified subsistence under the Federal  
14 regulations, then there wouldn't be any reporting  
15 requirement and that's one of the concerns, that there  
16 wouldn't be any reporting requirement, so we wouldn't  
17 know necessarily how many bears were taken. So that  
18 was one of the issues on the way this proposal was  
19 looked at when it was analyzed.

20  
21                   MR. CARROLL: I think by law everybody  
22 is required to either have the State subsistence permit  
23 or they're required to get the bear sealed, so all  
24 those bears are reported. If people follow the  
25 provisions and do as they're -- you know, follow  
26 through and do get them sealed as they're required to  
27 do by law, then they do all get reported.

28  
29                   MR. EVANS: But if you eliminate it,  
30 the requirement to have a State registration permit,  
31 then not everyone -- that provision would be eliminated  
32 under the Federal system. So if they harvest under the  
33 State system, they would have to seal it, but under the  
34 Federal they wouldn't have to.

35  
36                   CHAIRMAN BROWER: The conversation  
37 between you guys and there was a question raised. So  
38 which supersedes the regulatory agency? If the Federal  
39 is going to imply that there's no regulatory reporting  
40 requirement and the State does, then how does hunters  
41 interpret all this?

42  
43                   I have to make a comment in regard to  
44 what Geoff said, that we had submitted a proposal to  
45 try and make these regulations easier for the  
46 subsistence hunters because we're not carrying  
47 handbooks of regulations to see if we're in compliance.  
48 We're out there to do our subsistence hunting. When  
49 regulatory agencies start applying conditions and  
50 language that's not favorable for our practices. It

1 makes it more burdensome and we become illegal hunters  
2 in a sense to take these resources and that's what we  
3 had communicated on before to try and eliminate that  
4 level of activity because of what we were faced with.

5  
6 There was a lot of brown bears going  
7 around damaging cabins and the regulations was to take  
8 a bear every four years and we got that changed to one  
9 every year, but then the defense of life and property  
10 segment is still in place and to report those takes.  
11 Just from my understanding it seems to be getting more  
12 complicated than it needs to be.

13  
14 I didn't mean to speak before you guys,  
15 but I think there needs to be some communications in  
16 terms of how the agencies can work together and lessen  
17 the burden to the subsistence hunter in my opinion.

18  
19 Thank you.

20  
21 MR. CARROLL: I don't know. To me, it  
22 just seems like we need to change the wording on this  
23 proposal to make it clear that you can either use a  
24 State subsistence permit or you can hunt under  
25 provisions of the general hunt regulations, you know.  
26 This is kind of a question too. I mean is this purely  
27 -- these regulations would apply to all Federal lands  
28 and the State regulations would apply to only State  
29 lands? I mean it seems like that's another thing we  
30 don't want to get into is having different provisions  
31 in State and Federal. That's very confusing.

32  
33 MR. G. BROWER: It seems to me a few  
34 years ago we went through dialogue about this to try to  
35 align State and Federal regulations so we wouldn't have  
36 this overlap. In doing so, the more restrictive  
37 regulation may have been the guiding document or the  
38 guiding regulation. I do get concerned too as well  
39 whether I'm going to be, you know, as an opportunist to  
40 do something to cause -- that I might be an illegal  
41 hunter at some point when I'm not actually trying to go  
42 after that animal at all.

43  
44 CHAIRMAN BROWER: Thank you, Gordon. I  
45 think I'll try to keep from jumping ahead in terms of  
46 the presentation procedure for the proposals. Maybe if  
47 we could continue and see how we could wordsmith the  
48 proposal to be more favorable, I think that would be  
49 something that we could -- Dr. Yokel.

50

1 DR. YOKEL: Thank you, Mr. Chair. This  
2 is Dave Yokel with BLM. Maybe I'm not understanding  
3 the confusion here, but I think part of the confusion  
4 is something that's been ongoing for 21 years. You, as  
5 rural residents of the North Slope, can hunt on non-  
6 Federal lands under State regulations just like any  
7 other Alaskan can do so. On Federal lands, you can  
8 hunt under Federal regulations or State regulations.

9  
10 So if Federal regulations say you have  
11 to have a State registration permit to kill a brown  
12 bear and you don't have that State registration permit  
13 but you have your hunting license in your pocket, you  
14 can say I killed this bear under State regulations and  
15 I'm going to take it in and get it sealed. So  
16 everything Geoff is saying ought to be still is. We  
17 just have to figure out which set of regulations you're  
18 hunting under because on Federal lands you can hunt  
19 under either set of regulations. It's your choice.

20  
21 Thank you.

22  
23 CHAIRMAN BROWER: Thank you for that  
24 interpretation, Dave.

25  
26 Geoff.

27  
28 MR. CARROLL: If that's the case, then  
29 I'm happy. I mean if that's true, you can use either  
30 set of regulations on Federal lands, I guess I was a  
31 little fuzzy on that. I thought it was Federal rules  
32 on Federal land and State on State, but if you can go  
33 with what you're saying the more liberal set of  
34 regulations, you can.....

35  
36 DR. YOKEL: Maybe I'm wrong. I think  
37 you can take your pick.

38  
39 MR. CARROLL: Yeah. I think that's  
40 right.

41  
42 CHAIRMAN BROWER: I want the  
43 solicitor's opinion on that.

44  
45 MR. G. BROWER: I want to be an  
46 example. Say I'm at my cabin and there's a big ol'  
47 bear, man, and I'm afraid of it and it's coming toward  
48 me and I shoot it. I'm on Federal land, I have a  
49 customary determination use for that animal. What do I  
50 need to do now?

1 MR. EVANS: If you have a hunting  
2 license, you can hunt under the State subsistence  
3 permit. If you have a State subsistence registration  
4 permit, you can hunt it under the Federal regulations  
5 or the State.

6  
7 MR. G. BROWER: I don't have a permit.  
8 I don't have a license. I'm just living off the land.

9  
10 MR. EVANS: Then you're illegal.

11  
12 MR. CARROLL: But you need to kill a  
13 bear that's messing up your cabin, you can kill it  
14 under defense of life and property, but then you're  
15 supposed to turn in the skull and the hide. Anything  
16 that's destroying your property or threatening a  
17 person, you can always kill those under defense of life  
18 or property, but legally you're required to turn in the  
19 skull and the hide.

20  
21 MR. G. BROWER: What if I got a missing  
22 arm and I'm going to keep that hide because he ate my  
23 arm?

24  
25 (Laughter)

26  
27 MR. J. NAGEAK: Mr. Chairman.

28  
29 CHAIRMAN BROWER: Yes, James.

30  
31 MR. J. NAGEAK: There's another factor  
32 going into this. I got into a working group which we  
33 were talking about using handicrafts from bears that we  
34 take. I know that there are people at Anaktuvuk Pass  
35 that uses the bear hide for their famous Anaktuvuk Pass  
36 masks. In those cases, the way that we were talking  
37 about is that we need some kind of -- okay, if somebody  
38 from Germany went into the museum at Anaktuvuk Pass and  
39 purchased an Anaktuvuk mask with brown bear, that  
40 person -- it doesn't say here that if you're going to  
41 use the bear for handicraft that you need -- that  
42 person needs a certification that that bear was taken  
43 by subsistence hunter by using the parts of that bear  
44 to buy the shell to shoot the bear, so there is that  
45 factor that I didn't see in here identifying that the  
46 bear parts that are being used for handicrafts.

47  
48 MR. EVANS: That's really more of a  
49 CITES issue, like if one of you want to use the -- if  
50 you want to ship that mask to Germany, it would be up

1 to their import or export regulations of the U.S.  
2 whether it's legal or not, so you have to consider both  
3 a U.S. export regulations and you have to consider  
4 Germany's import regulations whether they'll accept it.  
5 If the bear was taken legally and used for handicrafts,  
6 it should be no problem.

7

8 MR. J. NAGEAK: But that person would  
9 need a certification to take that to Germany.

10

11 MR. EVANS: Therefore they probably  
12 need -- it needs to be sealed.

13

14 MR. J. NAGEAK: Then the hunter needs  
15 to be able to recognize that that permit or  
16 certification is needed for him to sell.....

17

18 MR. EVANS: Yeah.

19

20 MR. J. NAGEAK: .....parts of the bear.

21

22 MR. EVANS: That's correct. That's  
23 correct.

24

25 MR. J. NAGEAK: Okay.

26

27 MR. CARROLL: I guess I have another  
28 question for Mr. Lawyer Yokel.

29

30 (Laughter)

31

32 MR. CARROLL: So does this include --  
33 okay, you're saying you can -- say it again one more  
34 time. On Federal land, a Federally-qualified hunter  
35 can go with either State or Federal regulations  
36 depending on -- okay. Does that include -- could a  
37 local hunter use aircraft to fly out and then harvest a  
38 bear? I mean it pretty specifically says in the  
39 Federal regulation that you cannot, but I think you  
40 should be able to. Not that so many people do as they  
41 used to, but a lot of people used to fly out to their  
42 camps and if you end up with a bear situation, it would  
43 be good if a person could harvest a bear. Anyway, what  
44 do you think about that?

45

46 DR. YOKEL: Assuming that I was correct  
47 the first time, then if State law allows you to fly in  
48 and out of your camp with that bear, then you can do so  
49 because you're hunting under State law. You're not  
50 restricted to hunting under Federal regulations when

1 you're on Federal land. That has never been the case.

2

3 CHAIRMAN BROWER: Did that help, Geoff?

4

5 MR. CARROLL: Oh, yeah, yeah. I think  
6 it's a lot of clarification for all of us of what we  
7 can do and what we can't do.

8

9 CHAIRMAN BROWER: So I just want to  
10 read the title of the proposal. WP14-52 requests that  
11 the requirement for a State registration permit to  
12 harvest brown bears in Unit 26A be eliminated. So what  
13 is that in terms of the requirements of a registration  
14 permit to be eliminated and where does that lead us in  
15 terms of -- and the other segment of that was to --  
16 with modification to insert the word subsistence and to  
17 clarify the permit requirements. I'm just reading off  
18 page 61 if you all want to reference that.

19

20 So does that make things worse for the  
21 subsistence hunter in terms of removing this  
22 requirement for the State registration permit to  
23 harvest brown bear?

24

25 MR. CARROLL: Well, if what we just  
26 said is all true, then the Federal regulation can say  
27 pretty much whatever it wants to and then as long as  
28 there's a State regulation saying that you can use  
29 either a subsistence permit or a general hunt  
30 procedure, then I think you're okay. I guess we want  
31 to get all that completely verified.

32

33 DR. YOKEL: Mr. Chair.

34

35 CHAIRMAN BROWER: Yes.

36

37 DR. YOKEL: If I may. I don't want to  
38 confuse things further, but I may need to qualify my  
39 statement. There are some Federal lands -- there may  
40 be some Federal lands and I'm thinking of lands managed  
41 by the National Park Service where you cannot hunt on  
42 those lands under State regulations. So, on those  
43 particular lands you do not have a choice if you're  
44 hunting there. I'm not involved in management of Park  
45 Service land, so it didn't come to my mind at first,  
46 but I just wanted to add that further complication.

47

48 CHAIRMAN BROWER: Thank you.  
49 Continuing with our presentation procedure, I think we  
50 jumped a little ahead of ourselves, but I'd like to ask

1 to see if there's Interagency Staff Committee comments.  
2  
3  
4 (No comments)  
5  
6 MR. J. NAGEAK: Mr. Chair. The way I'm  
7 understanding this is that we can just tear this thing  
8 apart and forget about it, right, because they're  
9 already covered in these other areas?  
10  
11 MR. G. BROWER: This is Gordon. I  
12 think that's assuming that Dr. Yokel's assumptions are  
13 correct.  
14  
15 CHAIRMAN BROWER: Didn't you state that  
16 this was a North Slope Regional Advisory Council  
17 proposal?  
18  
19 MR. J. NAGEAK: Yes, he did.  
20  
21 CHAIRMAN BROWER: Bob.  
22  
23 MR. SHEARS: Mr. Chairman. Would you  
24 be willing at this time to entertain a motion to.....  
25  
26 MS. AHTUANGARUAK: We're not there yet.  
27  
28 CHAIRMAN BROWER: I'm trying to follow  
29 the presentation procedures and we're just down to  
30 number 3.  
31  
32 MR. SHEARS: Okay.  
33  
34 CHAIRMAN BROWER: Can we follow through  
35 with that. I think that's what we've been instructed  
36 to follow through with and I've been trying to follow  
37 through. We're getting close. A couple more items.  
38 Sorry, Bob.  
39  
40 No Interagency Staff Committee  
41 comments. Three, Advisory Group comments.  
42  
43 (No comments)  
44  
45 CHAIRMAN BROWER: Neighboring Regional  
46 Councils.  
47  
48 (No comments)  
49  
50 CHAIRMAN BROWER: Local Fish and Game



1 Advisory Committees.  
2  
3 (No comments)  
4  
5 CHAIRMAN BROWER: National Park Service  
6 Subsistence Resource Commission.  
7  
8 (No comments)  
9  
10 CHAIRMAN BROWER: No sound bites.  
11 Four, summary of written comments.  
12  
13 MR. EVANS: There is none.  
14  
15 CHAIRMAN BROWER: Tom says we don't  
16 have any summary of written comments. Public  
17 testimony.  
18  
19 (No comments)  
20  
21 MR. EVANS: There's none of that  
22 either.  
23  
24 CHAIRMAN BROWER: No public testimony.  
25 Number six, Regional Council recommendation, motion by  
26 way of a positive motion. There you are, Bob.  
27  
28 MR. SHEARS: Mr. Chairman.  
29  
30 CHAIRMAN BROWER: Yes, sir.  
31  
32 MR. SHEARS: Council, I'd like to make  
33 a motion to endorse Wildlife Proposal 14-52 rewording  
34 as stated.  
35  
36 MR. G. BROWER: Second it.  
37  
38 CHAIRMAN BROWER: Motion to support  
39 Proposal WP14-52 and it's been seconded with a  
40 modification to insert the word subsistence and to  
41 clarify the permit requirement. Further discussion.  
42  
43 MR. SHEARS: Mr. Chairman.  
44  
45 CHAIRMAN BROWER: Yes.  
46  
47 MR. SHEARS: I'd like to entertain an  
48 amendment for consideration by this Council to allow  
49 aircraft for the use of subsistence hunting of brown  
50 bear in Unit 26A.

1 CHAIRMAN BROWER: Amending motion.

2

3 MR. G. BROWER: Mr. Chair. I'd second  
4 the amendment.

5

6 CHAIRMAN BROWER: The amending motion  
7 is to allow aircraft -- the wording allowing the use of  
8 aircraft to be inserted into the proposal for  
9 subsistence purposes. Any further discussion on the  
10 amending motion.

11

12 MR. SHEARS: Discussion. I'd like to  
13 clarify my request for this amendment and consideration  
14 of it. For subsistence purposes, and subsistence  
15 regulations were written 20 years ago when the  
16 residents that, you know, participated in subsistence  
17 activities were still using dogsleds, were barely being  
18 introduced to snowmachines. You know, at that time  
19 we're just beginning to use motorized vehicles. It was  
20 not a consideration by the government that we would  
21 evolve to this period today where we'd be considering  
22 using aircraft for subsistence activities, however we  
23 have.

24

25 There's over a dozen private pilots on  
26 the North Slope who are residents and participate in  
27 subsistence activities who are restricted from using  
28 their aircraft. An aircraft is a very expensive piece  
29 of equipment to use. However, it's beneficial and you  
30 can access areas that were only accessed traditionally  
31 before the schools required our residents to -- you  
32 know, the people that -- the local inhabitants had to  
33 put their migratory lifestyle behind them to settle  
34 into communities. They're no longer allowed to access  
35 areas that they accessed traditionally in the past.

36

37 Aircraft has opened up a new way of  
38 subsistence that we used to enjoy 100 years ago. We  
39 can now migrate. We can follow migratory patterns with  
40 aircraft. We can subsist traditionally in the new  
41 world that requires us to maintain permanent residency  
42 in communities. I believe aircraft has come of age.  
43 The future is now and that aircraft does have a place  
44 in the subsistence lifestyle of our local residents.

45

46 I think that the way that this proposal  
47 is submitted and saying that you may not use aircraft  
48 in any manner for brown bear hunting, including  
49 transportation of hunted bears or parts of bears. I  
50 think the intent there was to limit, you know, the

1 sport hunters and it doesn't really reflect the needs  
2 of the subsistence hunter. We do use aircraft. I  
3 intend to use aircraft myself someday in the future,  
4 although I'm not quite there yet, but it's on my bucket  
5 list.

6  
7 I would urge your support for me in  
8 consideration of this amendment.

9  
10 MR. G. BROWER: Mr. Chair, under  
11 discussion.

12  
13 CHAIRMAN BROWER: Yes, Gordon.

14  
15 MR. G. BROWER: Geoff pointed out some  
16 examples earlier. My camp has runways and we've  
17 accessed our camps for many years, since the '70s,  
18 maybe even before that time, maybe even in the '60s  
19 with Joe Felder and others to go to our camps. To my  
20 understanding, if I'm dropped off at my cabin with an  
21 airplane and there is a bear there and I'm  
22 theoretically hunting with an airplane, landing and  
23 deplaning and now have to deal with a bear in my camp.

24  
25  
26 It seems to me to be able to address  
27 these concerns logically is a good thing because I  
28 don't think we're going to be hunting like the guides,  
29 that's the only means and that's the only method they  
30 use and they search out an area and there's a lot of  
31 stuff to hunt in that area and they place themselves  
32 strategically. We do that all the time with  
33 snowmachines and other things like that. Like Mr.  
34 Shears from Wainwright, he's sufficiently evolving. He  
35 might get his pilot's license.

36  
37 But I think there's other concerns,  
38 like what I've stated, you know. Landing at our camps  
39 we're often confronted by bears at our camps. It seems  
40 like it's an attracted -- that bears find it easy, you  
41 know. I might have a case of Spam and they just step  
42 on them and go in, pop one open and destroy the house.  
43 That's what they do.

44  
45 I'd like to support if that's -- if  
46 we're taking out State and State would allow that, why  
47 can't the Federal regs allow that?

48  
49 CHAIRMAN BROWER: Further discussion on  
50 the amending motion to include the use of aircraft for

1 subsistence take of brown bear in 26A.

2

3 MS. AHTUANGARUAK: Mr. Chair. I have  
4 reluctance to the requirement for the subsistence  
5 registration. I do think that requires undue hardship  
6 for our people. It's not something that's readily  
7 available, especially when you're already out there and  
8 to add that requirement to all of our hunters is a  
9 concern for me. I do think that there has historically  
10 been demonstrated that we have had airplane usage in  
11 transporting to our camps. However, I do feel that we  
12 need to be cautious in the allowance of this as we have  
13 demonstrated in other parts of our state that there are  
14 concerns with aircraft and usage and hunting. As long  
15 as we are precautionary in that process, I don't have a  
16 problem with adding it because we do have that  
17 historical usage.

18

19 When we had our youth camps, we had  
20 youth from other communities come to the village by  
21 plane to allow us to take them to the subsistence camps  
22 and it is important to consider as we do our teaching.  
23 With the changes that are occurring in our lands and  
24 waters if we have disruption of our traditional way of  
25 life and we want to bring them into an area where we  
26 want to continue to teach them about our way of life,  
27 it's important to allow us to consider ways of doing  
28 so.

29

30 CHAIRMAN BROWER: Thank you, Rosemary.

31

32 Further discussion.

33

34 Yes, Vincent Mathews.

35

36 MR. MATHEWS: Vince Mathews. Arctic,  
37 Kanuti and Yukon Flats Refuges. I just want to give  
38 you some cautionary thoughts. The intent of the  
39 proposal was to align with the State regulations.  
40 Caution is the amendment allowable with the intent of  
41 the proposal, number one. Number two, is the amendment  
42 -- the idea of allowing aircraft use has not had public  
43 review. Others haven't had the chance to look at this  
44 and that, so it's possible the Board would not be able  
45 to entertain your amendment because it doesn't have  
46 public review. So I give you those two cautionary  
47 sideboards to consider.

48

49 The reason I bring it up, I'm past  
50 coordinator and I'm trying to divorce myself from that,

1 but you know in your various positions that amendments  
2 are usually within the context of the proposal.  
3 Someone else can answer that question, but the intent  
4 of the proposal was to align. The State can correct  
5 me. If this amendment passed, it would not be in  
6 alignment.

7

8 Being mentioned off the record is the  
9 Board's meeting in April. You'd have another meeting  
10 at this. But, again, if you wanted public support from  
11 your region and elsewhere on this, that would not be  
12 able to be achieved because it wouldn't be published in  
13 a proposal. I'm not here to encourage you to write  
14 another proposal, I'm just saying your strength comes  
15 from public input or your opposition comes from public  
16 input.

17

18 CHAIRMAN BROWER: Thank you, Vince.

19

20 MR. G. BROWER: Mr. Chair.

21

22 CHAIRMAN BROWER: Gordon.

23

24 MR. G. BROWER: Although I'm supportive  
25 of language like this, I seem to also think about the  
26 concerns of the no fly zones, the controlled use areas  
27 with the added caribou hunting in controlled use area  
28 that the State had north of Anaktuvuk Pass to lessen  
29 the impact on subsistence activities around caribou  
30 time and our comments to the state advisory council  
31 that we would rather see that extended to other  
32 resources.

33

34 We felt, I think at the time we made  
35 those comments, I don't know if you guys recall this,  
36 that having a controlled use area for aircraft for  
37 caribou wasn't sufficient enough to lessen the impact  
38 when all other species that you can come in and fly in  
39 and land and hunt for bear and other resources in an  
40 area where competition is very high between user groups  
41 seem to come to my mind. I just wanted to point that  
42 out.

43

44 Thank you.

45

46 CHAIRMAN BROWER: I'm just thinking  
47 back in terms of Vince's comments and looking at the  
48 existing Federal regulation. It's on Page 62 in the  
49 middle of the page there, Unit 26A brown bear, one bear  
50 by State registration permit. The included language

1 reads you may hunt brown bear in Unit 26A by State  
2 registration permit in lieu of a resident tag if you  
3 have a State registration permit prior to hunting. You  
4 may not use aircraft in any manner for brown bear  
5 hunting under the authority of a brown bear State  
6 registration permit, including transportation of  
7 hunters, bear, or parts of bears. However, this does  
8 not apply to transportation of bear hunters or bear  
9 parts by regularly scheduled flights to and between  
10 communities by carriers that normally provide scheduled  
11 service to this area, nor does it apply to  
12 transportation of aircraft to or between publicly owned  
13 airports.

14

15 In regard to the amending motion, it  
16 seems like now we're fighting against each other. How  
17 do we proceed forward is what I'm trying to get at. We  
18 seem to be building friction in the proposal.

19

20 MR. SHEARS: Mr. Chairman.

21

22 CHAIRMAN BROWER: Yes, Robert.

23

24 MR. SHEARS: Perhaps the wording is  
25 better described, you know, for allowing aircraft. If  
26 you look at Page 61 at the proposed regulation, it  
27 states -- they had a strike through at the second part.  
28 You may not use aircraft in any manner  
29 for brown bear hunting, striking through under the  
30 authority of a  
31 brown bear State registration permit. Perhaps the  
32 amendment should have been better worded to omit that  
33 strike through and to retain the original wording.

34

35 MR. CARROLL: I'm hoping I'm right on  
36 this, but.....

37

38 CHAIRMAN BROWER: Turn your mic on,  
39 please.

40

41 MR. CARROLL: I'm hoping I'm right on  
42 this, Bob, but, you know, basically you can use State  
43 regulations to hunt on Federal land up here. You know,  
44 I think we all call ourselves subsistence hunters, so I  
45 mean it doesn't matter -- you know, you could fly out  
46 and hunt bears, so it's not like you need to change the  
47 Federal regulation for subsistence hunters, you know,  
48 depending on how you decide to write this proposal.  
49 You're using State regulations, but you are being a  
50 subsistence hunter out there hunting and you have to

1 comply by fly-in regulations, which means you can't  
2 hunt same day airborne.

3

4                   Basically, subsistence hunter or not,  
5 you can fly in and use those regulations to hunt bear,  
6 like you could caribou or whatever, you know, as long  
7 as you don't do a same day airborne. So, without  
8 changing this, you could achieve the same effect, I  
9 believe, but maybe you want to change this just in  
10 principal too.

11

12                   MR. SHEARS: I see what Geoff is  
13 saying, Mr. Chairman, and what Dave Yokel is saying. I  
14 mean you could pick and choose what parts -- which  
15 regulation you're using in the same hunt. Today I'm  
16 traveling by airplane to go to camp knowing that  
17 tomorrow or the next day I'll be hunting bear, so today  
18 I'm operating under the State regulation. Tomorrow,  
19 after I've landed, 24 hours has elapsed, I could choose  
20 to hunt under the Federal regulation, same hunt if I  
21 have the State registration permit.

22

23                   I think it was Gordon who had seconded  
24 me on that amendment. If you'd be willing to consider  
25 withdrawing your second, I'd be willing to consider  
26 withdrawing my amendment.

27

28                   MR. G. BROWER: Yeah, Mr. Chair, I  
29 think it's important to be very clear as to what we're  
30 trying to achieve here and to lessen the regulatory  
31 requirement of these things and the burden on  
32 subsistence, but maybe we're trying to fix something  
33 that's not broken at this point. So with the  
34 interpretation provided, if somebody affirms the  
35 assumption that Dr. Yokel has clearly made, I would  
36 withdraw my second for that motion.

37

38                   MR. SHEARS: Mr. Chairman. In light of  
39 the discussion and in further thoughts on the subject,  
40 I withdraw my amendment to the original motion.

41

42                   CHAIRMAN BROWER: Thank you, Robert.  
43 We'll continue on.

44

45                   No further discussion on the amending  
46 motion.

47

48                   It's been withdrawn.

49

50                   MR. J. NAGEAK: Mr. Chair. What would

1 happen if a tribal council said you can't do it?  
2  
3 CHAIRMAN BROWER: If a tribal council  
4 indicated what?  
5  
6 MR. J. NAGEAK: If the tribal council  
7 in the community said they can't fly out there, it's  
8 against the law. It's a third agency, not the Federal  
9 or the State. This is a tribal council that has one-  
10 to-one relationship with.....  
11  
12 MR. SHEARS: Their area of influence.  
13  
14 MR. J. NAGEAK: I'm just -- you know,  
15 there's always that possibility. I don't know. But  
16 I'm with you. I think you're right withdrawing that.  
17  
18 MR. G. BROWER: Mr. Chair.  
19  
20 CHAIRMAN BROWER: Yes, Gordon.  
21  
22 MR. G. BROWER: Last comment. I've got  
23 to go get ready to catch an airplane. I appreciate  
24 everybody's dialogue and it's interesting and I wish I  
25 could stay longer, but I've got to attend to other  
26 business.  
27  
28 Thank you very much.  
29  
30 CHAIRMAN BROWER: Thank you for your  
31 input, Gordon. Further discussion on the -- we're back  
32 to the main motion. The amending motion has been  
33 withdrawn. The motion was to support WP14-52 to take a  
34 brown bear in 26A.  
35  
36 Further discussion on the main motion.  
37  
38 MR. J. NAGEAK: Mr. Chair. I think the  
39 terminology is that we concur with the OSM preliminary  
40 conclusion.  
41  
42 CHAIRMAN BROWER: Okay. Concur with  
43 OSM's preliminary conclusion to support Proposal WP14-  
44 52 with modification to insert the word subsistence and  
45 to clarify the permit requirements. That was the  
46 motion.  
47  
48 (No comments)  
49  
50 MR. J. NAGEAK: Question.



1 CHAIRMAN BROWER: No further  
2 discussion. The question has been called on the  
3 motion. All in favor of the motion signify by saying  
4 aye.  
5  
6 IN UNISON: Aye.  
7  
8 CHAIRMAN BROWER: Opposed say nay.  
9  
10 (No opposing votes)  
11  
12 CHAIRMAN BROWER: None noted. Thank  
13 you, Council.  
14  
15 Tom Evans, next proposal.  
16  
17 MR. EVANS: I told you up front that  
18 that was confusing.  
19  
20 CHAIRMAN BROWER: It's all right. We  
21 like to be confused.  
22  
23 MR. EVANS: The next proposal we'll  
24 take up here is Proposal WP14-53. This again was  
25 submitted by the North Slope RAC, requests that the  
26 boundary for Unit 26A that portion west of 156  
27 degrees west longitude and excluding the Colville River  
28 drainage, be changed to 155 degrees west to allow for  
29 moose hunting in the Alaaktak and Chipp river  
30 drainages. There is a map in your book there you might  
31 want to look at so you can see where the area is.  
32  
33 In 2004, the Federal Subsistence Board  
34 adopted Proposal WP04-85 which established the eastern  
35 boundary of the proposed harvest area in Unit 26A to  
36 156 degrees to match with the new State regulation  
37 which also -- and by doing this aligned the  
38 season and harvest limits made by the State Board of  
39 Game. The original intent of that was to protect the  
40 small moose population in the Chipp River area.  
41  
42 State management goals for moose in 26A  
43 are to maintain a population of 1,000, with a bull/cow  
44 ratio greater than 30/100 and maintain a population  
45 that can sustain subsistence and general hunt needs.  
46  
47 Alaska Fish and Game has conducted late  
48 winter surveys in all the major drainages of Unit 26A  
49 to assess population status and recruitment of short  
50 yearlings, 10 to 11 months old. Based on the last

1 meeting I said 10 to 11 years old. You guys didn't  
2 catch that in the spring meeting. Moose population  
3 reached a  
4 high of 1,535 in 1991, declined to 326 in 1999,  
5 increased to 1,180 in 2008 and since has declined to  
6 609 in 2011. So the population is below the  
7 recommended levels for the State management goals.

8  
9 The declines between 2008 and 2011 are  
10 the result of probably a variety of factors, including  
11 high adult mortality and poor calf survival, which was  
12 due to a variety of things, such as malnourishment,  
13 bacterial diseases, mineral deficiencies, predation by  
14 bears and wolves and severe winter weather. Trend area  
15 counts have been conducted yearly along the Anaktuvuk  
16 River from the mouth to Sivugak Bluff, the Chandalar  
17 River from the mouth to Table Top Mountain, and the  
18 Colville River between the mouths of Anaktuvuk and  
19 Killik Rivers from 1974 2007. In 2010, the population  
20 declined to 265 and is currently stable at  
21 low numbers. In 2012, the population from the trend  
22 counts was 293. So basically from 2010 to 2012 the  
23 population is increasing, but very slowly, so it's  
24 still at kind of a low level.

25  
26 Moose in general in Unit 26 are at the  
27 extreme edge of their distribution and are limited by  
28 marginal habitat, mostly confined to river drainages  
29 during the winter, and are more vulnerable to severe  
30 weather than populations in areas with better habitat.

31  
32 The average annual moose harvest in 26A  
33 was 57 until 1995. Between 1996 and 2004 the average  
34 dropped to four per year and from 2000 to 2010 the  
35 harvest averages about 10 per year. From 1996 to 2005  
36 the use of aircraft to take moose was prohibited.

37  
38 If Proposal WP14-53 were adopted, it  
39 would allow hunters to take any moose except a calf or  
40 a cow accompanied by a calf from July 1 to September  
41 14, when they are at traditional hunting and fishing  
42 areas on the Chipp and Alaaktak river drainages.  
43 Changing the boundary from 156 degrees west to 155  
44 degrees west would also add approximately 3,065 square  
45 miles to Unit 26A and to increase the area available to  
46 Federally qualified subsistence users in Unit 26A  
47 remainder by the same amount. So increasing one will  
48 decrease the other.

49  
50 Increasing the harvest season by a

1 month and allowing the take of any moose versus just a  
2 bull moose is likely to increase the moose harvest in  
3 Alaaktak and Chipp river drainages. Due to the small  
4 population and current decline, even the take of a few  
5 moose is likely to cause the population to continue to  
6 decline or slow the recovery of the moose in the moose  
7 population of these two drainages. Thus, OSM's  
8 preliminary conclusion is to oppose Proposal WP14-53.

9

10 CHAIRMAN BROWER: What is the wish of  
11 the Council. I'm kind of saddened that Gordon took off  
12 before we even got to discuss this proposal because  
13 he's the one that helped generate this proposal and  
14 left before we even took action on it. I was involved  
15 in some of the discussion in regards to increasing the  
16 area because we feel like there was opportunities being  
17 discouraged in the sense by hunters that use these two  
18 drainages. It's not a very big increase by the number  
19 of animals taken.

20

21 I think we had communicated on this to  
22 try and lessen the -- identifying the number of illegal  
23 takes that may occur within those two drainages. I  
24 don't see moose in these areas all the time, but it's  
25 an opportunistic take when one becomes available in the  
26 area. These were some of the arguments that we had in  
27 terms of generating the proposal to increase that area  
28 to include -- what were the numbers -- 156 to 155 going  
29 east. These two river drainages allow our hunters more  
30 access and they are accessed more by our hunters in a  
31 way that this time of the year in season and in the  
32 winter season as well.

33

34 What's the wish of the Council.

35

36 MR. SHEARS: Mr. Chairman. Do we have  
37 any further comments on this? Are we ready to get a  
38 motion?

39

40 CHAIRMAN BROWER: I'm sorry. I got  
41 ahead of myself. I didn't even read the back of the  
42 green card again. It just went out the door. I'm  
43 sorry. Okay. Thank you, Bob, for reminding me I  
44 should get back into presentation procedures. Number  
45 two is agency comments. Alaska Department of Fish and  
46 Game and Federal agencies. So I'll start with Alaska  
47 Department of Fish and Game on Proposal WP14-53.

48

49 MS. YUHAS: Thank you, Mr. Chairman.  
50 Geoff Carroll is present to discuss his concerns

1 regarding the population.

2

3

CHAIRMAN BROWER: Geoff.

4

5

MR. CARROLL: Thank you. This is Geoff Carroll. First we need to say we're not talking about any big stakes here. We're talking about maybe a moose or two every couple years that might show up down there. I guess I spoke in opposition to it before and I still feel that way. You know, it isn't going to have any big impact on the total moose population in Unit 26A, but -- and it's kind of confusing to talk about this area because it's one of the few places in the world that I know of that the river goes down and splits into two different rivers. The Ikpikpuk River comes down and splits into the Chipp and then the other side of the Ikpikpuk goes off into a different body of water.

19

20

Basically there's just a small handful of moose on the Ikpikpuk River. I think we counted six moose on the entire river during our spring count. This is an area that there's never been a lot of moose there, but back in the '90s there was between 20 and 30 moose, then it made sense to take, you know, one or two or maybe three moose out of there a year, so it provided a nice little place for people to hunt. Whereas now, with so few moose, even taking one or two in a year, you're taking a pretty good chunk out of the current moose population. I'd rather just leave them alone and see if they can build the population back up.

32

33

The Ikpikpuk actually is open for hunting beginning August 1st, so you can go up there and take bulls. I'd rather keep it that way than set up a situation where people could harvest cows in the lower part. Another thing to me, you know, when we were talking about it last time, we didn't have a real good map sitting there in front of us, but actually almost all of the Ikpikpuk River is still east of the cut-off line there. It's just that little lower part with the Chipp.

43

44

Anyway, no big potatoes here, but I guess I'd rather just keep as many moose going there as we can and see if we can't build that population up a little bit on the Ikpikpuk.

48

49

Thank you.

50

1 CHAIRMAN BROWER: Thank you, Geoff.  
2 Federal agencies.  
3  
4 (No comments)  
5  
6 CHAIRMAN BROWER: Native, tribal,  
7 village.  
8  
9 (No comments)  
10  
11 CHAIRMAN BROWER: Interagency Staff  
12 Committee comments.  
13  
14 (No comments)  
15  
16 CHAIRMAN BROWER: None noted. Advisory  
17 Group comments.  
18  
19 (No comments)  
20  
21 CHAIRMAN BROWER: Neighboring Regional  
22 Councils.  
23  
24 (No comments)  
25  
26 CHAIRMAN BROWER: Local Fish and Game  
27 Advisory Committees.  
28  
29 (No comments)  
30  
31 CHAIRMAN BROWER: National Park Service  
32 Subsistence Resource Commission.  
33  
34 (No comments)  
35  
36 CHAIRMAN BROWER: James is nodding his  
37 head, no comments. Moving on to number four, summary  
38 of written comments.  
39  
40 MR. EVANS: Mr. Chairman. There are  
41 none.  
42  
43 CHAIRMAN BROWER: Thank you, Tom.  
44  
45 Number five, public testimony.  
46  
47 MR. EVANS: Mr. Chairman. There is  
48 none.  
49  
50 CHAIRMAN BROWER: No public testimony.

1 Number six, Regional Council recommendation, motion.  
2  
3 MR. SHEARS: Mr. Chairman.  
4  
5 CHAIRMAN BROWER: Yes, Robert.  
6  
7 MR. SHEARS: I'd like to make a motion  
8 to approve WP14-53 that expands the regulatory area for  
9 moose in Unit 26A from that portion west of 156  
10 longitude to 155 longitude.  
11  
12 CHAIRMAN BROWER: Motion on the floor.  
13  
14 (No comments)  
15  
16 CHAIRMAN BROWER: Motion to approve the  
17 longitude from 156 to 155, Robert.  
18  
19 MR. SHEARS: Uh-huh.  
20  
21 CHAIRMAN BROWER: Motion to approve the  
22 proposal to move the longitude of 156 to 155. Motion  
23 on the floor.  
24  
25 MR. J. NAGEAK: Mr. Chair.  
26  
27 CHAIRMAN BROWER: Yes.  
28  
29 MR. J. NAGEAK: I thought there was a  
30 motion here to oppose the thing.  
31  
32 CHAIRMAN BROWER: It's a  
33 recommendation.  
34  
35 MS. AHTUANGARUAK: The recommendation  
36 is to oppose the motion.  
37  
38 MR. J. NAGEAK: Recommendation. Okay.  
39 Thank you.  
40  
41 MR. FRANKSON: Second.  
42  
43 CHAIRMAN BROWER: Did you second it,  
44 Teddy?  
45  
46 MR. FRANKSON: Yes, I seconded it.  
47  
48 CHAIRMAN BROWER: Thank you. Further  
49 discussion on the motion to approve the proposal on  
50 WP14-53.

1 MR. SHEARS: Mr. Chairman.

2

3 CHAIRMAN BROWER: Yes, Bob.

4

5 MR. SHEARS: You know, Geoff has a very  
6 interesting observation and a request that the Council  
7 oppose this recommendation and that he likes -- you  
8 know, this area that lies east of the existing 155  
9 longitude regulatory line lies just about on the  
10 Topagoruk River drainage. From there to Nuiqsut is a  
11 refuge. From there east to the Colville River is  
12 basically a moose refuge right now. Nuiqsut moose  
13 subsistence hunting is very heavy on the Colville  
14 drainage, up in the Itkillik and Chandalar River.

15

16 I think Geoff probably confirmed that  
17 the subsistence moose take in Nuiqsut is maxing out  
18 every year. It is a minor amount of the harvest  
19 considering the other hunters that are up there sport  
20 hunting that drainage. So I can understand why, you  
21 know, expanding another 35 miles to the west takes  
22 significant country out of the protected zone for  
23 moose, but -- and this is my personal observations on  
24 moose behavior, is that they're an animal that moves,  
25 especially on the northern coastal zone. It's a  
26 migratory -- they migrate extensively.

27

28 Any animal that exists on the Chipp  
29 River today could very well exist on the Colville River  
30 tomorrow where it will be taken by one group of users  
31 or another. People in Barrow, if they want to enjoy  
32 moose on the table, they have to go a long way and  
33 suffer significant cost. I've never heard of people,  
34 you know, hunters that I share stories with on the  
35 Chipp River ever passing up a moose however. But, you  
36 know, in order to legitimize the activity of  
37 subsistence moose hunting, I support expanding this  
38 range for hunting. That's my opinion. I will support  
39 this resolution.

40

41 CHAIRMAN BROWER: Any further  
42 discussion on the motion.

43

44 (No comments)

45

46 CHAIRMAN BROWER: As the Chair, I could  
47 probably make some comments. I also hunt in this area,  
48 so it's dealing with -- it's riding in the fringes of  
49 my back door. I have a cabin right in -- I'll try to  
50 find that map in the regulatory book, I mean our North

1 Slope Regional Advisory Council book and meeting  
2 materials. That 156 line going where the Chipp and the  
3 Ikpikpuk River meet is one bend from my cabin. I have  
4 a cabin up there and we do a lot of hunting off of that  
5 area. I know I've taken moose in those different areas  
6 at different times of the year over the years we've had  
7 the cabin there. We've been reluctant to take any  
8 moose over all these years. It's just that the  
9 population just fluctuates so much. I have to say it's  
10 probably 25 years since I last had taken a moose in  
11 that area.

12

13                   When Gordon and I were discussing this,  
14 I was really in support. I wouldn't mind seeing that  
15 change just to get us an opportunity. It's a very  
16 opportunistic hunt, like Mr. Shears said. It's very  
17 costly for a person to get up that far. I mean gas  
18 isn't cheap around here, \$6.20 a gallon. Just buying a  
19 couple drums that's over 1,000 bucks. Getting ready  
20 and getting the food to get up there. Canned food I'm  
21 talking about. It's not cheap at the store because of  
22 the freight as well. The cost adds up really quick.

23

24                   Being opportunistic, you might see one.  
25 Maybe see it in the distance, but I'm not sure if  
26 you're going to catch it or not. The other side of the  
27 coin is you might get one if it's close enough to the  
28 river. You know, these are big animals and you don't  
29 want to go take one that's two miles away if you do see  
30 one that far. That gets limiting.

31

32                   I said my piece. I think I like that  
33 proposal as presented to increase that area for an  
34 opportunity to take moose.

35

36                   Thank you.

37

38                   Any other comments from Council  
39 members.

40

41                   MS. AHTUANGARUAK: Mr. Chair. On page  
42 75, effects of the proposal, the question I had is that  
43 it says that it would decrease the area available to  
44 Federally qualified users by over 3,065 miles. That's  
45 the only concern I have. If we're increasing the size  
46 of the boundary, how do we decrease the area available  
47 for Federal subsistence users?

48

49                   MR. EVANS: Basically if you increase  
50 the area from 156 to 155, you increase that area of



1 26A, but that also -- if you look at the map, it's all  
2 26A, so the 26A remainder, because this regulation just  
3 pertains to that specific area within those boundaries,  
4 26A remainder would lose that 3,000 square miles of  
5 hunting opportunity because now it belongs in the area  
6 that we're proposing regulations for. So you increase  
7 one you decrease the other.

8

9 MR. SHEARS: So?

10

11 MR. EVANS: Well, it just changes the  
12 area for 26A remainder, which there are regulations for  
13 as well.

14

15 CHAIRMAN BROWER: I'm sorry. You have  
16 to give us communications on some of the changes that  
17 you're referring to.

18

19 MR. SHEARS: It would decrease the  
20 refuge size, the area where there's no moose hunting  
21 allowed in 26A.

22

23 MR. EVANS: So currently in Unit 26A  
24 remainder it's one bull, so that area would be  
25 decreased by that 3,000 square -- if you look at the  
26 regulations, it will be decreased. So there is hunting  
27 in that area, but now it's going to be in the other  
28 area if you change it to 155.

29

30 CHAIRMAN BROWER: Geoff.

31

32 MR. CARROLL: I'd just like to have Bob  
33 clarify what you mean by the refuge area. I mean  
34 there's a hunt over there. I mean there's a hunt that  
35 starts the first of August.....

36

37 MR. SHEARS: There is. It's a cow  
38 refuge per se. We're just allowing a larger area for  
39 both sex hunting.....

40

41 MR. CARROLL: Yeah. Right.

42

43 MR. SHEARS: .....and a decreased area  
44 for single sex.

45

46 MR. CARROLL: Yeah. Okay.

47

48 CHAIRMAN BROWER: Did that help, Geoff?

49

50 MR. CARROLL: Yeah.

1                   CHAIRMAN BROWER: I underlined a  
2 word.....  
3  
4                   MR. CARROLL: Oh, I had one more thing.  
5  
6                   CHAIRMAN BROWER: .....that Tom was  
7 trying to get me to pronounce earlier while he was  
8 reading. Sivugak.  
9  
10                  MR. CARROLL: Just one more thing.  
11  
12                  CHAIRMAN BROWER: Go ahead, Geoff.  
13  
14                  MR. CARROLL: Even if this change is  
15 made, you know, your cabin and I think Gordon's cabin  
16 too, if I have it located in the right place unless you  
17 have one that's farther down the Chipp that I know of,  
18 but they'd both be outside of the zone where you can  
19 harvest cows in the summer.  
20  
21                  CHAIRMAN BROWER: What does that mean?  
22  
23                  MR. CARROLL: Well, I'm just letting  
24 you know it's not going to really change anything right  
25 where Gordon's cabin is or your cabin. You can still  
26 harvest bull moose beginning the first of August, but  
27 won't have that summer hunt for cows. Everybody along  
28 the Chipp River can't think that there's been a big --  
29 or, you know, all those Chipp numbers, a lot of those  
30 cabins are going to be outside the zone anyway even  
31 with the change.  
32  
33                  CHAIRMAN BROWER: I'm just trying to  
34 understand how those changes will impact the  
35 availability of moose when they haven't been so  
36 available anyway. It's just trying to get the activity  
37 -- you know, hunt, in my opinion, legalize and  
38 following regulations. When we're being denied that,  
39 it seems to be restricting access for hunters not to  
40 take any of those animals. You have to also look at  
41 the access when you're looking at the summer range.  
42  
43                  Before the rainy season in July you  
44 can't even go 20 feet up the river because it's so low  
45 unless there's been some rain. This year is a little  
46 bit different. We started rainy season in mid July and  
47 the river system rose up to where there was access to  
48 probably around Chipp 2 for a short period of time and  
49 then the water started increasing, the water table  
50 increasing upwards to where they were getting access

1 Chipp 10 and so on and that was just a week ago.  
2  
3 So these things are -- you know, if it  
4 was two years ago, we wouldn't even have been able to  
5 go up to Chipp 1.  
6  
7 MR. CARROLL: Yeah.  
8  
9 CHAIRMAN BROWER: We wouldn't even be  
10 able to get into those areas.  
11  
12 MR. CARROLL: All right.  
13  
14 CHAIRMAN BROWER: So it changes and the  
15 conditions we are dealing with now are very different  
16 and just trying to help accommodate subsistence hunters  
17 be within the legal frame of hunting. That's something  
18 that we were considering. When we see the opposition  
19 coming from resource managers, it gives a different  
20 indication in terms of cow/bull ratio or cow/calf  
21 ratio, what have you.  
22  
23 MR. CARROLL: Well.....  
24  
25 CHAIRMAN BROWER: And then the mixture  
26 of the other units having a lesser hunt or more lesser  
27 timeframe starts infringing on the discussion that we  
28 were focusing on.  
29  
30 MR. CARROLL: Right. Okay. And my  
31 other point is that, you know, knock a couple cows off  
32 a year there and you're probably never going to have  
33 any sizeable population farther up on the Ikpikpuk. I  
34 mean that's my point.  
35  
36 CHAIRMAN BROWER: I have an argument  
37 over that as well. You know, whether humans take it or  
38 the brown bears or the wolves or the wolverines take  
39 it, it doesn't seem to be a gain in any fight.  
40  
41 MR. CARROLL: Yeah.  
42  
43 CHAIRMAN BROWER: We're just asking --  
44 trying to ask for human takes to increase by a few.  
45 Whether the predators take more than what we site there  
46 might be a problem. There's arguments both ways.  
47  
48 MR. CARROLL: Okay.  
49  
50 CHAIRMAN BROWER: Thank you.

1 MR. CARROLL: Anyway, my initial point  
2 is even after the change is made that -- well, okay.  
3 Forget it.  
4  
5 (Laughter)  
6  
7 MR. J. NAGEAK: Mr. Chair.  
8  
9 CHAIRMAN BROWER: Further discussion.  
10 James.  
11  
12 MR. J. NAGEAK: Yeah, I heard something  
13 out of Nuiqsut the other day. You know they had a big  
14 celebration over there, 40 year city of Nuiqsut  
15 celebration, and one of the residents said, oh, we got  
16 a moose, so we made all kinds of moose soup and stuff  
17 like that and invited all these people. They had other  
18 stuff. The moose was never eaten, you know. People up  
19 here don't -- at least I don't. I'd rather have the  
20 caribou and the sheep than the moose. We get moose at  
21 Anaktuvuk Pass and the only ones that get them are  
22 those from down south. It's just a comment. You know,  
23 there's a preference to what is available.  
24  
25 CHAIRMAN BROWER: Thank you, James.  
26 Any further discussion on the motion. Motion to  
27 approve WP14-53 in 26A to change the longitude from 156  
28 to 155. Motion was to approve the proposal. Any  
29 further discussion on the motion.  
30  
31 MS. AHTUANGARUAK: Call for question.  
32  
33 MR. J. NAGEAK: Ah.....  
34  
35 MS. AHTUANGARUAK: Go ahead, James.  
36  
37 MR. J. NAGEAK: We're making a  
38 recommendation, right?  
39  
40 CHAIRMAN BROWER: No, we've made a  
41 motion.  
42  
43 MR. SHEARS: A motion to recommend it.  
44  
45 MR. J. NAGEAK: Yeah, we're making a  
46 recommendation to the Federal Board, right?  
47  
48 CHAIRMAN BROWER: Right.  
49  
50 MR. J. NAGEAK: We don't know whether

1 the Federal Board is going to be able to.....  
2  
3 CHAIRMAN BROWER: Okay. Yeah, you're  
4 right.  
5  
6 MR. J. NAGEAK: Yeah. In that  
7 situation, then I'm in favor of the proposal.  
8  
9 CHAIRMAN BROWER: I had to think back  
10 there for a second, what are we doing.  
11  
12 MR. J. NAGEAK: We're the advisory  
13 board.  
14  
15 CHAIRMAN BROWER: Yes, that's right.  
16 So it could go either way.  
17  
18 MR. J. NAGEAK: You never know what  
19 those guys are going to do.  
20  
21 CHAIRMAN BROWER: You better talk to  
22 Charlie.  
23  
24 MS. AHTUANGARUAK: So we're good to  
25 call the question now.  
26  
27 CHAIRMAN BROWER: If there's no further  
28 discussion.  
29  
30 (No comments)  
31  
32 CHAIRMAN BROWER: The question has been  
33 called on the motion to approve Proposal WP14-53. All  
34 in favor of the motion to approve the proposal signify  
35 by saying aye.  
36  
37 IN UNISON: Aye.  
38  
39 CHAIRMAN BROWER: Opposed say nay.  
40  
41 (No opposing votes)  
42  
43 CHAIRMAN BROWER: None noted. Do we  
44 have any more proposals, Tom.  
45  
46 MR. EVANS: We have two more proposals,  
47 but I don't think we have enough time because we're  
48 getting towards the end of the day.  
49  
50 CHAIRMAN BROWER: So recommendation to

1 follow up with the next two tomorrow morning on the  
2 second day. Thank you everybody for participating with  
3 us this afternoon. We'll start again tomorrow at 9:00  
4 a.m. We have an evening session tonight in regards to  
5 the rural determination.

6

7 MR. SHEARS: What should we take with  
8 us?

9

10 CHAIRMAN BROWER: I'll give the floor  
11 to Eva to provide us the information.

12

13 MS. PATTON: No, you can leave -- I  
14 would recommend taking your annual report reply with  
15 you if you have a moment to look at it after the rural  
16 determination meeting, but we will provide handouts and  
17 all the materials at that meeting for both the public  
18 and the Council to consider, including a PowerPoint  
19 handout with room for notes on it if you wanted to take  
20 notes at the meeting. So you can travel lightly.

21

22 Thank you for your time.

23

24 Thank you to everyone online. We will  
25 adjourn for the evening and start at 9:00 a.m. tomorrow  
26 morning.

27

28 The meeting this evening is at the  
29 assembly chambers at 7:00 p.m.

30

31 (Off record)

32

33 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

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