

1 NORTH SLOPE FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 Barrow Alaska
7 August 25, 2009
8 9:02 o'clock a.m.
9

10
11 COUNCIL MEMBERS PRESENT:
12 Harry Brower, Chairman
13 Gordon Brower,
14 David Gunderson
15 Ray Koonuk
16 James Nageak
17
18 Regional Council Coordinator, Barbara Armstrong
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40
41 Computer Matrix Court Reporters, LLC
42 135 Christensen Drive, Suite 2
43 Anchorage, AK 99501
44 907-227-5312/907-243-0668
45 jpk@gci.net/sahile@gci.net

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P R O C E E D I N G S

(Barrow, Alaska - 8/25/2009)

(On record)

CHAIRMAN BROWER: Good morning everyone, and I want to welcome everyone to Barrow for our North Slope Regional Advisory Council meeting. I'll call the meeting to order at this time, it's 9:02.

We have our agenda before us and we have our meeting packets, and under the meeting packet under the first page is the agenda.

At this time I'll call for a moment silence, if we could adhere to that please at this time.

(Moment of silence)

CHAIRMAN BROWER: Thank you, everyone. It's been our custom and practice to have an invocation but a moment of silence will do just as well, and, thank you.

We don't have our secretary here this morning, Lee.

MS. B. ARMSTRONG: I'll do the roll call.

CHAIRMAN BROWER: We'll have a roll call and establish a quorum.

MS. B. ARMSTRONG: Harry Brower, Jr.

CHAIRMAN BROWER: Here.

MS. B. ARMSTRONG: Lee is excused. Ray Koonuk.

MR. KOONUK: Yo.

MS. B. ARMSTRONG: Lloyd Leavitt.

(No response)

MS. B. ARMSTRONG: David Gunderson.

1 MR. GUNDERSON: Here.
2
3 MS. B. ARMSTRONG: Paul is excused.
4 And James Nageak.
5
6 MR. NAGEAK: Here.
7
8 MS. B. ARMSTRONG: Gordon Brower, Sr.
9
10 MR. G. BROWER: Here.
11
12 MS. B. ARMSTRONG: You have five
13 members, Mr. Chair, you have a quorum.
14
15 CHAIRMAN BROWER: Thank you, Barb.
16 Again, welcome everybody to Barrow to our annual
17 meeting for our North Slope Regional Advisory Council.
18 It's been a fun summer for us, some short for us, some
19 long, some have been fairly busy and, again, welcome
20 you all to Barrow. We're dealing with our wildlife
21 proposals at this time today and hearing other matters
22 that are before us.
23
24 Maybe at this time we'll just go into
25 introductions, starting with Ray.
26
27 MR. KOONUK: Good, here.
28
29 CHAIRMAN BROWER: Good morning, Ray.
30
31 (Laughter)
32
33 MR. KOONUK: Ray Koonuk from Point
34 Hope. It's good to be back again, I've been off for a
35 couple of years, I think. It's good to see familiar
36 faces again and look forward to the meeting.
37
38 Thanks.
39
40 CHAIRMAN BROWER: Thank you, Ray.
41 Gordon.
42
43 MR. G. BROWER: Good morning everybody
44 and welcome. Sorry I sometimes I get a little carried
45 away with my other job, or with my job, and sometimes
46 forget that we have a meeting. I'm so glad that Barb
47 called this morning -- or yesterday to remind me and
48 then I had to remind our director because I had to
49 excuse myself from another meeting. But I really
50 wanted to attend here today.

1 My name's Gordon Brower. I'm from
2 Barrow and I just love hunting around here, even
3 Federal lands.

4
5 CHAIRMAN BROWER: Yes.

6
7 MR. G. BROWER: Other than that, I
8 guess there's going to be some other timeframe where we
9 can talk about our experiences with our hunting
10 problems and stuff.

11
12 CHAIRMAN BROWER: Thank you, Gordon.
13 James.

14
15 MR. NAGEAK: My name is James Nageak.
16 I'm from Anaktuvuk it says here on the chart, but I was
17 born here in Barrow, grew up at Kaktovik but married
18 into the village of Anaktuvuk Pass. So when they
19 interviewed me for this position or whatever they call
20 it there, you know, I grew up at Kaktovik where I shot
21 and killed my first whale and here I learned how to
22 hunt polar bears and oogruk and seals and winter in
23 Anaktuvuk Pass learned how to hunt sheep so I pretty
24 much have experience on the North Slope being a hunter
25 and gatherer.

26
27 So I'm glad to be here.

28
29 CHAIRMAN BROWER: Thank you, James.
30 David.

31
32 MR. GUNDERSON: I'm David Gunderson
33 from Wainwright. Good to be here. Nice to see you
34 all. I've been hunting and what not, staying home,
35 enjoying the summer, and the winters. Thank you for
36 coming.

37
38 CHAIRMAN BROWER: Thank you, David.
39 For those of you that don't know me I'm Harry Brower,
40 I'm Chairman of the North Slope Regional Advisory
41 Council, born and raised here in Barrow.

42
43 Maybe we'll start with Mr. Alcorn.

44
45 MR. ALCORN: Good morning, I'm Doug
46 Alcorn. I work for the U.S. Fish and Wildlife Service
47 in Anchorage. And since you're talking about where
48 you're from, I'm a Californian, grew up in California.
49 I've lived in Anchorage for 10 years, I've known Harry
50 for 10 years. Coming up here working on subsistence

1 regulations for migratory birds, that's my area of
2 responsibility for the Fish and Wildlife Service. So
3 we came up, Fred and I, we work together on the Alaska
4 Migratory Bird Co-Management Council. And we've come
5 up here at the invitation of the Chair to let you know
6 how things are going on the regulatory process for
7 migratory birds and subsistence hunting.

8

9 MR. ARMSTRONG: Good morning, Fred
10 Armstrong with Fish and Wildlife Service and the
11 director for the Alaska Migratory Bird Co-Management
12 Council.

13

14 DR. YOKEL: Mr. Chair. Council
15 members. I'm Dave Yokel with the BLM from Fairbanks.

16

17 CHAIRMAN BROWER: There's a fan going
18 on, you need to speak up.

19

20 DR. YOKEL: I'm sorry. Good morning,
21 again, I'm Dave Yokel with the BLM in Fairbanks.

22

23 CHAIRMAN BROWER: Thank you, Dave.

24

25 MS. HYER: Good morning also. I'm
26 Karen Hyer. I work with the Office of Subsistence
27 Management. I am the statistician with the Fisheries
28 Division so I work with the fish.

29

30 CHAIRMAN BROWER: Thank you, Karen.

31

32 DR. WHEELER: Good morning. I'm Polly
33 Wheeler with the Office of Subsistence Management in
34 Anchorage and I work with all these guys and I'll try
35 and -- and women, I should say, and we've got a lot of
36 briefings and stuff from the Office of Subsistence
37 Management that I'll be going through later on during
38 the day.

39

40 CHAIRMAN BROWER: Thank you.

41

42 MR. VARNER: My name is Roy Varner and
43 I work with in the North Slope Borough Planning
44 Department.

45

46 CHAIRMAN BROWER: Thank you. George.

47

48 MR. OLEMAUN: I'm George Olemaun, North
49 Slope Borough, Mayor's Office.

50

1 CHAIRMAN BROWER: Thank you, George.
2
3 MR. NAGEAK: Ben Nageak, Barrow, BLM
4 field station.
5
6 CHAIRMAN BROWER: Good morning, Ben.
7
8 MS. B. ARMSTRONG: Barb Armstrong,
9 North Slope coordinator.
10
11 CHAIRMAN BROWER: And then we have our
12 court reporter, Tina.
13
14 REPORTER: My name's Tina, I'm the
15 court reporter.
16
17 CHAIRMAN BROWER: Thank you, Tina.
18
19 Good morning everyone. I think we're
20 pretty much done with our introductions and, again,
21 welcome to Barrow for the North Slope Regional Advisory
22 Council meeting.
23
24 At this time we have the review and
25 adoption of the agenda.
26
27 MR. KOONUK: Mr. Chair, so moved.
28
29 CHAIRMAN BROWER: There's a motion on
30 the floor to adopt the agenda.
31
32 MR. NAGEAK: Second.
33
34 MR. G. BROWER: Second.
35
36 CHAIRMAN BROWER: Seconded by Gordon
37 and James. Discussion.
38
39 (No comments)
40
41 MR. GUNDERSON: Question.
42
43 CHAIRMAN BROWER: Any changes or
44 revisions to the agenda.
45
46 MS. B. ARMSTRONG: I don't have any
47 changes to the agenda unless someone else does.
48
49 CHAIRMAN BROWER: Okay, thank you Barb.
50

1 MR. GUNDERSON: Call for the question.
2
3 CHAIRMAN BROWER: Question's been
4 called on the motion to adopt the agenda as presented.
5 All in favor signify by saying aye.
6
7 IN UNISON: Aye.
8
9 CHAIRMAN BROWER: Opposed, same sign.
10
11 (No opposing votes)
12
13 CHAIRMAN BROWER: None noted. Thank
14 you. We have our agenda before us.
15
16 Number 6 is the review and approval of
17 the minutes from August 26th, 2008 meeting on Page 4 in
18 the booklet. I'm not sure who else has the booklet
19 here but.....
20
21 MS. B. ARMSTRONG: Mr. Chair.
22
23 CHAIRMAN BROWER: Yes, Barb.
24
25 MS. B. ARMSTRONG: The reason we have
26 this August 28th, 2008 is that we didn't have our
27 winter meeting. We tried several times to have our
28 winter meeting and it just didn't work out so we
29 altogether cancelled the meeting and then that's why
30 we're reviewing a year ago so I just wanted to say
31 that.
32
33 CHAIRMAN BROWER: Thank you.
34
35 MR. KOONUK: Mr. Chair.
36
37 CHAIRMAN BROWER: Yes, Ray.
38
39 MR. KOONUK: What about our new members
40 who just got in.....
41
42 CHAIRMAN BROWER: Uh-huh.
43
44 MR. KOONUK:is there a process or
45 are we just automatically into adopt and.....
46
47 CHAIRMAN BROWER: Introduction into
48 the.....
49
50 MR. KOONUK: Yeah, am I.....

1 CHAIRMAN BROWER: Orientation.
2
3 MR. NAGEAK: We weren't here for the
4 meeting, I don't think so.....
5
6 CHAIRMAN BROWER: We weren't here in
7 the winter meeting and I think that's where the
8 orientation was supposed to take place.....
9
10 MS. B. ARMSTRONG: Yeah. Yeah.
11
12 CHAIRMAN BROWER:but.....
13
14 MR. KOONUK: Okay.
15
16 MS. B. ARMSTRONG: I had the
17 orientation set up for it but then -- excuse me.....
18
19 CHAIRMAN BROWER: James.
20
21 MS. B. ARMSTRONG: James came in late
22 last night so I just kind of thought I'm going to do it
23 wintertime, besides, Lee didn't make it in. I had it
24 set up for the two of them.
25
26 CHAIRMAN BROWER: Uh-huh.
27
28 MS. B. ARMSTRONG: To meet them last
29 night but then it was just too late to try to do it
30 last night, so we'll do it next time.
31
32 CHAIRMAN BROWER: Does that help with
33 your comment, Ray.
34
35 MR. KOONUK: Yeah.
36
37 CHAIRMAN BROWER: We're still under the
38 discussion and the approval of minutes.
39
40 MR. G. BROWER: Move to adopt the
41 minutes.
42
43 CHAIRMAN BROWER: Motion on the floor
44 to adopt the minutes.
45
46 MR. KOONUK: Second.
47
48 CHAIRMAN BROWER: Seconded by Ray.
49 Further discussion on the approval of minutes.
50

1 (No comments)

2

3 MR. NAGEAK: Question.

4

5 CHAIRMAN BROWER: Question has been
6 called on the approval of the minutes of August 26th,
7 2008, signify by saying aye.

8

9 IN UNISON: Aye.

10

11 CHAIRMAN BROWER: Opposed, same sign.

12

13 (No opposing votes)

14

15 CHAIRMAN BROWER: None noted. Thank
16 you. We have our agenda Item No. 7, Chair's report.

17

18 One item identified in there is the
19 review of Federal Subsistence Board reply to the 2008
20 annual report on Page 12. This is a letter responding
21 to the North Slope Regional Advisory Council 2008
22 annual report.

23

24 The Board appreciates your effort in
25 developing the annual report and values the opportunity
26 to review the issues brought before it concerning your
27 region. Annual reports allow the Board to become more
28 aware of the issues that fall outside the regulatory
29 proposal process and affect subsistence users in your
30 region.

31

32 The responsibility to respond to these
33 reports has been delegated to the Board by the
34 Secretaries of the Interior and Agriculture. The Board
35 has reviewed your annual report and offers the
36 following responses:

37

38 Issue No. 1: Unit 26 Brown Bear.

39

40 The Council requests a report on the
41 status of the brown bear population in Unit 26, impacts
42 to the surrounding environment, predation on its prey
43 species, and its current habitat. Concern has been
44 expressed due to aggressive behavior and property
45 destruction by bears. The bears exhibit no fear of
46 human interactions.

47

48 That was one of our issues that we were
49 dealing with in 2008. I think it continues this year.
50 But continuing down with the response.

1 Population size and trend. Although
2 the Gates of the Arctic National Park Staff plan to
3 conduct a brown bear survey in 2010, there are no
4 current estimates for the Unit 26A brown bear
5 population. Year 1992 data in Unit 26A west for the
6 Utukok and Kokolik drainages indicate the bear density
7 of 7.62 bears per 100 square miles. The total brown
8 bear population in unit 26A is estimated to be at 900
9 to 1,200 -- or 1,120 bears; 400 bears in 26A wet and
10 500 bears to 720 bears in Unit 26A east. Densities per
11 habitat zone were estimated to be 0.13 to 0.52 bears
12 per 100 square miles on the coastal plain, three to
13 eight bears per 100 square miles in the foothills and
14 three to five bears per 100 square miles in the
15 mountains. Current Federal subsistence harvest
16 regulations allow rural residents in Unit 26 one bear
17 by State regulation permit from July 1 through May 31.
18 State regulations allow for one bear from August 1
19 through May 31, for residents with a State subsistence
20 regulations permit. The State's allowable harvest for
21 this population is five percent of the total population
22 or 20 brown bears in 26A and 25 to 36 brown bears in
23 Unit 26A -- okay, Unit 26A west in the first -- let me
24 reread that -- total population or 20 bears -- brown
25 bears in Unit 26A west and 25 to 36 brown bears in 26A
26 east based on the most recent population estimates.
27 Harvest numbers for the past 10 years have been below
28 five percent of the population estimate.

29
30 In Unit 26B the most recent brown bear
31 population estimate is 269 bears, 1.81 bears per 100
32 square miles and is based on data collected between
33 1999 and 2003. This estimate is considered to be a low
34 to moderate density of brown bear in this area. The
35 harvest of one bear is allowed from September 1 through
36 May 31 under Federal subsistence harvest regulations.
37 Under State harvest regulations the Dalton Highway
38 Corridor Management Area in Unit 26B is under different
39 management for method of take and for residents and
40 non-residents. One bear is allowed by bow and arrow;
41 residents are able to harvest by drawing permit from
42 August 25 through December 31 and without permit from
43 March 1 through May 31, and non-Fed -- non-residents
44 are allowed to harvest one bear by drawing permit from
45 August 25 through May 31. For the remainder of Unit 26
46 residents without a permit and non-residents by drawing
47 permit can harvest one bear every regulatory year from
48 August 25 through May 31. The State's allowable
49 harvest for this population in Unit 26B is five percent
50 of the total population or 13 brown bears based on the

1 most recent population estimate. Harvest numbers for
2 the past 10 years have been below five percent for the
3 population estimate.

4

5 In Unit 26C, the most recent brown bear
6 population estimate is 390 bears and is based on an
7 extrapolation of 1993 data. Federal subsistence
8 regulations allow rural residents from Unit 26 to
9 harvest one bear from August 10 through June 30. State
10 regulations allow for residents and non-resident
11 hunters in Unit 26C to take one bear every regulatory
12 year from August 10 through June 30. Since 1993, the
13 total annual harvest has been less than five percent of
14 the population, 19 brown bears, and the proportion of
15 males harvested has been greater than or equal to the
16 60 percent, which currently does not pose any
17 conservation concerns for the population. Since 1996,
18 harvest has been below the State's management objective
19 of 19 brown bears in this unit.

20

21 In general, brown bears are distributed
22 with higher densities in the foothills and mountains of
23 the Brooks Range with lowest densities occurring on the
24 coastal plain of the North Slope. The distribution of
25 brown bear appears to be influenced by a combination of
26 factors including annual snowmelt patterns, seasonal
27 habitat selection, and distribution patterns of calving
28 caribou.

29

30 Bear-human conflict resolution. At one
31 time, there was a higher concentration of brown bear
32 near Prudhoe Bay due to food availability from the
33 landfill and dumpsters. Through a joint public
34 education effort by the Alaska Department of Fish and
35 Game, the North Slope Borough, the concentration of
36 bears has decreased due to the use of bear-proof
37 dumpsters and by making the dump inaccessible to bears.
38 In addition, the Native Village of Kaktovik received a
39 tribal grant to develop a bear-human safety plan that
40 established a village patrol to deter bears from the
41 village by non-lethal means, minimizing attractants
42 around the village, and developed public educational
43 materials to minimize bear-human conflicts. These
44 efforts could be extended throughout all of the North
45 Slope Borough to minimize property destruction by
46 bears.

47

48 MS. B. ARMSTRONG: Excuse me, Mr.
49 Chair.

50

1 CHAIRMAN BROWER: I think I'll stop
2 here and.....
3
4 MS. B. ARMSTRONG: Mr. Chair.
5
6 CHAIRMAN BROWER:the next
7 comments are into the Dolly Varden.
8
9 Yes, Barb.
10
11 MS. B. ARMSTRONG: If you want to just
12 go to Issue No. 6 because Issues 2 and 4 and 3 will be
13 further discussed before you by Karen Hyer, and that
14 can be.....
15
16 CHAIRMAN BROWER: Yes, so.....
17
18 MS. B. ARMSTRONG:so if you just
19 want to go on to Issue No. 6, should muskox be
20 transplanted to the North Slope again; has the Federal
21 government developed any plans for reintroduction;
22 that will be okay too if you moved over there.
23
24 CHAIRMAN BROWER: Uh-huh.
25
26 MS. B. ARMSTRONG: Because those two
27 topics -- Issues 2 and 4 and Issue 3 will be further
28 discussed before you this morning.
29
30 CHAIRMAN BROWER: Thank you, Barb. I
31 think this going over the responses from the Federal
32 Subsistence Board are just as important in covering
33 these subjects and we've had concerns voicing these
34 issues over several years.
35
36 And the other issues that are before us
37 is the Arctic cisco and Dolly Varden study; and those
38 two fishery items are still of concern. I'm going to
39 need help on pronouncing this term here.
40
41 MS. B. ARMSTRONG: Ichthyophonus.
42
43 MS. HYER: Ichthyophonus.
44
45 DR. WHEELER: Just call it Icth.
46
47 MS. B. ARMSTRONG: Yeah.
48
49 CHAIRMAN BROWER: The what?
50

1 DR. WHEELER; Just call it Icth.
2
3 CHAIRMAN BROWER: Icth.
4
5 DR. WHEELER: We'll know what you're
6 talking about.
7
8 CHAIRMAN BROWER: Icthyophonus.
9
10 MS. B. ARMSTRONG: Icthyophonus.
11
12 CHAIRMAN BROWER: Icthyophonus in the
13 Yukon chinook. Is that some kind of parasite they're
14 talking about in the fish?
15
16 MS. B. ARMSTRONG: Yeah. Yeah.
17
18 CHAIRMAN BROWER: Okay.
19
20 MS. B. ARMSTRONG: That's what it is.
21 Remember.....
22
23 CHAIRMAN BROWER: Yes.
24
25 MS. B. ARMSTRONG:Paul is the one
26 that brought it up, that they were seeing and he asked
27 about it so we put it in here and then there's going to
28 be a -- Karen's going to report more on that for you
29 this morning.
30
31 CHAIRMAN BROWER: Okay.
32
33 MS. B. ARMSTRONG: She's got that one
34 and Arctic cisco.
35
36 CHAIRMAN BROWER: Issue No. 3. Somehow
37 we're missing Issue 4, but Issue 5 is.....
38
39 MS. B. ARMSTRONG: Two and four are put
40 together because it's the same thing.
41
42 CHAIRMAN BROWER: Unit 26 wolves.
43
44 MS. B. ARMSTRONG: Yeah.
45
46 MR. KOONUK: Mr. Chair.
47
48 CHAIRMAN BROWER: Yes, Ray.
49
50 MR. KOONUK: Well, the years when I was

1 on the Federal Board [sic], I -- '94 until 2006/7 --
2 requesting information because I'm from Unit 23 area
3 and Unit 26 is further -- further up in the area, and
4 Unit 23 is within NANA, you know, all these other
5 villages from Kivalina, Noatak and, you know, hopefully
6 we can get some reports or -- or I don't know how --
7 remember that one time we tried to have me go to the
8 meeting with the guys from NANA area because I was --
9 you know, I'm part of Unit 23.

10

CHAIRMAN BROWER: Uh-huh.

11

12
13 MR. KOONUK: That seemed to never --
14 never to work out and we have bear issues, we have fish
15 issues, you know, wolves, caribou.

16

CHAIRMAN BROWER: Uh-huh.

17

18
19 MR. KOONUK: We're just in a different
20 unit. And now I'm back again and, you know, listening
21 to the same issues just for the Unit 26 area, and I'd
22 sure like to hear -- or get reports from, you know, the
23 wildlife in Kotzebue, like from Jim Dau or -- or
24 whoever, you know, is giving reports in regards to
25 these issues. And I've had this concern for a number
26 of years and I'm still going to -- I'm still going to
27 raise it. I feel that, you know, I'm.....

28

MS. B. ARMSTRONG: Yeah. Yeah.

29

30
31 MR. KOONUK:what -- you know,
32 want to say that being here, and representing Point
33 Hope and we have a lot of concerns. And I don't -- I
34 don't know if it's okay for me to bring these concerns
35 out here or do I have to wait to talk to the guys in
36 the Unit 23 area.

37

38 CHAIRMAN BROWER: I think we'll
39 have.....

40

41 MR. KOONUK: Where -- where is it going
42 to go?

43

CHAIRMAN BROWER: We're going.....

44

45
46 MR. KOONUK: Because you have all these
47 reports here that are given up and.....

48

CHAIRMAN BROWER: Uh-huh.

49

50

1 MR. KOONUK:the number of years
2 I've been -- you know, while I was trying to get some
3 reports for Point Hope under Unit 23 and nothing has
4 happened.
5
6 MS. B. ARMSTRONG: Mr. Chair.
7
8 MR. KOONUK: Thank you, Mr. Chair.
9
10 CHAIRMAN BROWER: Thank you, Ray. Yes,
11 Barb.
12
13 MS. B. ARMSTRONG: We did, at that
14 time, when we -- when you were first on the Council, we
15 did at the time that we -- while we were under Tom and
16 Peggy, we got it approved for you to attend the
17 Northwest Arctic meeting but then their meeting was
18 always -- had difficult times for you to be in
19 attendance because of your prior commitments at the
20 time, and we -- that's why it was dropped. At this
21 time maybe we can ask again, see if you can start
22 attending also the Northwest Arctic meeting.
23
24 MR. KOONUK: Okay.
25
26 MS. B. ARMSTRONG: And that is possible
27 if we can do it we -- and we have the ARD here
28 listening to your concerns and I will ask for you to
29 see if you would be able to attend the Northwest Arctic
30 meetings then.
31
32 MR. KOONUK: Mr. Chair.
33
34 MS. B. ARMSTRONG: Thank you.
35
36 CHAIRMAN BROWER: Yes, Ray. Thank you,
37 Barb.
38
39 MR. KOONUK: I know we could bring this
40 up during the village concerns but I thought I'd bring
41 it up because these reports from our different areas of
42 the North Slope, so.....
43
44 CHAIRMAN BROWER: These are concerns
45 that were voiced from our Regional Advisory Council and
46 this is a response letter from the Federal Subsistence
47 Board to the RAC on our issues that we've identified
48 from the previous years, so this letter that I'm
49 reading is a response to us from the Federal
50 Subsistence Board.

1 MR. KOONUK: Also I made concerns to
2 the response to -- really giving out in regards to our
3 area because we're in a different unit.

4
5 CHAIRMAN BROWER: So we'll have some
6 more discussions on fisheries issues, Ray, and if there
7 are other issues, they're not just specific to
8 fisheries but we have other -- under the agenda items
9 we have different resources that we'll be addressing,
10 and if you don't hear what you need to voice concerns
11 about we could bring them up at the.....

12
13 MR. KOONUK: But, you know, the only
14 point here.....

15
16 CHAIRMAN BROWER:under those
17 discussions.

18
19 MR. KOONUK:you know.....

20
21 CHAIRMAN BROWER: Yes.

22
23 MR. KOONUK:now is the time to
24 get them out and our time table for these meetings are
25 -- are limited for one day, you know, I'm going to
26 speak for it.

27
28 CHAIRMAN BROWER: That's fine, Ray. I
29 mean we are right within the discussion in the Chair's
30 report in regard to, like I said, the reply from the
31 Federal Subsistence Board to the issues that we
32 identified in 2008, and we still have other resources
33 that we will still continue to cover under our agenda.

34
35 MR. KOONUK: Thank you, Mr. Chair.

36
37 CHAIRMAN BROWER: Yes. So we were
38 still reviewing the responses from the Federal
39 Subsistence Board.

40
41 Okay, let me get back to Page 12 --
42 anyway, reading through the responses on the brown
43 bears and we have the Arctic cisco and Dolly Varden and
44 parasite regarding the Yukon chinook, salmon -- it must
45 be a salmon, right?

46
47 MS. B. ARMSTRONG: Uh-huh.

48
49 CHAIRMAN BROWER: Salmon fishermen
50 around here, we got to speak our Native language around

1 here when we talk these definitions and species, which
2 are not familiar around here. And you were talking
3 about going into Issue No. 6.....

4
5 MS. B. ARMSTRONG: Yes, sir.

6
7 CHAIRMAN BROWER:which is on Page
8 16.

9
10 Should muskox be transplanted to the
11 North Slope again; that's the question we had raised
12 before in regards to what was happening in Kaktovik,
13 the Kaktovik area, and the population that's been
14 dwindling and pretty much gone and I'm not sure if it's
15 reoccurring from the other side of the border. They
16 have the same problem near you, Ray.....

17
18 MR. KOONUK: Yeah.

19
20 CHAIRMAN BROWER:they have a
21 border problem.

22
23 (Laughter)

24
25 CHAIRMAN BROWER: They immigrate and
26 they come back. They go across the border when they
27 feel like it and then when they come back whenever they
28 want to.

29
30 (Laughter)

31
32 CHAIRMAN BROWER: So they have a muskox
33 problem over there at the Canadian border.

34
35 MR. NAGEAK: We don't know laws,
36 animals don't know laws, you know.

37
38 CHAIRMAN BROWER: Yeah, exactly.

39
40 MR. NAGEAK: When do they get their
41 passport to come back.

42
43 CHAIRMAN BROWER: I don't know I'm not
44 sure if they have security clearance yet, but, anyway,
45 that's something that we've been -- that has been an
46 issue. I'm just giving a little background in regards
47 to muskox in 26C, near Kaktovik and that was a
48 transplanted population of muskox over there and they
49 grew into the 400 numbers range and then they started
50 dwindling and then the population just wasn't growing

1 anymore due to several factors, predation being one of
2 the biggest factors, that the numbers were dwindling.
3 There's brown bears that moved over there and learned
4 how to kill the muskox and it was killing several
5 muskoxen during the summer and then some animals had
6 moved across the border and were not counted. And then
7 there's been some resightings, probably two, three,
8 four along within that in the past few years. So I'm
9 not sure if they decided to stay in the U.S., or if
10 they went back to Canada because of the low numbers.
11 So that's why we made the comment about while the
12 Federal government -- if it's an introduction -- or
13 transplanting muskox for reintroduction into the Unit
14 26C, that was our question to them.

15

16 So the response on Page 16 reads:
17 Increasing the current muskoxen population in all
18 subunits of Unit 26 is limited by several factors,
19 including severe weather conditions that reduce access
20 to winter forage and increase animal energy costs,
21 diseases and parasites that reduce healthy body
22 conditions, calf and adult mortality due to predation
23 by predominantly brown bears, emigration [sic] of the
24 population to ranges in Canada. Neither the NPS,
25 National Park Service, nor the U.S. Fish and Wildlife
26 Service has plans for translocation of muskoxen into
27 Unit 26.

28

29 Between 1999 and 2003 in Units 26A and
30 B, the population ranged between 250 and 300 muskoxen
31 with a stable abundance of calves and yearlings.
32 However, the population began to decline in 2003 and
33 reached approximately 216 muskoxen in 2006. Reasons
34 for this decline included mortality rates exceeding
35 recruitment of yearlings into the population and
36 distribution of muskoxen moving to other areas outside
37 Unit 26B and eastern 26A. Currently, there is no
38 Federal open season to harvest muskoxen in Unit 26A and
39 in 26B.

40

41 Between 1974 and 1986 the population of
42 muskoxen grew rapidly in Unit 26C and remained
43 relatively stable at approximately 700 animals. By
44 1995, the initial muskoxen range from the 1002 area of
45 the Arctic National Wildlife Refuge near Kaktovik and
46 the Kavik River had expanded westward to the Itkillik
47 River, Alaska and eastward to the Babbage River in
48 northern Yukon Territory, Canada. From 1999 to 2006
49 the population of muskoxen declined rapidly with only
50 one animal observed in 2006, five observed in 2007 and

1 44 muskoxen observed in 2008. The 2008 census numbers
2 were extrapolated and estimated that there were 250
3 muskoxen -- that there are 250 muskoxen in Unit 26C.
4 Current Federal subsistence harvest regulations require
5 that the number of permits issued should not exceed
6 three percent of the number of the animals observed
7 during the pre-calving census. Based on this
8 regulation the number of animals observed during the
9 2008 census, only one permit to hunt a male muskox was
10 issued for the 2008/2009 season.

11
12 And that's pretty much the discussion
13 in response to the muskox.

14
15 So the Federal agencies indicate that
16 there's no plans to translocate of muskoxen under the
17 first paragraph of that sentence.

18
19 In regards to further discussion on
20 this, just looking on our agenda, if there's another
21 opportunity to discuss -- there's agenda Item 9 closure
22 review of Council recommendations and that's another
23 area where we're going to discuss more muskox, sheep,
24 moose and muskox.

25
26 MR. NAGEAK: Mr. Chair.

27
28 CHAIRMAN BROWER: James.

29
30 MR. NAGEAK: On that muskox -- muskoxen
31 issue.

32
33 CHAIRMAN BROWER: Yes.

34
35 MR. NAGEAK: You know, there's no open
36 season for 26A and B and they started coming around
37 three or four years ago in our area up by Anaktuvuk
38 Pass and.....

39
40 CHAIRMAN BROWER: Uh-huh.

41
42 MR. NAGEAK:since we don't have
43 any way of getting them, you know, we just -- you know
44 the bears took them. You know there's a lot of meat in
45 those animals and we couldn't hunt them and so we just
46 let the bears take care of the muskoxen population in
47 that area. And I've heard people talk about muskoxen
48 being in relation to the caribou population, you know,
49 there's some animosity between the two animals I guess
50 and I just as soon not have muskoxen in our area to

1 begin with. I think that's the general mind set for
2 people who are relying on the caribou population.

3
4 So I'm glad that there's no plans to
5 have any more transplanting of muskoxen to this area.

6
7 CHAIRMAN BROWER: Thank you, James.
8 Polly -- I'm going to say Dr. Wheeler.

9
10 DR. WHEELER: Thank you, Mr. Chair. I
11 was just going to say that later on in your agenda
12 there is an opportunity to talk about wildlife
13 proposals, you know, proposals for wildlife regulations
14 that you'd like to see. And while currently there's a
15 closed season it doesn't mean there couldn't be an open
16 season if the population could sustain it. So you
17 could always submit -- this Council could always submit
18 a proposal to open up muskox hunting for subsistence
19 hunters in 26A and B. I don't know off hand what the
20 biology looks like but it would be an opportunity to
21 look at the biology and see if there is hunting
22 opportunities available so it may be something you want
23 to consider in the agenda. It's agenda Item No. 11, so
24 just down the road, and I'll prompt you again, but it's
25 something you might want to think about if you feel
26 like there's an opportunity out there that subsistence
27 hunters could take advantage of.

28
29 Thank you, Mr. Chair.

30
31 CHAIRMAN BROWER: Thank you. Gordon.

32
33 MR. G. BROWER: Gordon Brower, for the
34 record. And maybe this is a question to some of the
35 biologists and maybe to yourself as well; just having
36 sat here for a number of years and try to make some
37 proposals, I remember in the past concerning moose and
38 also concerning muskox in Unit 26C, and a concern was
39 always population size and if it was sustainable. But
40 when we start talking exactly what our representative
41 from Anaktuvuk, Mr. Nageak, we let the bears take them,
42 and I see videos of that. I'm sure you've seen it,
43 these bears taking down calves and they don't hesitate.
44 And a muskox is not easy to run off, in fact, will
45 charge, and do these kinds of things. But that kind of
46 atmosphere seems to me from experience, any proposal to
47 try to say let's harvest them, it seems like it's
48 always put aside from the Federal Subsistence Board as
49 not a viable option to take these animals; and we often
50 see that. We often see nature just take its course and

1 take out another species from one that's very
2 aggressive.

3
4 So I just wanted to see what your
5 thoughts about that, because if we, like you said, try
6 to put a proposal in, what's the likelihood of
7 something like that passing the Federal Subsistence
8 Board? I was sitting listening also to Ray concerning
9 other units. I think we can affect other units. We've
10 talked about Unit 24 for Anaktuvuk, we can talk about
11 Unit 23 because we have villages that use Unit 23, so
12 we've just got to raise the issues and talk about
13 what's the situation. So I just wanted to make those
14 points.

15
16 CHAIRMAN BROWER: Thank you, Gordon.
17 Polly.

18
19 DR. WHEELER: I'll start with your last
20 point first. This is Polly Wheeler with the Office of
21 Subsistence Management. I mean as the Chair mentioned,
22 the letter that was written in response to the concerns
23 raised by the Council were concerns raised a year ago
24 because you guys didn't have the opportunity to meet
25 last winter. So some of this stuff is dated. I mean
26 the Board was responding to concerns that were raised a
27 year ago, if there's new concerns this is your
28 opportunity to raise those concerns and then the Board
29 will respond, but it's sort of a delayed process just
30 because -- especially since you guys didn't meet last
31 winter. So that's your first concern.

32
33 Your second concern is, I mean we all
34 know -- I can't predict what the Federal Board will do
35 with a proposal, if I could I'd probably be in a
36 different place.

37
38 (Laughter)

39
40 DR. WHEELER: But I think it's
41 important to -- I mean I would recommend if you feel
42 like there's a harvestable surplus in these animals
43 then I think you need to put in a proposal -- I would
44 recommend putting a proposal in and then when the
45 analysis comes before you as a Regional Advisory
46 Council, you talk about the fact that, you know, the
47 analysis might say there's conservation concerns,
48 because remember under ANILCA we can only allow harvest
49 if it doesn't affect the conservation of the
50 population, but if you feel like there's a harvestable

1 surplus that the bears are taking then I would say
2 that, and then the Federal Board has to take your
3 recommendations under considerations. So think about
4 the comments that you make on the analysis for the
5 proposal to make it saying, yeah, we think there's a
6 harvestable surplus, it may only be one or two animals,
7 but even if it's only one or two animals, it's still
8 one or two animals that the bears aren't getting.

9

10 So, you know, I can't speak for what
11 the Board will do, but my recommendation is you keep
12 trying and sooner or later something will happen. So
13 that's just my thoughts.

14

15 MR. G. BROWER: Just one response, Mr.
16 Chair.

17

18 CHAIRMAN BROWER: Yes, Gordon.

19

20 MR. G. BROWER: You know I have not
21 tried to -- or haven't heard it put in that way, like
22 we're competing against another taker and the other
23 taker is a predatory animal. To put language that we
24 want to take these animals prior to the grizzlies
25 taking them, I think that should be looked at because
26 we're competing for the same animal. All we want to do
27 is put food on the table, all the bear wants to do is
28 eat as well, so, I just haven't come across and put
29 language in that way, where it's a harvestable surplus
30 that the bears are being allowed to take.

31

32 (Laughter)

33

34 DR. WHEELER: Maybe I'll get in
35 trouble.

36

37 CHAIRMAN BROWER: These are good
38 comments, and we need to be considerate of Gordon. I
39 appreciate the comments that you've provided Dr.
40 Wheeler, as well. These are very issues that are
41 before us and that we have to be considerate of the
42 community that's been raising the issues for muskox for
43 many years, and that's been Kaktovik.

44

45 MR. G. BROWER: Uh-huh.

46

47 CHAIRMAN BROWER: Nuiqsut as well.
48 Some years they are appreciative of the muskox being
49 there but some years they aren't, depending on what
50 resource they're really more dependent on. Kaktovik

1 has been very dependent on the muskox when they were in
2 the higher numbers, and they were getting habituated to
3 taking the muskox in that community, but with the
4 assistance of the brown bears taking the numbers down
5 without any regulations and the population moving
6 across the border their hunt has ceased, now they're
7 only taking one animal. I think that's the only permit
8 that gets issued for that 26C area. So that's what
9 we've been considerate of over the years. So there's
10 some multiple factors that need to be addressed in
11 terms of how we continue going forward on this. The
12 recommendation for -- in regards to the 2008, the
13 question, is the Federal government looking to
14 transplant new muskoxen to the area, that was the
15 concern trying to address the issue of muskoxen in
16 Kaktovik because there was no hunt for the muskox, they
17 closed the season there and they were getting
18 accustomed to taking those resources because the
19 caribou were not so readily available and access was
20 getting harder over the years, and that was one
21 resource that was available to them that was present --
22 that was having a presence in the area. So these are
23 very good concerns and they need to be considered
24 during the further discussions and the dialogues of
25 future proposals.

26
27 In regards to what was identified in
28 the response one permit issued for the community of
29 Kaktovik, I think that doesn't even meet the need of
30 the community, but then the resource is not available,
31 it's been taken out by the predators, brown bears. And
32 the comment James made earlier, I was kind of wanting
33 to think about some of our Native experiences and hunts
34 that have occurred with predator/prey relationships,
35 when you're able to observe a predator taking down an
36 animal, you let him take it down and then come down and
37 come back and take that predator down so you have two
38 in one.

39
40 (Laughter)

41
42 CHAIRMAN BROWER: The muskox and the
43 brown bear at one time, you tell them you got the brown
44 bear, the muskox was already dead.

45
46 (Laughter)

47
48 CHAIRMAN BROWER: You know that's
49 something that we have to think about at times in terms
50 of how opportunistic hunters think. These things are

1 not thought about in ways, but we're so focused on into
2 the letters and what's being generated for us is not
3 considerate of our issues that are of concern. We're
4 trying to provide food for the table and being
5 opportunistic hunters we need to be -- we need to take
6 the opportunity when it arises. And that might be one
7 situation that the Council should think about.

8
9 So we need to be considerate and I
10 appreciate your comments Gordon, Ray and Dr. Wheeler,
11 James, that we need to be considerate of when we think
12 about generating proposals or hear these other resource
13 reports that we're going to be hearing on sheep, moose,
14 muskox, fish and that nature. So this is the response
15 that was generated by the Federal Subsistence Board to
16 our concerns, and I appreciate the dialogue --
17 continued dialogue on this, and these are good starting
18 points for us again to refresh our memories of what we
19 need to be considerate of in terms of wildlife
20 proposals in our communities that are always in need of
21 renewable resources. Kaktovik being the first eastern
22 community, it's always having a hard time with caribou.
23 Although there are caribou that come into the area and
24 they're at the -- they're only in there for a short
25 period of time and they immigrate right back into
26 Canada after a short visit to the calving grounds in
27 Alaska in the 1002 areas. So what's remaining -- what
28 was remaining with the muskox and they'd be available
29 to take one or two at the time the population was a
30 little bit higher. I think they were up into the six
31 and seven numbers before when the population was much
32 higher, but that has dwindled down to zero, basically
33 one now because there's no population for them to take
34 at those numbers.

35
36 I'm not sure if there's any other
37 issues you would like to discuss under the response
38 from the Federal Subsistence Board on our issues from
39 2008. We're on agenda Item 7, Chair's report on the
40 review of the Subsistence Board reply to 2008 annual
41 report. Are there any other issues or further
42 discussion on any other items that we've identified?

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

45
46 CHAIRMAN BROWER: Yes, Gordon.

47
48 MR. G. BROWER: Am I to understand that
49 we're going to be talking about Issue No. 1 more later
50 on?

1 CHAIRMAN BROWER: We have an
2 opportunity to discuss brown bears?
3
4 MS. B. ARMSTRONG: Issues 2 and 4.....
5
6 MR. G. BROWER: Uh-huh.
7
8 MS. B. ARMSTRONG:and 3 which
9 will be discussed right after this by Karen Hyer.
10
11 CHAIRMAN BROWER: So does that include
12 the brown bear?
13
14 MS. B. ARMSTRONG: No.
15
16 CHAIRMAN BROWER: Okay.
17
18 MS. B. ARMSTRONG: Just on the fish,
19 the Icth problem and there's a report in your folder
20 that I put in.
21
22 MR. G. BROWER: Mr. Chairman.
23
24 CHAIRMAN BROWER: Yes, Gordon.
25
26 MR. G. BROWER: I'd like to take up
27 Issue No. 1 again just to reemphasize what's going on,
28 you know. Brown bears, I think last year we were
29 reporting more aggressive bears and this year it's
30 continuing again.
31
32 I went up to my camp and I was going to
33 have a leisure time and maybe get some tutu to make (In
34 Inupiat) and I ended up cleaning my camp, I have camps
35 along Ikpikpuk and Chip, and when I got there my whole
36 camp is destroyed. And we've been camping and have
37 camps, Native allotments in these areas since -- you
38 know when I was a little boy I was helping make ice
39 cellars and cabins and the camp wasn't that much
40 affected by bears. We would catch a bear here and
41 there. But before my father passed away he had
42 expressed a concern that somehow the bears are a lot
43 more aggressive, they're not shy to approach the cabin
44 where there's humans. In the past, you know, you would
45 see them on the outskirts. Last year we had three
46 times come into the camp. This year I don't know how
47 many times. I went up there already, cleaned the whole
48 place up and preparing to bring lumber and what not to
49 fix it up to make it useable for fall fishing and fall
50 caribou hunting and I loaned my boat out to another

1 group above Chip 9, I loaned it to Danny Edwards and
2 they're now reporting my camps are broken in again and
3 that now I got no windows on both camps, Chip 4 and
4 Chip 9, and the last time I was up there all my ice
5 cellars were open and ice formed real narrow, had to
6 rework those, my warehouse was tilted over to the side
7 and gear and stuff strewn all over the area. We're
8 continuing to have much more aggressive bears than we
9 have had in the past. And I know we need to be there,
10 and that's one of the remedies is being able to stay at
11 your camp at periods of time but you can't do that all
12 the time.

13

14 And I just want to reemphasize these
15 bears are a lot more aggressive than they have been in
16 the past. Either they're numerous or these are kind of
17 bears that have been habituated over time somewhere
18 else and now have migrated to this side and find
19 another opportunity where humans habitation is what
20 they know.

21

22 So that's just what I want to express.
23 And all along our camp when I went up and down to
24 assess Ikpikpuk River, maybe about 70 percent of the
25 camps are this way.

26

27 First I thought maybe it was the wolf
28 hunters in the wintertime but I went up there and
29 cleaned it all up and there should have been no way to
30 get in those with no smell scent, I mopped everything,
31 cleaned up and now there's no windows, no doors, and I
32 mean this has been -- and at the same time I would just
33 like to express these camps are some -- a lot of time
34 they're emergency shelter in the wintertime for people
35 going from one village to another or hunting wolves and
36 also major areas for fishing that provides food for our
37 communities. We're a very sharing community, real
38 solid ground on traditional use of the land and a
39 sharing community, and we see that when you have
40 Blanket Toss; and I encourage you guys all to come to
41 Blanket Toss and look at what we do with food when we
42 harvest it and we share it with our people. And to me
43 it's heartbreaking when camps like this, and we've
44 tried to get assistance and do something about it,
45 maybe we need to open and make our hunters into legal
46 guides and get some of these bears and reduce numbers;
47 I don't know. I don't know what the answer is. But
48 certainly they're a lot more aggressive and I want to
49 reemphasize that.

50

1 Thank you.

2

3 CHAIRMAN BROWER: Thank you, Gordon.
4 You know I'm going to voice the similar concern in
5 regards to supporting your comments, Gordon. I am
6 another one of the folks that have been impacted by
7 brown bear. My cabin as well has been broken into
8 several times, not just the one time, it's been several
9 times just as well. And it's getting costly to repair
10 those cabins when we try to leave them in good
11 condition but the animals keep coming back. I was --
12 Gordon, when you referenced Uncle Arnold, I was
13 communicating with him at one point and we were talking
14 at -- Uncle Arnold and I were talking that maybe these
15 guys have a spotting scope sitting on top of the bluff
16 looking at us, as soon as we leave they come down.

17

18 (Laughter)

19

20 CHAIRMAN BROWER: That's basically what
21 was happening. I mean that's just our perception of
22 how they know when to come down to the cabin. Because
23 I had my experiences of going from my camp, going out
24 hunting a little bit further, spend the day out, and
25 come back only to find my camp broken in by the bear
26 again and gone already, before I even get back, and
27 Uncle Arnold was going through the same experiences, he
28 was going between two cabins, campsites, and he went
29 through the same experience I did. And that's the
30 conclusion we came down to, they must have a spotting
31 scope and they were looking at us, everytime we leave
32 one cabin they go for that cabin we just left.

33

34 (Laughter)

35

36 CHAIRMAN BROWER: You know it seems
37 funny but these are serious matters for us when it
38 comes to life threatening situations and people depend
39 on these cabins to seek shelter in those times, and
40 there's no real means. We try to address the concerns
41 through the regulations but that seems not to be the
42 answer, you know.

43

44 Even in regards to Unit 26C on muskox,
45 we tried helping Kaktovik in taking down a couple of
46 brown bears that were identified as potential predators
47 for that muskox population but the Board refused to
48 address our concerns and the population just continued
49 to dwindle and these were some big brown bears that
50 were taking down the muskox, bull muskox, any of them,

1 they were taking them down, and they had learned how to
2 kill the muskox over time.

3

4 So these are valid concerns under the
5 response to the Federal Subsistence Board to our
6 concerns and yet we still are having similar
7 experiences, even worse on the destruction of property
8 by the brown bears. We're not sure if they're one
9 particular individual or several of them, you know,
10 we're being impacted in a large area and our access is
11 a problem.

12

13 George, did you have a comment.

14

15 MR. OLEMAUN: Yes.

16

17 CHAIRMAN BROWER: Yes, thank you,
18 George.

19

20 MR. OLEMAUN: Just a comment on --
21 well, actually it's on brown bears and polar bears. As
22 you know we get patrols -- request for patrols in the
23 villages, Kaktovik, all the coastal have been getting
24 them for, not just for polar bears now, but for brown
25 bears, too, akaluks (ph), we've had some from Atqasuk,
26 we got a request from Point Lay, and as you are all
27 aware of it in Kaktovik, not just polar bears, but
28 brown bear, too. And within the cabins, that's -- at
29 our camp -- I haven't been there a couple years, but
30 been getting more down there too at Beard Bay (ph) on
31 the coast. So we know that the brown bears are going
32 all over and I think it's just the way things are, the
33 climate change and all that, the food source is getting
34 where it's more abundant and they're going out further
35 than where they used to be. But as you know they're
36 also (In Inupiat) -- if they know a food source they'll
37 go there all the time just like they do with Kaktovik.
38 When they start -- they know, they go there, just like
39 the polar bears do at Cross Island now too, so if
40 there's a food source they know they'll go there. And
41 I think that's what's happening now with the cabins,
42 they know if no one's there, whatever they can get
43 they'll get. I don't know if they're getting any
44 smarter but they know -- they're just doing what
45 they're, you know, born to do, that's what they do. As
46 for deterrence, and I guess that's up to the cabin
47 owners but again this is something that we will be
48 discussing further with wildlife on how to deal with
49 these issues. I understand there's some -- they're
50 protected under the -- well, the polar bears are

1 protected under the -- that -- what's the name --
2 they're concerned about them, and that's something
3 that, we do the patrols but we bear the funds too or
4 the.....

5
6 CHAIRMAN BROWER: Cost.

7
8 MR. OLEMAUN: The cost. And that's
9 something that I wanted to discuss with wildlife too
10 but I just wanted to mention that we are getting more
11 requests for polar bears, but also akaluks now, too.

12
13 We've had some incidents in Atqasuk
14 where they wanted some, but what they did they just --
15 and when we talked to the State at -- Geoff, they said
16 just go kill them, and that's one thing that will deter
17 them, you kill them.

18
19 CHAIRMAN BROWER: Uh-huh.

20
21 MR. OLEMAUN: If they're, you know,
22 disturbing your property and you're in danger you have
23 every right to do that, everyone does. But I just
24 wanted to bring that out.

25
26 CHAIRMAN BROWER: Thank you. Thank
27 you, George, for sharing your concerns.

28
29 MR. NAGEAK: Mr. Chair.

30
31 CHAIRMAN BROWER: Yes, James.

32
33 MR. NAGEAK: On that part, brown bear
34 subject, they are getting more aggressive. When you're
35 out hunting at Anaktuvuk Pass, you know, you camp out
36 for two or three days in a tent and the bears are
37 getting more and more aggressive enough to come around
38 the tent.

39
40 I had an opportunity to be with a
41 group with Steve Grobus (ph) and Kay and -- at the
42 Tagaholik (ph) Lake camp, and they have a cabin there,
43 they said they used to have a lot of problems with the
44 bears, you know, there's trees and stuff around that
45 area, until they surround their cabin with this piece
46 of wire connected to a battery and every time the bears
47 try to get into the cabin, you know how they sniff, and
48 they get zapped on their nose with electricity, and
49 they hadn't had any problems with bears in that cabin,
50 you know, the bears were coming in while they were

1 gone, getting in there and getting into their stuff,
2 and now since the bears are active in the summer time
3 and hibernate in the winter, this solved the problem
4 for them, there's this bear deterrent that somebody
5 sells. You know, you could buy a bear deterrent that
6 has electricity that goes through that thing and it
7 protects your cabin. Maybe that's an answer, temporary
8 answer for the other problems, you know, I don't know
9 if it's going to work up here where there's no trees or
10 anything, but it's a possibility.

11
12 CHAIRMAN BROWER: Thank you for that
13 James. I think that's something that's being
14 considered within the community. Because we've had
15 numerous discussions on this subject for quite a few
16 years now and that's one item that's being sought after
17 to put near these cabins that have been receiving a lot
18 of damage repeatedly. You know, I was just mentioning
19 to Gordon this morning, maybe we should set up some
20 leg-hold traps and we'll put them on chain.....

21
22 (Laughter)

23
24 CHAIRMAN BROWER:and see if
25 they'll be coming back.

26
27 (Laughter)

28
29 CHAIRMAN BROWER: Because we have some
30 traps that'll work but, you know, these are something
31 that would have to be monitored constantly if they're
32 going to be set up. And this electric fencing is
33 something that's being discussed and sought after
34 through different means so we'll be looking into that
35 and considering it.

36
37 You know, we need to reflect back as to
38 how this came about. from the oxbowl (ph) and Prudhoe
39 Bay, that site got closed, and there must have been a
40 large number of animals that were habituated and got
41 moved out, now we're left with the animals roaming free
42 and causing all this destruction. I think there needs
43 to be some consideration of maybe dispatching a few of
44 the animals before they let -- instead of just letting
45 them start roaming out in the countryside, because they
46 hadn't increased in numbers in that oxbowl to begin
47 with and we didn't have so much of a problem at that
48 time. It was after the closing and fencing of that
49 landfill, now they moved out into our areas and causing
50 our problems -- they made them our problems now it

1 seems to be. I mean that's just my personal
2 observation from over time in dealing with this and
3 it's increasing, it's not going away. No matter what
4 we seem to do in terms of trying to cleaning up the
5 camps and putting bear deterrent measures in place,
6 pouring out red pepper. I'm not sure if that's working
7 or not or if that's just an attractant.

8

9 (Laughter)

10

11 CHAIRMAN BROWER: You know that red
12 cayenne pepper, that extremely hot red pepper, I mean I
13 watched my own brother trying to use that stuff and it
14 just came right back on him and he was out there
15 crying, get that out of my eyes.

16

17 (Laughter)

18

19 CHAIRMAN BROWER: You know, but he
20 threw it the wrong direction, he should have been down
21 wind, he happened to be upwind and it just came right
22 back into his face.

23

24 (Laughter)

25

26 CHAIRMAN BROWER: So I mean these are
27 things of experience that we're going through to try to
28 take these different measures.....

29

30 (Laughter)

31

32 CHAIRMAN BROWER:but they seem to
33 be funny but, you know, these things that we are
34 learning over time, but the brown bear concern is still
35 a concern at this time. I think we need to restate
36 again in terms of our issues.

37

38 MS. B. ARMSTRONG: Office of
39 Subsistence Management

40

41 CHAIRMAN BROWER: And rediscussing it
42 and rehashing it with our Federal Subsistence Board.

43

44 Ray.

45

46 MR. KOONUK: I should put my two cents
47 worth too in regards of going up and camping out by (In
48 Inupiat) as we go up we encounter bears around the area
49 and chasing us, you know, and then we'd have to climb
50 up to the house and wait until they go.....

1 CHAIRMAN BROWER: Uh-huh.

2

3 MR. KOONUK:you know we did that
4 for a number of years as I grew up. But now they're
5 coming in closer to town. They're getting closer and
6 they're coming out earlier, they used to -- they're a
7 lot earlier and getting closer to town and it's getting
8 risky just hearing -- and when you go out there to go
9 look for them they're already gone, you know, they
10 disappear like, maybe they have a tunnel or something
11 that they have and they just hide. Like guys in the
12 war, you know, they dig tunnels and they can't find
13 them. That's what -- what we're doing now is just
14 trying to keep a close eye because we want to make sure
15 everybody's safe. But right now they're coming in
16 closer to town even looking for sinews, you know, right
17 around the beach.....

18

19 CHAIRMAN BROWER: Uh-huh.

20

21 MR. KOONUK:and when you hear
22 they're down by the beach you -- our south beach, when
23 you go out there then they're gone, they just
24 disappear, just right now.

25

26 CHAIRMAN BROWER: Yeah.

27

28 MR. KOONUK: But we're facing the same
29 problem, same issues around Unit 23 area. And I'd like
30 to address these issues too and to make sure our cabins
31 are safe too and, you know, our hunters and our -- the
32 ladies that go out and pick berries, they don't carry
33 rifles or anything, you know, they stay out all day,
34 I'd like to see that, you know, they're safe too.

35

36 Thank you, Mr. Chair.

37

38 CHAIRMAN BROWER: Thank you, Ray.

39 Gordon.

40

41 MR. G. BROWER: I just wanted to add
42 one more. And thank you, James, for that one for the
43 electricity, I'm going to look seriously into something
44 like that because we've been repairing our camps I
45 think three, four years straight repeatedly about three
46 or four times a year, and it starts at (In Inupiat) and
47 they're coming out earlier. You know when you're (In
48 Inupiat), spring, goes hunting and it's already broken
49 in now a days and it's already messed up and it's just,
50 you know, it's just heart wrenching when you got to

1 redo it every single year, two or three times a year.

2

3 I had one time talked to some elders
4 about old fashion bear deterrents and it works, we just
5 got to do it. You make these thin baleen strips with
6 two points at the end, sharpen them real good, and then
7 you curl it up into a ball and tie it in the middle and
8 then put it inside some meat and then you just throw it
9 out there and once he eats it, it's supposed to be able
10 to digest the food and the string and then that baleen
11 comes apart and opens up and pokes its stomach through
12 the side. And that's an old fashion way of -- it
13 doesn't kill them right away but it punctures their
14 stomach and it goes in there and tears them up
15 internally and somewhere down the line you're supposed
16 to see the dead bear somewhere.

17

18 But I think we need to -- you know,
19 it's good to make these aware to everybody else because
20 its such a problem, you hear it, and when you're
21 overwhelmed with it, you know, it's time to do
22 something different, even if you got to use modern
23 technology.

24

25 CHAIRMAN BROWER: Thank you, Gordon.
26 Yes, I think it's beyond our control, and I think it's
27 the resource managers that need to step in and start
28 considering to provide some assistance in what's
29 occurring up here. I mean it's been repeatedly for
30 many years. Now the cost is being, as you heard from
31 George, he's the representative from the North Slope
32 Borough Mayor's office, and bearing the cost for
33 conducting this life, safety and health deterrence
34 programs. We're being conservationists in a way and we
35 could be exterminating if we were doing it locally,
36 using Gordon's methods.

37

38 (Laughter)

39

40 CHAIRMAN BROWER: I mean we wouldn't be
41 bearing the cost so much as the local government, and
42 the resource managers are just sitting on the side and
43 trying to deal with regulations. I think that needs to
44 be considered at some time, that they step up to the
45 plate and consider providing some real means of
46 conservation for these resources, if that's going to be
47 the case.

48

49 I'm not sure how much further you all
50 want to discuss this Chair's report. I think we've

1 pretty much discussed the brown bear situation,
2 although we have the others, the fish -- oh, Ben.

3

4 MR. NAGEAK: Well, there's another
5 factor you have to deal with when it comes to resource
6 management and that's funding. And, you know, with
7 everything else, funding has gone down over the years
8 and it's going to keep continuing to go down.

9

10 CHAIRMAN BROWER: Uh-huh.

11

12 MR. NAGEAK: And without working
13 together, without all the entities working together and
14 coming up with a solution that's, you know, you're
15 always going to be faced with that. How are we going
16 to do this; who's going to spend this, you know, this
17 money, and what are we going to spend it on? So you
18 have eight villages and a lot of them are having
19 problems now, so you're going to have to think about
20 all that, the eight villages plus you have, you know,
21 guides and other users out there, hikers and all that
22 stuff so we've seen over the use of the Haul Road in
23 the wintertime, you know, the Borough's spending a lot
24 of money in terms of search and rescue, you know, when
25 people have problems down the coast, getting stuck or
26 lost or whatever, you know, that cost a lot of money.
27 And so we're working with the Borough -- thanks to
28 George, wherever he is, in trying to come up with a
29 solution working with the other agencies. So you have
30 to think about the funding, and the most effective way
31 of doing it is to work together.

32

33 Thank you.

34

35 CHAIRMAN BROWER: Thank you, Ben.

36

37 MR. KOONUK: Mr. Chair.

38

39 CHAIRMAN BROWER: Yes, Ray.

40

41 MR. KOONUK: I so move to approve the
42 Chair's report.

43

44 CHAIRMAN BROWER: Motion on the floor
45 to approve the Chair's report.

46

47 MR. G. BROWER: Second.

48

49 CHAIRMAN BROWER: Seconded by Gordon.

50

1 MR. NAGEAK: Question.
2
3 CHAIRMAN BROWER: Question's been
4 called on the motion. All in favor signify by saying
5 aye.
6
7 IN UNISON: Aye.
8
9 CHAIRMAN BROWER: Opposed, same sign.
10
11 (No opposing votes)
12
13 CHAIRMAN BROWER: None noted. Thank
14 you.
15
16 Maybe at this time we'll call for a 10
17 minute break.
18
19 (Off record)
20
21 (On record)
22
23 CHAIRMAN BROWER: We've completed
24 Agenda Item 7, we're down to No. 8, Fisheries Resource
25 Monitoring Program, making recommendations on Draft
26 2010 Northern Region Fisheries Monitoring Program; and,
27 then, B, a report on effects of icht.
28
29 (Laughter)
30
31 CHAIRMAN BROWER: Ichthyophonus. You
32 got to think of an Inupiat name for that scientific
33 name, cumuk (ph).
34
35 MR. G. BROWER: What is it, is it like
36 a.....
37
38 CHAIRMAN BROWER: A parasite.
39
40 MR. G. BROWER:is it like an (In
41 Inupiat) or something like that?
42
43 MS. B. ARMSTRONG: No, it makes the
44 flesh soft.
45
46 CHAIRMAN BROWER: It makes it icky.
47
48 MS. B. ARMSTRONG: Yeah.
49
50 (Laughter)

1 CHAIRMAN BROWER: Okay. We don't have
2 any names in there, but if you could introduce
3 yourself, please.

4
5 MS. HYER: Yes, I'm Karen Hyer and I
6 work for the Office of Subsistence Management, for the
7 record.

8
9 CHAIRMAN BROWER: Karen, thank you.
10

11 MS. HYER: And I'm going to talk to you
12 about fish today so we're going to switch our direction
13 for a little bit. First I'm going to go over the Draft
14 Fisheries Resource Monitoring Plan for this region, and
15 then I'll go ahead and talk about ichthyophonous and then
16 I'm also going to brief you on the Arctic Cisco and
17 Dolly Varden report that was done by Randy Brown. The
18 reports are in your packets and as I get there I'll
19 introduce you to them.

20
21 CHAIRMAN BROWER: Okay.

22
23 MS. HYER: But lets start with the
24 Draft Fisheries Resource Monitoring Plan, which can be
25 found on 21 of your booklet.

26
27 So if we can go to Page 21 I'll walk
28 you through this.

29
30 CHAIRMAN BROWER: Okay. Do you want us
31 to hold your hand or.....

32
33 MS. HYER: No, but there's a lot
34 written here and I'm just going to hit some of the
35 highlights.

36
37 CHAIRMAN BROWER: Yeah.

38
39 MS. HYER: You've got a lot of material
40 in front of you.

41
42 But during the fall meetings the
43 priority information needs for the northern region were
44 discussed and that was the first step in our process,
45 and now I'm presenting to you the Draft Fisheries
46 Resource Monitoring Plan, and this gives a little bit
47 of the background of our program. The first thing we
48 do is we develop information needs and we have a call
49 for proposals, and proposals are submitted to our
50 office and they go through a process and a technical

1 review, and then those proposals are either recommended
2 to advance or not. And if they're recommended to
3 advance they go back to the investigators and the
4 investigators produce investigation plans for our
5 process, basically, and those investigation plans come
6 back and they're reviewed by our Technical Review
7 Committee. And so what I'm presenting to you today has
8 been reviewed by the Technical Review Committee and now
9 we're bringing it forward to you and we're asking for
10 your recommendation on it.

11
12 So if you turn to Page 23, you can see
13 the evaluation process is highlighted here. And this
14 evaluation process are the criteria for both the
15 proposal review and the investigation plan review, and
16 each is evaluated on four factors. The first one is
17 strategic priority, and under strategic priority
18 Federal jurisdiction is the most -- it applies to every
19 single proposal, there has to be some Federal link for
20 a proposal and an investigation plan to be forwarded
21 through our process. Then the other strategic
22 priorities are also applied to the investigation plans,
23 and the scientific and technical merit is reviewed to
24 make sure that it has acceptable standards for the
25 design and the information collected in the sampling
26 and the report writing. The investigator's ability and
27 resources are reviewed to make sure that they can
28 actually carry the work out. And then turn to Page 24,
29 there's also a partnership and capacity building
30 component that's reviewed. So every proposal and then
31 investigation plan that's submitted to us has all these
32 criteria applied to it and the ones that we feel will
33 be successful then we now are forwarding on to you.

34
35 So if you turn to Page 25, you'll see
36 we get proposals that fall into two basic categories.
37 The first one is stock, status and trends, and these
38 are fishery biology proposals such as stock abundance
39 and behavior research projects. The other one is
40 harvest monitoring and traditional ecological
41 knowledge, which we call HM/TEK and these provide
42 information about subsistence harvest and uses. And
43 both of these categories provide information for
44 fisheries management.

45
46 So if you go down to the middle of the
47 page you'll see 2010 Fisheries Resource Monitoring
48 Plan, and this is a draft plan, and if you turn to
49 Table 1, you'll see right at the top of Table 1 is
50 Northern Alaska, that's this region that we're in now.

1 And for this region three SST projects were submitted
2 and approved by the Technical Review Committee and two
3 HM/TEK projects were submitted and approved. So that's
4 basically that first table.

5
6 And then if you go ahead and turn to
7 Table 2 you'll see the costs associated with those
8 projects, and on the first row are the costs, and
9 you'll see that there's the IP cost and what was
10 supported by the Technical Review Committee and the
11 next column is the RAC, and that column is blank now,
12 and after the meeting we will be able to fill that
13 column in. And then it's just divided from there, it's
14 divided, we have the division of the SST and the
15 HM/TEK, and the third group is just the total together.

16
17 And then Page 27 is the issues and
18 information needs that were established for our call
19 and it talks a little bit about the process of the
20 call.

21
22 Page 28 is the historical projects that
23 have been completed in this region.

24
25 And then if you go to Page 29, Table 2,
26 currently in this area there is one project that we
27 have under way and that is the Kobuk River sheefish
28 spawning and run timing, and that's the only current
29 project in this area.

30
31 So then if you go ahead and turn to
32 Page 31 you'll see the recommendations for funding.
33 And we've gone from a -- we're on a two year cycle now.
34 We used to have an every -- every year we used to do a
35 call for proposals and because of funding we're now on
36 a every other cycle and so that's why there's a lack of
37 -- or ongoing projects in the regions now, we were
38 trying to end everything to get it in synch for this
39 every other year funding. So most of these are four
40 year projects. You'll see them listed at the top of
41 Page 31, they're listed in the order of priority from
42 the Technical Review Committee. And I'll just go down
43 and explain a little bit about each project and then
44 I'll take any questions you have about them.

45
46 The first one is the Unalakleet River
47 chinook project. This has been a stock of concern for
48 much time, for both the State and the Federal
49 government. This project proposes constructing a weir
50 to count the migrating salmon, in addition it will

1 collect age, sex and length information, so it will
2 evaluate both the quality and the quantity of the
3 chinook migrating up the river and that will assist in
4 post-season and in-season management for that area.

5
6 The second one on the list is the
7 Bering Straits non-salmon fish local ecological
8 knowledge. This is a four year project. It will
9 estimate current levels of subsistence use, and it will
10 also document local knowledge. And it will actually
11 interview people in four villages, Shishmaref, Wales,
12 Stebbins and Taylor. So that's the second project that
13 was recommended for funding.

14
15 The third one is Northwest Alaska
16 climate change in subsistence fisheries. And this will
17 document local observations of climate change in three
18 communities, on the Noatak, Selawik, and Unalakleet
19 Villages, as well as document the effects of these
20 changes on subsistence fisheries and their management.
21 And climate change has become a current and important
22 issue to us at OSM.

23
24 And then the fourth one is Selawik Lake
25 and Hotham Inlet inconnu genetic analysis. And this
26 one will study the Selawik River and Kobuk River
27 inconnu and there are mixed stock that support an
28 important winter fishery in Selawik and Hotham Inlet.
29 And this project, through genetic analysis, will
30 provide estimates of the contribution of each stock.
31 And the hope is that this information will help
32 managers manage the fishery more effectively.

33
34 And then the last one is the Selawik
35 Drainage inconnu winter movement patterns. And this
36 one works in conjunction with the genetic analysis, and
37 it is going to use acoustic transmitters under the ice
38 to explore the winter distribution movement patterns
39 and habitat requirements, or the inconnu in both the
40 Selawik Lake and the Hotham Inlet.

41
42 And so those are the five projects that
43 the Technical Review Committee has recommended for
44 funding, so are there any questions?

45
46 CHAIRMAN BROWER: Any Council members
47 have any comments or questions.

48
49 MR. G. BROWER: Yeah, Mr. Chair.
50

1 CHAIRMAN BROWER: Gordon.

2

3 MR. G. BROWER: It seems like none of
4 these are within our district area up here, right?

5

6 MS. HYER: Mr. Chair and Council
7 members. That is correct. When we put the call out
8 for proposals, then which develops into IPs, we ask for
9 the priority information needs, and people can submit
10 proposals for these needs or any proposals whatsoever,
11 but we're just saying that we feel this is important.
12 And those are on Page 27. And then after that we don't
13 control what we get. What we get is what investigators
14 submit and there was simply no proposals submitted for
15 this area this go around.

16

17 MR. G. BROWER: Yeah, Mr. Chairman.

18

19 CHAIRMAN BROWER: Continue Gordon.

20

21 MR. G. BROWER: When you're talking
22 about no proposals submitted from this area, would a
23 proposal -- would have to be from an individual or a
24 sitting member from here or is it a proposal that a
25 biologist like Mr. Yokel or somebody else that needs to
26 be submitting a proposal on behalf of somebody? That
27 is -- I know there is proposals that we do.....

28

29 MS. HYER: Uh-huh.

30

31 MR. G. BROWER:for wildlife
32 regulatory changes, but for studies, what is the
33 proposal mechanism? Because it seems to me we've
34 talked many times over from Atqasuk's concerns to their
35 fish. I know that ones talking about in the Yukon
36 about this fleshy sickness stuff may have been
37 recognized in Atqasuk on some fish where their meat was
38 being like jelly almost, and those kind of concerns.
39 It seems to me we expressed them, but are we obligated
40 to provide some sort of proposal for you to consider at
41 the same time. Those are my concerns. I think we've
42 expressed other concerns like looking at our lakes and
43 to determine which lakes are fish-bearing, and try to
44 conserve those as much as possible in light of
45 industrial activities in the lease sales that happen in
46 Federal public lands, in NPR-A to help assess fish in
47 these areas so they won't be as impacted and
48 conservation efforts taking place to conserve them for
49 subsistence purposes.

50

1 MS. HYER: Uh-huh. Mr. Chairman and
2 Council members.

3
4 CHAIRMAN BROWER: Yes, Karen.

5
6 MS. HYER: Our best proposals are a
7 combination of local concerns, which start the concern
8 out and then a combination of if you need a biologist,
9 a biologist; if you need an anthropologist, an
10 anthropologist; or whomever you need to do the
11 research; and it's kind of a cooperative effort. We
12 found those proposals to be highly successful.

13
14 But first and foremost when the
15 concerns are raised, they go into our call, so we say
16 these are the local concerns, and then anybody can
17 actually submit a proposal. And so if you have an
18 interest to submit a proposal, we accept them from
19 individuals, we accept them from the University, we
20 accept them from some of the non-profit groups, and
21 certainly we have Staff that will be willing to work
22 with you if you have some concerns to develop
23 proposals.

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

26
27 CHAIRMAN BROWER: Yes, Gordon.

28
29 MR. G. BROWER: My concern is maybe we
30 have expressed -- I know I've been sitting here for
31 about 10 years or more.....

32
33 MS. HYER: Uh-huh.

34
35 MR. G. BROWER:on this Council,
36 and we have expressed over many years different areas
37 we thought should be studied, and conveying that
38 interest and that concern in a forum like this, as a
39 body, seems to me should be -- should have been
40 captured all along as, you know, well, let's get back
41 to maybe respond to this guy with a biologist and not
42 just let it fester for.....

43
44 MS. HYER: Uh-huh.

45
46 MR. G. BROWER:a long period of
47 time. I think Atqasuk had this concern maybe three or
48 four years ago.....

49
50 MS. HYER: Uh-huh.

1 MR. G. BROWER:that I can recall
2 that Paul Bodfish emphasized some of the condition of
3 the fish.

4
5 MS. HYER: Uh-huh.

6
7 MR. G. BROWER: It's just my concern.

8
9 MS. HYER: Uh-huh.

10
11 MR. G. BROWER: I always thought that
12 if we expressed them here, that, you know, they could
13 turn into a proposal, and they were just not wild
14 accusations on the condition of our wild stocks out
15 there.

16
17 CHAIRMAN BROWER: Thank you, Gordon.

18
19 MS. HYER: Mr. Chair and Council
20 members. No, that's true, and that's actually how a
21 long of proposals start. And we now have a harvest
22 monitoring proposal that will come out of a different
23 area, but we've been asking for good harvest monitoring
24 proposals in this area for a long time and we now have
25 one. So sometimes it takes several times of asking
26 before we get good proposals submitted.

27
28 MR. NAGEAK: Mr. Chair.

29
30 CHAIRMAN BROWER: James.

31
32 MR. NAGEAK: Looking at the evaluation
33 process here, I see that the investigator has to have
34 the ability to do the studies and stuff like that.

35
36 MS. HYER: Uh-huh.

37
38 MR. NAGEAK: So if a concern is said
39 here in this room and then hopefully somebody comes
40 around and says who has this ability or the technical
41 merit ability.....

42
43 MS. HYER: uh-huh.

44
45 MR. NAGEAK:to do the study; is
46 there a way for us to find out -- I see that UAF and
47 other scientific communities have the technical people
48 to go and do the studies here. So if we say, okay,
49 UAF, you have anybody who is interested in icky
50 fish.....

1 MS. HYER: Uh-huh.

2

3 MR. NAGEAK:can you do -- so can
4 we propose a project like that from this or would UAF
5 have to initiate that?

6

7 MS. HYER: Mr. Chair, and through the
8 Council. No, UAF does not have to initiate that. And
9 we do have one proposal that was actually initiated
10 through the Refuge in Selawik and they approached UAF
11 and joined forces and there's also a local component
12 with both Selawik and Kotzebue IRA in that proposal
13 because the proposals that include several
14 organizations are usually are most successful proposals
15 because different people bring different expertise to
16 the table. So you can approach anybody as an
17 individual or as a group and we have found both the
18 Refuges and the Universities to be very open to ideas
19 so that might be a good component. And you can
20 certainly contact our office for help to putting people
21 in contact with you.

22

23 CHAIRMAN BROWER: Does that help James.

24

25 MR. NAGEAK: Yeah.

26

27 CHAIRMAN BROWER: Thank you. So this
28 type of proposal is seeking for partnership between
29 researchers and community members, specifically voicing
30 the concerns on different species of fish, and those
31 carry a factor in terms of how the proposal is
32 generated and addressing the concern?

33

34 MS. HYER: Uh-huh. Uh-huh.

35

36 CHAIRMAN BROWER: You know I just
37 recall we've had a couple of research projects up here
38 on the North Slope, within the North Slope, one
39 pertaining to Anaktuvuk area in regards to the, I think
40 it was Dolly Varden, and another one up in the
41 Kaktovik, more eastern, and there had been research on
42 those fisheries that were considered by this Council
43 and progressed forward through the Fisheries Resource
44 Monitoring Program. Those two, I recall, that were
45 addressed. In regards to what Ray's comments were
46 earlier in terms of fisheries concerns that have been
47 voiced, I don't think there has been any real follow up
48 on your concern, Ray, in terms of what fish needs to be
49 monitored and to what level are you looking to conduct
50 research for the species of concern in your area. I

1 think that we need to discuss that and look at these
2 proposals, a draft proposal. Maybe if a draft proposal
3 could be provided that could be brought back to the
4 community for consideration within the community itself
5 and seeking partnership with others.....

6

7 MS. HYER: Uh-huh.

8

9 CHAIRMAN BROWER:such as ADF&G or
10 the University of Fairbanks or others, you know, I just
11 mention those folks that have interest in doing
12 fisheries research, maybe even the Department of
13 Wildlife Management.

14

15 MS. HYER: Uh-huh.

16

17 CHAIRMAN BROWER: And I know we're
18 pretty much maxed out within the department at this
19 time, but it's something that could be considered in
20 the future.

21

22 MS. HYER: Uh-huh.

23

24 CHAIRMAN BROWER: These are different
25 avenues that could be considered for submitting a
26 proposal of species of concern. So I mean I share that
27 with you as Council members, to, if you have fisheries
28 research that you want conducted within your community,
29 maybe working in obtaining a draft proposal, and
30 working with your community identifying potential
31 researchers that may have an interest in your area,
32 that may be a process to get the concern addressed.....

33

34 MS. HYER: Uh-huh.

35

36 CHAIRMAN BROWER:and seek funding
37 through this Fisheries Monitoring Program.

38

39 MR. KOONUK: Mr. Chair.

40

41 CHAIRMAN BROWER: Yes, Ray.

42

43 MR. KOONUK: I know a few years back I
44 had a recommendation to do research up at Kupuk.....

45

46 CHAIRMAN BROWER: Uh-huh.

47

48 MR. KOONUK:in regards to the
49 grayling.....

50

1 CHAIRMAN BROWER: Uh-huh.

2

3 MR. KOONUK:that was downsizing
4 and the fish were getting smaller. And as far as I
5 have never seen any reports as far as that
6 recommendation, and as far as getting that proposal
7 submitted to the tribe or sent to me, to the city and
8 to the tribe to take action to get some help for some
9 research along the Kupuk River. Around the coastal
10 area we do get different fish now coming in.

11

12 CHAIRMAN BROWER: Uh-huh.

13

14 MR. KOONUK: And I know it might be due
15 to climate change but right now we're just looking at
16 it and see how far that goes and just monitoring the
17 fish coming in. And that one recommendation for the
18 Kupuk River, yeah, it's still -- I would still like to
19 see that go but I could bring that to the tribe and the
20 city to make that recommendation.

21

22 CHAIRMAN BROWER: Thank you, Ray.
23 Maybe, Karen, just a question on my part in terms of a
24 copy of a blank proposal form; is that something that's
25 made available to people that wish to submit proposals
26 for fisheries research?

27

28 MS. HYER: Mr. Chair. Yes, on our
29 website the details of how to submit a proposal are
30 published when we do our call. And, certainly, if
31 somebody's interested in submitting a proposal, it's
32 not too early to contact our Staff. The next formal
33 call will be in 2012 but our Staff certainly can help
34 with ideas and maybe contacts for investigators. I
35 often have people actually email me about different
36 questions, so it's not too early to do that for an
37 investigator. And it's also not too early to start
38 thinking about what you think will be important
39 information needs for the next call because there are
40 two components. One is how the Council can direct the
41 research by providing us with information needs you'd
42 like to see research projects on and then the second is
43 more at a working level, where if you have interest, you
44 might go back to the villages and then start getting an
45 idea of actually how to put this research together.
46 And we have many different models that we've worked
47 with. We have villages working with the State and
48 Federal agencies. In Cordova we have the Native
49 Village of Eyak, which has actually hired a consultant
50 to help them with the work. We have some projects that

1 are actually originated from the Refuge system, which
2 involved locals. So there's many different avenues for
3 pursuing things.

4

5 CHAIRMAN BROWER: So in regards to what
6 Ray's concern he's voicing in terms of the size of the
7 fish itself.....

8

9 MS. HYER: Uh-huh.

10

11 CHAIRMAN BROWER:would that be
12 something that would be considered under the stock and
13 trend assessment?

14

15 MS. HYER: It would. The one thing
16 that's important to continue to recognize, because I
17 know it's a challenge in this area, is it must have a
18 relation to Federal jurisdiction. So the strategic
19 priorities, again, are on Page 23, and it has to fall
20 under these priorities. But if it has that, what we
21 used to call Federal nexus, it definitely would be
22 something that would be eligible for funding in our
23 program.

24

25 CHAIRMAN BROWER: Thank you, Karen.
26 Gordon.

27

28 MR. G. BROWER: I know we've talked
29 about proposals for many years and are these forms
30 pretty much self-explanatory and is there a better way
31 to submit a proposal where it's more likely to be
32 accepted if you submit it in a certain way, a certain
33 format, and is there any possibility that you can go
34 around to our North Slope villages; because I look at
35 over the timeframes, the amount of studies that happen
36 on the North Slope is very, very few, probably three in
37 the last -- maybe three or four in the last few years,
38 and it would be, I think, good to be able to maybe
39 have, in a village, a talk about proposals and concerns
40 as climate change happens and the concerns are raised
41 in each respective village, maybe some level between
42 the tribes, the corporations and the local city council
43 or something like that, to have some sort of
44 information on how to submit proposals as -- you know,
45 now days people are more concerned because the trends
46 in the climate have changed incrementally and have
47 accelerated over the last few years and as maybe
48 different species start to appear and concerns to a lot
49 more open water and these concerns rise, it might be
50 more beneficial and get more responses if we're able

1 to, you know, convince local villages if they have
2 concerns, here's a way to get a funding happening to
3 assess maybe a declining population or invasive species
4 or something like that.

5
6 CHAIRMAN BROWER: Any further comments.

7
8 (Speaker noise)

9
10 CHAIRMAN BROWER: Is that a fire alarm?

11
12 REPORTER: Nope.

13
14 (Laughter)

15
16 CHAIRMAN BROWER: Barb.

17
18 MS. B. ARMSTRONG: Yeah, I just have a
19 comment that three years ago when this was being
20 discussed before, I don't know if you remember, there
21 was some reports that were incomplete.....

22
23 (Laughter - speaker noise)

24
25 MS. B. ARMSTRONG:and the TRC was
26 saying that a lot of the proposals that were submitted
27 were being stopped by those incomplete reports that
28 were not submitted to you -- or with -- or went before
29 you, and so that's what was stopping a lot of the
30 proposals that have been submitted by you in each
31 region and when Ray, at the time was asking about the
32 grayling, in that Kupuk area, we tried to get Fred
33 DiCicco to call and talk to him before he retired, but
34 then Ray was busy going over to Norway or some other
35 place and they never connected before Fred retired, so
36 that -- because at the time he was doing studies about
37 the grayling near Kiv -- between Kivalina and I think
38 Point Hope, so whatever that river is, and he was
39 saying and telling me that the reason why it went --
40 they were depleting was because everybody was getting
41 more than what they needed. And, you know, for the
42 grayling to go -- to be the mature size, those big
43 ones, it takes 30 years for the grayling to get that
44 size, and we -- I said we need to talk to Ray, and then
45 I said he needs the information and then maybe the
46 Native Village of Point Hope can start something and
47 reporting and doing a proposal to get this to be a
48 study over there, maybe -- study needs over there, but
49 it came to that that was what was stopping it at the
50 time, was incomplete reports that never got anywhere to

1 be written -- so that's -- I just wanted to tell Ray
2 that.

3

4 CHAIRMAN BROWER: Sure, thank you,
5 Barb. Ray.

6

7 MR. KOONUK: Can I respond. At that
8 time, when I gave my report, graylings were small and
9 they can catch as much as they need to catch at the
10 time I gave my report. And as far as the report
11 complete, I don't know if I did receive anything in
12 writing or what stating that these reports were not
13 done, and so maybe I can get a copy. Whoever sent that
14 report, maybe I can get a copy, and start from there.
15 You said Kivalina?

16

17 MS. B. ARMSTRONG: Yeah, Kivalina.

18

19 MR. KOONUK: Kivalina.

20

21 MS. B. ARMSTRONG: But the one before,
22 it's between Kivalina and Point Hope, it's some river
23 there that he was doing the count studies. That must
24 be it, it was some river that I was unfamiliar with.

25

26 CHAIRMAN BROWER: Did that help, Ray.

27

28 MR. KOONUK: Yeah.

29

30 CHAIRMAN BROWER: Okay. David.

31

32 MR. GUNDERSON: I'd just like to make a
33 note, did you guys smell that diesel exhaust or am I
34 just imagining it?

35

36 CHAIRMAN BROWER: I can smell it in
37 here too, I was just looking around and smelling some
38 kind of exhaust.

39

40 MR. GUNDERSON: Yeah.

41

42 CHAIRMAN BROWER: George, did you have
43 a comment that you wanted to make.

44

45 MR. OLEMAUN: In looking at this, what
46 you stated with -- about project matters, and process,
47 strategic priorities, and looking at what you have here
48 under that, Federal jurisdiction, Council mandate,
49 allocation, and the role of resource, local concern.
50 These are issues that are all within our area, North

1 Slope area, and I would recommend, or someone -- as you
2 know, we have our issues with off shore and especially
3 within the Federal jurisdiction off shore, along with
4 the State, and the studies need to be done for baseline
5 data. We have other fisheries, North Pacific Fisheries
6 saying that let [sic] do the study before they'll
7 determine if they'll be doing any fish -- we know
8 they're coming up further north, we're aware of that.
9 But this is something -- just looking at this, this is
10 something that should be done in regards with probably
11 the -- and the Borough can support it, I'm sure.....

12

13 CHAIRMAN BROWER: Uh-huh.

14

15 MR. OLEMAUN:but I would
16 recommend that this is something that you say you have
17 time to get a project or evaluation going through the
18 process. I don't know how soon we could get this done
19 but I would recommend through wildlife, and I'm
20 speaking on myself, but also I'm sure the Mayor would
21 agree, that he has wanted to see a baseline data done
22 on off shore so we'll know. I know others are doing it
23 but per se we don't or there are entities involved
24 here, don't have, as she stated before, that we need a
25 proposal to do it, and I guess that's what I'm
26 recommending.

27

28 CHAIRMAN BROWER: Thank you, George.
29 Do we have any follow up on your concern and
30 recommendation, including Ray's concerns as well.

31

32 I keep seeing the court reporter making
33 gestures over there, I just want to make sure we're
34 okay.

35

36 REPORTER: What?

37

38 CHAIRMAN BROWER: Are we okay in the
39 recording?

40

41 REPORTER: We are.

42

43 CHAIRMAN BROWER: Okay.

44

45 REPORTER: I don't know what happened
46 with that noise, but, whatever, we're fine.

47

48 CHAIRMAN BROWER: Okay. James.

49

50 MR. NAGEAK: I read -- you know, I've

1 been reading, I've been trying to orientate myself to
2 be a part of this group here. In one of my readings I
3 read the Arctic cisco study that was done between
4 Barter Island and that area, I talked to my Uncle Isaac
5 all the -- most -- every other week maybe, and he made
6 a comment, man, those fish are back, the big ones, (In
7 Inupiat), he says, they haven't been around for awhile
8 and now this summer they're back. My question is
9 because of that study a few years ago and the decline
10 of maybe -- I don't know whether it was a decline or
11 the way that Prudhoe Bay activities and all of that
12 other stuff, you know, off shore, bridges and stuff
13 like that were being studied, whether there was a plan
14 for doing a yearly assessment on the Arctic cisco.
15 Because my uncle says, you know, they're back, is there
16 somebody that can verify that the numbers are up again
17 after a decline or something, over the years?

18
19 CHAIRMAN BROWER: In regards to Arctic
20 cisco, specifically, James?

21
22 MR. NAGEAK: Oh, yeah, I see that.

23
24 CHAIRMAN BROWER: It's in -- yeah.
25 Just from my personal knowledge and working with the
26 Department of Wildlife Management over the years
27 there's been monitoring of the Arctic cisco that's
28 moving back forth between the McKenzie Delta and the
29 Colville River and so there's population fluctuations
30 over the years.

31
32 MR. NAGEAK: That's where I guess I've
33 been reading about it and I just, you know, I'm asking
34 whether there are some referrals or after study
35 monitoring.

36
37 MS. B. ARMSTRONG: She'll be reporting
38 on that here shortly after you are done with this issue
39 right here that she's discussing.

40
41 CHAIRMAN BROWER: Who will be?

42
43 MS. B. ARMSTRONG: She will be doing a
44 report.....

45
46 CHAIRMAN BROWER: Okay.

47
48 MS. B. ARMSTRONG:on this, Arctic
49 cisco.....

50

1 CHAIRMAN BROWER: Karen.
2
3 MS. B. ARMSTRONG:yeah,
4 Karen.....
5
6 CHAIRMAN BROWER: Okay.
7
8 MS. B. ARMSTRONG:right after
9 you're done with this issue.
10
11 MS. HYER: Yeah, actually just -- I
12 have an answer for that question and bring it up again
13 and I will -- when we talk about that and we can
14 address it.
15
16 MR. NAGEAK: Okay.
17
18 CHAIRMAN BROWER: Did that help James.
19
20 MR. NAGEAK: (Nods affirmatively)
21
22 CHAIRMAN BROWER: Thank you. In
23 regards to further discussion on the Fisheries Resource
24 Monitoring Plan, any more comments or concerns to the
25 presentation so far.
26
27 (No comments)
28
29 CHAIRMAN BROWER: If not we'll --
30 James.
31
32 MR. NAGEAK: We're seeing Selawik and
33 those areas, and, Gordon, said, you know, these are
34 outside of our area but do that area -- does it have a
35 council.....
36
37 MS. B. ARMSTRONG: Yes, they're
38 Northwest Arctic Subsistence Regional Council for that
39 area, for the NANA region.
40
41 CHAIRMAN BROWER: There are 10 Regional
42 Councils.
43
44 MR. NAGEAK: Uh-huh.
45
46 CHAIRMAN BROWER: So it's grouped in
47 one of their 10, Northwest Arctic Regional Advisory
48 Council, they cover Selawik.
49
50 MR. NAGEAK: So why are we doing this

1 for them?

2

3 CHAIRMAN BROWER: We're not doing this
4 one, we're discussing what's being proposed. They
5 submitted proposals for fisheries research and that's
6 what's been recommended for funding. That's what she
7 identified.

8

9 MS. B. ARMSTRONG: This is the whole
10 Arctic region.

11

12 MR. NAGEAK: Oh, the whole Arctic
13 region.

14

15 MS. B. ARMSTRONG: North Slope,
16 Northwest and Seward Peninsula, the Arctic Region, and
17 that's why she's mentioning Selawik.

18

19 CHAIRMAN BROWER: Did that help clarify
20 your comment, concern?

21

22 MR. NAGEAK: Uh-huh.

23

24 CHAIRMAN BROWER: Polly.

25

26 DR. WHEELER: That's just what I was
27 going to say, Mr. Chair, is that there's 10 Regional
28 Advisory Councils, but the Fisheries Monitoring Program
29 is divided up differently so the whole northern region
30 is the area covered by the three northern RACs; it's
31 the North Slope RAC, the Northwest Arctic and the
32 Seward Penn RAC, so it's called the northern region for
33 the Fisheries Resource Monitoring Program, but it's
34 actually the three Regional Advisory Councils.

35

36 And the way that this program started,
37 it started when the Federal Program got jurisdiction
38 for subsistence fisheries management and there was a
39 big slug of money that was put in right at the
40 beginning because they recognized that there were
41 fishery issues that needed to be addressed across the
42 state. And I will say that the way that they divided
43 up the funding that most of the funding went to areas
44 where there were big fisheries issues, big subsistence
45 fisheries issues, which means most of it really went to
46 the Yukon. 20 percent of the funding goes to the
47 Yukon, 20 percent goes to the Kuskokwim. And in a way
48 you guys are lucky because there was the sense that
49 there aren't these big controversial fisheries issues
50 up in the northern region but the -- that's the good

1 news, the bad news is because of that it got less of
2 the -- less of the funding is directed towards this
3 whole region. Which is why you typically only see a
4 couple of, you know, two to four studies per year that
5 are going on in the whole region which covers the area
6 covered by the three northern Regional Advisory
7 Councils.

8

9 MR. G. BROWER: Mr. Chair.

10

11 CHAIRMAN BROWER: Did that help James.

12

13 MR. NAGEAK: Yeah.

14

15 CHAIRMAN BROWER: Gordon.

16

17 MR. G. BROWER: Having said that, and
18 the concern raised on our ocean out here for baseline
19 information, and that's a big picture issue.....

20

21 DR. WHEELER: Right.

22

23 MR. G. BROWER:and we've
24 expressed concerns for a long time, not particularly
25 through here, but through local venues when the MMS is
26 here concerning the status of our oceans and our fishes
27 because a lot of our fish are anadromous.....

28

29 DR. WHEELER: Right.

30

31 MR. G. BROWER:they go out into
32 the ocean and they come into the river systems and do
33 their thing and our concern, what happens in the ocean,
34 is also going to affect what happens inland of these
35 anadromous species of fish.

36

37 So with that type of concern, is there
38 exceptions to the practice of putting 20 percent for
39 the Yukon, when you see something that looming and
40 larger?

41

42 DR. WHEELER: Again, earlier you asked
43 me to speak to -- or guess what the Federal Subsistence
44 Board was going to do on a -- on a particular wildlife
45 proposal and I would not want to guess what the Federal
46 Subsistence Board would do with these issues. I guess,
47 you know, they have these guidelines for funding across
48 the state and that's kind of how the program's
49 organized. The rub with this particular program is
50 that it only applies to areas where there's management

1 of Federal subsistence fisheries and so the Federal
2 Program doesn't manage in marine waters, for example,
3 so the whole oceans issue, even though it's really
4 important, our program is pretty narrow in scope.

5
6 I do know that MMS has a couple of
7 subsistence fisheries projects that were just out. I
8 was on an advisory committee evaluating one of the
9 projects so I know that MMS does have some studies out
10 there, but our program is specific to where there's
11 Federal jurisdiction for Federal subsistence fisheries
12 management, and it doesn't include oceans big scale
13 issues.

14
15 I'm not saying it's not important, it's
16 just you got to look at where the scope is.

17
18 MR. G. BROWER: Yeah, thank you, I mean
19 that makes a little bit more -- what work -- you know,
20 if we were supposed to look at where we want to propose
21 a proposal, where we may have to look at other means of
22 bringing this if we could not, like you say, we're not
23 managing oceans and we're not -- where you have Federal
24 jurisdiction in the subsistence take of the species.

25
26 DR. WHEELER: But, Mr. Chair, if I
27 could just expand a little bit.

28
29 CHAIRMAN BROWER: Yes.

30
31 DR. WHEELER: You know, one of the key
32 issues identified in the call for proposals was
33 baseline monitoring of subsistence harvest. So all of
34 the villages on the North Slope region catch fish for
35 subsistence purposes. We were interested in looking at
36 a project that might look at a particular village; we
37 didn't happen to get one this time. Last time we did
38 actually get a project for Nuiqsut but there was some
39 issues with the investigator and there was some
40 technical issues with the project so it didn't actually
41 end up getting funded. But baseline harvest monitoring
42 is a key information need. And the two projects that
43 Mr. Chair mentioned earlier, the one for Kaktovik and
44 then the one earlier for Anaktuvuk, those were both
45 funded -- Sverre Pedersen was the PI, principal
46 investigator, and Grant Speerman worked with the
47 Anaktuvuk project, and I'm forgetting the name of the
48 person that worked on the Kaktovik project -- I'll
49 remember it in about 10 minutes, but we did it with
50 KIC, it was a partnership between Fish and Game and

1 KIC. So these kinds of projects are, you know, the
2 baseline harvest monitoring projects, and we're looking
3 at basically what people are taking for subsistence but
4 obviously they have to be kind of close to Federal land
5 so that most -- some or if not most of their fisheries
6 are taken on areas where there's Federal jurisdiction.

7

8 Mr. Chair.

9

10 CHAIRMAN BROWER: Thank you. Does that
11 help, Gordon.

12

13 MR. G. BROWER: Yeah, it did, thank
14 you.

15

16 CHAIRMAN BROWER: Any further
17 discussion on this Draft Fisheries Resource Monitoring
18 Plan.

19

20 MR. NAGEAK: Mr. Chair.

21

22 CHAIRMAN BROWER: Ben.

23

24 MR. NAGEAK: There's a lot of other
25 work being done both by the State and the Borough, she
26 just alluded to some of that. Karen Brewster was
27 working on one project for the Borough. Sverre is
28 working on one right now on salmon fisheries because
29 there's a lot more salmon coming into the areas. He's
30 been traveling to the villages, using Point Hope and
31 Point Lay and Wainwright and here, and so there's some
32 work being done by both the State and the North Slope
33 Borough. And a lot of the work that's happened in
34 terms of the villages has been done by the North Slope
35 Borough working with the State so I think that's
36 continuing to this day.

37

38 MR. G. BROWER: Mr. Chairman.

39

40 CHAIRMAN BROWER: Ray and then Gordon.

41

42 MR. KOONUK: Yeah, Barb, did they have
43 any joint meetings between regions, I wanted to see if
44 they did and if not are we do for one?

45

46 MS. B. ARMSTRONG: The last joint
47 meeting that the northern region had was back in maybe
48 late '80s where a member of North Slope and Northwest
49 Arctic and Seward Penn met together in Anchorage and
50 that hasn't happened since because of funding.

1 MR. KOONUK: Yeah.

2

3 MS. B. ARMSTRONG: And the reason why,
4 if you look at the calendar right here, Eastern and
5 Western Interior are meeting together because that
6 region, the Eastern and Western Interior, YK-Delta and
7 Seward Penn are really having problems with the
8 chinook, that's king salmon. They really are in-depth
9 in discussing what to do and how to go about working
10 together and it's going to take a long time. So I
11 could ask.

12

13 MR. KOONUK: Well, you hear about the
14 southside want to come up North and try to do
15 commercial fishing and it's been discussed, put on the
16 table, and discussed that, they want to try to come up
17 and do commercial fishing around our area. Climate
18 change, as far as what's been happening all over the
19 state, what's the affects, what's happening with their
20 side, and our side too, and when you say it's been,
21 what, since '88 since we last met, I think that it's
22 time for us to, you know, get back together and review
23 what's been happening and, you know, funding -- as far
24 as funding or asking for funding, well, have they been
25 met, no.....

26

27 MS. B. ARMSTRONG: Yeah.

28

29 MR. KOONUK:I think it's time for
30 another meeting for other regions, and I think that was
31 real useful and real helpful at the first meeting, and
32 I thought -- I got a lot out of that. But now, you
33 know, things change after, what, 10, 15, 20 years, as
34 far as climate change and the migration of the fish,
35 different fisheries coming in our area.

36

37 MS. B. ARMSTRONG: Yeah, I will ask. I
38 won't promise anything. And you and I both know how
39 the funding has gone down. It might not happen right
40 away. It might happen maybe two years down the road,
41 but we'll see.

42

43 CHAIRMAN BROWER: Does that help, Ray.

44

45 MR. KOONUK: Yes.

46

47 CHAIRMAN BROWER: Gordon.

48

49 MR. G. BROWER: Yeah, maybe just
50 another question on jurisdiction as well. I know, Ray,

1 when I look at the map around Unit 23, and you look at
2 the little colors saying, you know, white I think
3 that's State, pink is Federal, BLM or something like
4 that, there's little delineators; it seems to me a lot
5 of the area around Point Hope is pasted with white and
6 it seems to suggest a lot of State jurisdiction. And
7 I'm wondering if some of the jurisdictional issues
8 concerning problems with the fish and stuff lie in
9 other forums that we need to also express that, maybe
10 to the State Game Board or something like that, you
11 know, State Federal Subsistence Board.

12

13 And the other concern I have, too, when
14 you're talking about baseline information and about
15 oceans, what if -- when we're putting nets out in the
16 ocean, we do net on the ocean on the coastlines and
17 that's where we get a lot of our fish, or salmons that
18 we -- they don't hardly spawn I don't think but we
19 harvest them and we do catch salmons, all forms of
20 salmons up here and it seems to me that's part of your
21 jurisdiction if -- it's part of that, I just wanted to
22 -- just try to let something click.

23

24 DR. WHEELER: It clicked, I mean you're
25 on the right path. Mr. Chair. And, you're right, as
26 far as Point Hope goes there is some limited Federal
27 jurisdiction both south and north and east of Point
28 Hope, but there's other areas where there's a lot more
29 definitive Federal jurisdiction.

30

31 And as far as your question about
32 subsistence, you know, jurisdiction as far as the
33 Federal Subsistence Program, remember that the whole
34 focus of this program is to provide information that we
35 can then use for Federal subsistence fisheries
36 management. So if there's an issue around subsistence
37 management, if there's fish proposals that come in from
38 this Council to address issues of concern that the Feds
39 can then act on, then we need that information and
40 that's why we were targeting sort of baseline Federal
41 Subsistence harvest information. We're not saying that
42 every fish that's caught has to be under Federal
43 jurisdiction, but there needs to be a pattern of use
44 that the Federal Program can then act on.

45

46 So it's kind of that inter-related
47 piece, if that makes sense.

48

49 CHAIRMAN BROWER: Did that help,
50 Gordon.

1 MR. G. BROWER: Yeah. I mean it just
2 seems to me that I think every village nets out in the
3 ocean.
4
5 DR. WHEELER: Yes.
6
7 CHAIRMAN BROWER: Thank you, Polly, and
8 thank you, Gordon.
9
10 Any further comments or issues to bring
11 up under the Resource Monitoring Plan.
12
13 (No comments)
14
15 CHAIRMAN BROWER: If not, continue
16 Karen and we'll move along to our next subject, I
17 guess.
18
19 MS. HYER: Mr. Chair. This is actually
20 an action item so I -- correct me if I'm wrong, Barb,
21 but I think we need a motion to recommend the Draft
22 Fisheries Resource Monitoring Plan as it exists for
23 this region.
24
25 CHAIRMAN BROWER: As it exists for this
26 region.
27
28 MS. HYER: Meaning the five proposals,
29 or the five investigation plans that the Technical
30 Review Committee recommended for funding, now we need a
31 motion.....
32
33 CHAIRMAN BROWER: To support the
34 proposals.
35
36 MS. HYER:to support those. So
37 if you go back to Page 26 we're going to fill in your
38 recommendation in that table and carry it forward to
39 the Board.
40
41 CHAIRMAN BROWER: Action items for
42 consideration.
43
44 MS. HYER: Yeah.
45
46 MS. B. ARMSTRONG: Well, if they
47 don't.....
48
49 MS. HYER: Why, we do in other places.
50

1 (Pause)

2

3 DR. WHEELER: Mr. Chair, if I could
4 help out here.

5

6 CHAIRMAN BROWER: Yes, Polly, please.

7

8 DR. WHEELER: At the January 2010
9 meeting, so it's four or five months from now, the
10 Federal Board will act on the entire Fisheries
11 Monitoring Program, so they'll act on all of the
12 proposals that are before them, I think there's 44
13 proposals statewide.

14

15 CHAIRMAN BROWER: Uh-huh.

16

17 DR. WHEELER: What they look at is the
18 recommendation of the Technical Review Committee but
19 then they look at how the different Regional Advisory
20 Councils weighed in. Generally speaking the Councils
21 support the recommendations of the Technical Review
22 Committee but there are, and, Mr. Chair, you've been at
23 meetings where there's been a few projects, and I think
24 there may be a couple at this upcoming January meeting
25 where there's going to be a difference between what the
26 Technical Review Committee recommended and what the
27 Regional Advisory Councils recommended. But, again, as
28 I explained earlier, the northern region for the
29 Fisheries Monitoring Program covers the jurisdiction of
30 the three northern councils. So even though there's no
31 projects in front of this -- there's no projects for
32 this particular Regional Advisory Council, the Federal
33 Board will still, if you're there at that meeting, Mr.
34 Chair, the Federal Board will say, okay, North Slope
35 Regional Advisory Council, what's your take, even
36 though there aren't any projects for the North Slope,
37 there's still projects for the northern region, so
38 what's your take on it. And that might be an
39 opportunity for you to say, you know, well, we didn't
40 have any projects in our particular region and we'd
41 sure like to see a few projects next time around in our
42 region, but, given that, you know, we still support the
43 overall, the five projects that are recommended for
44 funding for the northern region.

45

46 CHAIRMAN BROWER: Uh-huh.

47

48 DR. WHEELER: So it's kind of an
49 awkward way of doing business because your Council is
50 one of three in this large region, but that's how it's

1 structured. So we would ask for your recommendation,
2 and if you don't want to make a recommendation because
3 there aren't any projects for your region that's fine
4 too. It's completely your call. But we would ask if
5 you want to make a recommendation, if you want to
6 support the five projects that are being recommended
7 for funding for the whole northern region or you just
8 want to abstain from voting because there aren't any --
9 or abstain from making a recommendation because there
10 aren't any in your region, that's okay too. It's your
11 call.

12

13 MR. KOONUK: Mr. Chair.

14

15 CHAIRMAN BROWER: Thank you, Polly.

16 Ray.

17

18 MR. KOONUK: It's too bad Nuiqsut and
19 Atqasuk and Point Lay or whatever other villages that
20 are not here because I know that Nuiqsut had some fish
21 problems with their cisco.

22

23 CHAIRMAN BROWER: Uh-huh.

24

25 MR. KOONUK: And I don't know if they
26 had sent any -- or any way to have their fish studied.
27 I don't know if they went through the process through
28 us or through Fish and Game, and, you know, it's too
29 bad they're not here to hear if anything was done for
30 their areas, you know.

31

32 CHAIRMAN BROWER: Are you done Ray?

33

34 MR. KOONUK: Yeah.

35

36 CHAIRMAN BROWER: Gordon.

37

38 MR. G. BROWER: Yeah, I just would
39 like, you know, in this past this Council, in
40 particular, didn't really like to meddle in the other
41 regions affairs unless we had a specific interest in it
42 and it was one of our village concerns. Sometimes
43 there was concern on moose between Anaktuvuk in the
44 Unit 24 area, and then we would, I know, in the past
45 supported additional harvest proposals that affected
46 Anaktuvuk Pass and supported that, when it was a direct
47 connection. But when it was altogether of the outside
48 of our region we had, in the past, a practice of not
49 trying to stay -- you know, have a say in, because we
50 don't know their particulars of what transpired in this

1 kind of forum unless we had a representative that
2 attended those meetings, then we'd be in a better
3 position to make support yea or nay.

4
5 MR. KOONUK: Mr. Chair.

6
7 CHAIRMAN BROWER: Thank you, Gordon.

8
9 MR. KOONUK: That's why I wish they
10 were here.....

11
12 CHAIRMAN BROWER: Yes.

13
14 MR. KOONUK:to give their reports
15 as far as if anything was done from their villages so,
16 thank you, Mr. Chair.

17
18 CHAIRMAN BROWER: Yes, we've had
19 interactions and I think there's continued fisheries
20 monitoring going on within the Arctic cisco in the
21 Colville. It's something that's supported through
22 industry and by the State in terms of the fisheries.
23 At one point it used to be a commercial fisheries but
24 I'm not sure if it is anymore today because the fish
25 trends have been going up and down over the years, and
26 whether it's been a viable commercial activity for the
27 family that were conducting that fisheries --
28 commercial fisheries and it was practically the only
29 known fisheries that was commercialized on the North
30 Slope, it was due to that Arctic cisco. And I'm not
31 sure where it is today, I'm kind of lost there.

32
33 But I know of reports that come to the
34 Department of Wildlife Management in terms of the
35 fisheries monitoring for that Arctic cisco, it gets
36 shared within the department with our biologists in
37 regards to actions or continued monitoring that I need
38 help in terms of from probably fisheries biologist that
39 deal with that particular species. I'm not sure if it
40 continues today, it probably does, because of the
41 activity that's occurring within Nuiqsut and the
42 monitoring aspect of it needs to continue, whether it's
43 viable or not.

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

46
47 CHAIRMAN BROWER: Gordon.

48
49 MR. G. BROWER: Yeah, Mr. Chair, I
50 would propose that due to these five proposals that are

1 in the northern region, but not within the Region 10,
2 that our action be that we don't take any formal action
3 on these and just emphasize maybe four our respective
4 villages to collect concerns and then start to submit
5 proposals for the North Slope area that we have
6 expressed for a long time and that seems to be the only
7 way that we're going to get on the books in terms of
8 studies. We may talk a lot but we sure don't submit
9 proposals.

10

11 So I'd move to that, Mr. Chair.

12

13

MR. NAGEAK: Mr. Chair.

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MR. NAGEAK: Mr. Chair.

CHAIRMAN BROWER: Motion on the floor
to not take any action on the five proposals by Gordon.

MR. NAGEAK: Yes, second that one.

CHAIRMAN BROWER: Second by James.
Further discussion. James.

MR. NAGEAK: Yeah. If I hear Dr.
Wheeler say here that if taking action in favor of the
five proposals that are outside of our district, that
if we supported them, the Federal Subsistence Board
would look at that and say, hey, when the North Slope
finally have a proposal that they would look at us and
say, okay, they supported these guys that are south of
them, maybe it would b in our favor to -- for them to
look at us and say, you know, maybe we should fund this
project now. I think that's what I'm hearing. And I
don't know whether we should take the action or no
action or make an action so that we could look good
with the Federal Subsistence Board for the next series
of proposals that are coming to them.

CHAIRMAN BROWER: Just a comment, I
think we do look good, whether we take action or not.

(Laughter)

MR. NAGEAK: Okay.

CHAIRMAN BROWER: I think we do look
good whether we take action or not, but I'd just make
that note.

(Laughter)

1 MR. KOONUK: Mr. Chair.

2

3 CHAIRMAN BROWER: Ray, and then Gordon.

4

5 MR. KOONUK: What will it do if we
6 don't take any action, it wouldn't pass the Federal
7 Board or it would have no effect or, and if we do -- or
8 if we don't, then we have our proposals and they got a
9 -- and Region 10 is looking at our proposals and are
10 they going to pass, is that going to have any affect,
11 too?

12

13 DR. WHEELER: Mr. Chair.

14

15 CHAIRMAN BROWER: Yes.

16

17 DR. WHEELER: When this goes before the
18 Federal Subsistence Board, first of all, you'll have a
19 representative from this Council there, it'll either be
20 the Chair or somebody else from this Council, so
21 whomever is there can speak to that and just say that
22 we took no action because there were these five
23 projects that weren't within our region but we didn't
24 take negative action. I mean a negative action would
25 be you don't support any of the five proposals and that
26 would be a negative action as opposed to a no action,
27 so they are different. But you have an opportunity to
28 explain things and, you know, we take notes at these
29 meetings and we put in -- we can explain, put in a
30 sentence or two explaining why this Council, if you opt
31 to take no action, or take a positive action or a
32 negative action, I mean there's technically, I guess
33 three actions you can take, we'll explain that in the
34 notes and then whoever's there from this Council at the
35 Federal Subsistence Board meeting in January can also
36 explain.

37

38 CHAIRMAN BROWER: Did that help, Ray.

39

40 MR. KOONUK: Yes.

41

42 CHAIRMAN BROWER: Gordon.

43

44 MR. G. BROWER: Basically that was what
45 I was going to ask. You know, James, we're pretty much
46 non-confrontational people, I think. We like to get
47 along with everybody. And a no action doesn't mean
48 that we don't support it. To me, a no action is we
49 don't know the particulars of the conversation leading
50 to their request. And I just wanted to point out, and

1 we've done this several times, you don't try to
2 disrespect any other region in their deliberation and
3 their method of getting to how they got a proposal in
4 place. And I'd just like to make an informed decision,
5 and if we had a representative that was from this
6 Council that had attended one of these things in
7 another region and it had a direct affect on our area,
8 I'm sure there's a couple rivers like that, maybe one
9 or two, but for the Yukon River and for some other
10 areas that do not drain up to the north, but at the
11 same time, you know, I try to remain cautious and I
12 want to make sure that we're not unduly influencing an
13 outcome, you know, if we said we don't support it, and
14 we better have a good reason why we're not supporting,
15 maybe we could say we're not supporting it because you
16 never ever take into account our concerns, we could
17 easily say that I think because we've said a lot of
18 times we've got fish problem here in Atqasuk, we got
19 fish problem over here, why aren't we getting funding
20 and all the other regions get funding. I think we
21 could easily make that case but we're not, we're just
22 not informed as to the particulars, I think, and that's
23 the only point I would run across.

24
25 CHAIRMAN BROWER: Thank you, Gordon.
26 Any further discussion on the motion.

27
28 MR. G. BROWER: Mr. Chairman, that's
29 all I wanted to say and I think, you know, we would
30 defer that action to the affected region.

31
32 CHAIRMAN BROWER: Uh-huh.

33
34 MR. G. BROWER: You know, it's like
35 we're not trying to meddle into somebody else's
36 business and their deliberations.

37
38 CHAIRMAN BROWER: Thank you, Gordon.
39 Any further discussion.

40
41 (No comments)

42
43 CHAIRMAN BROWER: The motion is to not
44 take action on the five proposals considered for
45 funding under the Fisheries Monitoring Program.

46
47 MR. KOONUK: Mr. Chair. Question.

48
49 CHAIRMAN BROWER: The question has been
50 called on the motion not to take action on the five

1 proposals considered for funding under the Fisheries
2 Monitoring Program signify by saying aye.

3

4 IN UNISON: Aye.

5

6 CHAIRMAN BROWER: Opposed, same sign.

7

8 (No opposing votes)

9

10 CHAIRMAN BROWER: None noted. Thank
11 you. What's the wish of the Council.

12

13 Karen, did you have anything else you
14 wanted to cover in 20 minutes?

15

16 MS. HYER: Actually I could probably
17 cover Arctic cisco or ichthyophonus if you wanted to
18 move on to that or if you want a break or what you.....

19

20 CHAIRMAN BROWER: One more item, okay.
21 Ichth.

22

23 MS. HYER: Okay. Ichth, on to ichth.
24 It's a good time to get to ichth, I see that Bonnie has
25 arrived.

26

27 CHAIRMAN BROWER: Uh-huh.

28

29 MS. HYER: Okay. The Council had asked
30 some questions about ichthyophonus and we had done a --
31 we had funded a report on ichthyophonus, which you have
32 in your packet, that has the date of July 20, 2004,
33 this is included in your packet. And then I had put on
34 your table this report, which was done by the State of
35 Alaska and it's a more recent report, so you have that
36 for your reference; I brought that for you. And then I
37 have another handout that was done and a presentation,
38 which is this one here, which includes data. So those
39 are all pertinent to what I'll be talking about.

40

41 So ichthyophonus is a marine drive
42 protozoa parasite infecting various marine and
43 anadromous fish species including chinook salmon. This
44 parasite can only live in cold-blooded animals; warm
45 blooded animals and people cannot be infected. Eaten
46 fish infected by this disease is not harmful to humans
47 but the taste and smell is undesirable.

48

49 In the mid-1980s subsistence fishermen
50 along the Middle Yukon River began reporting unusual

1 condition in a few chinook. These fish smelled mildly
2 fruity, did not properly dry when smoked and had white
3 spots on the heart and skeletal muscles. Following
4 these reports of infected fish, fishermen and
5 processors began observing a steady increase in the
6 number of infected fish. This condition was identified
7 in 1988 as ichthyophonus, and since then research has
8 been completed on this. And research suggests that
9 ichthyophonus is an emerging parasite in the AYK region,
10 and the disease may affect prespawning mortality of
11 chinook salmon.

12

13 Gross clinical and visible signs of
14 ichthyophonus are commonly identified by the presence of
15 white spots in infected tissue. However, white lesions
16 are an inflammatory response of fish form bodies in
17 general and do not necessarily reflect an ichthyophonus
18 infection. Other pathogens also cause white lesions.
19 And I'd like you to turn to -- I just want to show you
20 a graph that's common in both reports -- or a form of
21 graph, but turn to Page 11 in this report, in the State
22 report.

23

24 CHAIRMAN BROWER: What page?

25

26 MS. HYER: Page 11. And I just want to
27 point out Figure 5. And ichthyophonus is detected, it's
28 called clinical signs, and you can see the clinical
29 signs, in this particular graph you can see the lower
30 bar represents the clinical signs and then there are
31 sub-clinical, which are only detected in the
32 laboratory. So even if fish are seen in the Lower
33 Yukon, a percent of fish are seen with the clinical
34 signs, more of them are usually infected. So you don't
35 always see the lesions on the fish even though
36 ichthyophonus is infected, and lesions on the fish don't
37 always imply that it's ichthyophonus, it has to be
38 tested in the laboratory to be a confirmatory
39 diagnosis.

40

41 The Fisheries Resource Monitoring Plan
42 funded a study entitled the Effects of Ichthyophonus on
43 Survival and Reproduction success of Yukon River
44 chinook. This report was written by Kocan, Hershberger
45 and Winton and published in 2003, and that was the
46 report that is in your packet, and since the funding of
47 the report there's been more research done and research
48 is continuing. And currently the research is being
49 continued by Alaska Department of Fish and Game and the
50 University of Alaska-Fairbanks.

1 So along with other studies monitoring
2 the disease there has been a continually monitoring
3 near the village of Emmonak on the Yukon, and it's been
4 part of the Big Eddy Test Fishery and it's been going
5 on continuously since 1999. And there's a cyclic
6 nature to ichthyophonus and so the currents is
7 continually monitored and we've been able to establish
8 a time series through the Big Eddy Test Fishery. And
9 the reasons for this temporal variability are poorly
10 understood, although research of other species has
11 shown stress and the increase in water temperature are
12 known to accelerate ichthyophonus. Ichthyophonus occurs
13 in fish besides chinook, and one of the species it
14 occurs in herring and it's been seen also in Prince
15 William Sound and other places in Alaska. And so the
16 disease is also likely to infect the older fish and
17 that's been noted on the Yukon River. And research has
18 showed that these fish suffer cardiac damage and
19 possibly a reduced swimming stamina.

20
21 In the report in 2004, I'll just hold
22 that one up again, the cover page, this report, Fish
23 and Game study -- began a study after our study was
24 completed and it showed that ichthyophonus varies
25 throughout the drainage. For example, it showed a 17
26 percent prevalence in Emmonak and an 11 percent at
27 Tanana, which is up river, and even farther up river
28 there was 36 percent at the Chena River and 13 percent
29 at the Salcha River. And so there's quite a bit of
30 variation throughout the drainage and there's also
31 seasonal variation. And this study also shows, via
32 radiotelemetry, that some ichthyophonus salmon made it
33 to the spawning grounds and indicated that at least
34 some of the infected female were able to spawn that had
35 migrated up to the Chena and Salcha.

36
37 The most currently available data has
38 been published in the Yukon River Salmon 2007 seasonal
39 summary and then in the 2008 outlook. And so that's
40 the last published data and that was done by the Joint
41 Technical -- or excuse me, for the Technical Review
42 Committee of the U.S./Canada. And in that report it
43 showed gross clinical signs of ichthyophonus were noted
44 at 10 percent, 15 to 150 fish sampled. Also in 2007
45 the prevalence of ichthyophonus in chinook salmon
46 sampled at Emmonak, there was 16.7 using the lab
47 techniques. So what they saw by looking at the fish
48 was less than what they saw when they went to the lab.
49 And they used a procedure called PCR, which is a
50 procedure that has been used for the last two years,

1 and before that there was a culture procedure used, and
2 they feel that the PCR, the new procedure is more
3 accurate. And of the infected fish 90 -- or excuse me,
4 68 percent were females and most of the infected fish,
5 80 percent were age six. So, again, you have more
6 females and older fish infected.

7
8 And then I'll guide you to this
9 particular graph right here and it shows the cyclic
10 nature of ichthyophonus. And during the high in 2003 it
11 was at 33 percent and recently, 2004 and again at 2007
12 it was at 17 percent. You'll notice this graph has
13 2008 in it, which currently is unpublished data, and
14 you can see the little footnote up here that's coming
15 from.....

16
17 MR. G. BROWER: What page is that one?
18

19 MS. HYER: Oh, it's the graph I handed
20 out.

21
22 MR. G. BROWER: Okay.

23
24 MS. HYER: It's an additional piece of
25 paper, it's right -- I do believe yours is right up
26 here.

27
28 MR. G. BROWER: Oh, there it is, okay.

29
30 MS. HYER: But 2008 is forthcoming
31 information, it's not been published in the report yet.
32 But you can see the cyclic nature of it and currently
33 it's on the decrease in the Yukon River.

34
35 And that's all I had, Mr. Chairman, so
36 I'm open to questions.

37
38 MR. G. BROWER: Mr. Chair.

39
40 CHAIRMAN BROWER: Gordon.

41
42 MR. G. BROWER: Is this limited to only
43 a certain type of fish?

44
45 MS. HYER: Mr. Chair and Council
46 members. No, it's not. As I said earlier we've seen
47 it in herring, I think they've seen it in burbot on the
48 Yukon. I know that it's been documented in chinook and
49 it's been documented in sockeye and coho salmon. So
50 it's a marine derived protozoa and it's documented in

1 many species.

2

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

4

5 CHAIRMAN BROWER: Yes, Gordon.

6

7 MR. G. BROWER: It almost seems like
8 this was almost described by Paul Bodfish from Atqasuk
9 on whitefish maybe three or four years ago and
10 something about the flesh becoming, you know, not
11 normal.

12

13 MS. HYER: Uh-huh.

14

15 MR. G. BROWER: The meat.

16

17 CHAIRMAN BROWER: You're right, Gordon,
18 it was voiced as a concern by Paul in terms of some of
19 the fish that were being subsistence harvested in
20 Atqasuk and it's the whitefish that it's -- and it goes
21 into the ocean and it goes back into the river.....

22

23 MS. HYER: Uh-huh. Uh-huh.

24

25 CHAIRMAN BROWER:so it's
26 something that was noted some time ago. But it wasn't
27 verified if it was or not, so I think that was the
28 concern for doing some of the fish research.....

29

30 MS. HYER: Uh-huh.

31

32 CHAIRMAN BROWER:for the Meade
33 (ph) River area.

34

35 MS. HYER: Uh-huh.

36

37 CHAIRMAN BROWER: Any questions, James.

38

39 MR. NAGEAK: Yeah. If such a fish was
40 detected and caught by people in Atqasuk or maybe even
41 in Anaktuvuk Pass or someplace is there a drop off
42 place where one could send the fish for analysis?

43

44 MS. HYER: Currently I don't know of
45 any place and I'm looking over here at Bonnie because
46 Bonnie's done a lot of work in this. Is there
47 someplace that they can?

48

49 MS. BORBA: You can send it to
50 pathology in Fish and Game (indiscernible - sitting in

1 audience not by a microphone) report back.....

2

3 MS. HYER: Okay. And in addition if
4 it's something you see, this was noticed, like I said,
5 in the '80s and then they noticed an increased
6 prevalence of it. If you indeed notice something like
7 that it might be something warranting a formal study so
8 it depends on if it's the odd fish or you're seeing an
9 increasing trend and we're seeing changes definitely
10 because of the climate change.

11

12 MR. NAGEAK: So Fish and Game would be
13 -- and maybe that would -- are there any relationship
14 between the icky stuff in Atqasuk and the icky stuff in
15 Yukon River, you know, is -- would there be the
16 possibility for some relational proposals or projects
17 that could identify the parasites?

18

19 MS. HYER: Well, I think there's some
20 work done on whitefish in the Yukon and I don't think
21 it's been detected in whitefish in the Yukon, but I
22 don't know enough about the disease to be able to sit
23 here and say I don't think that's what's happening up
24 north, it's possible, and I think that samples could be
25 sent to the State if they're identified as
26 ichthyophonus. It could be a different parasite also
27 that's affecting the fish and not ichthyophonus and it
28 can only be -- that can only be determined in a
29 laboratory situation.

30

31 CHAIRMAN BROWER: Does that help,
32 James.

33

34 MR. NAGEAK: (Nods affirmatively)

35

36 CHAIRMAN BROWER: Any further comments.

37

38 (No comments)

39

40 CHAIRMAN BROWER: I just wrote down a
41 comment in terms of how you're reading the paper on the
42 fisheries data Series No. 07-64 and in terms of any
43 indication that the parasite is passed on to its young.

44

45 MS. HYER: Yeah.

46

47 CHAIRMAN BROWER: So it is?

48

49 MS. HYER: No. No, they're -- in this
50 particular study they did look at juveniles and they

1 mention that in both reports, actually, and they found
2 no signs of ichthyophonus in the juveniles in either
3 report.

4
5 CHAIRMAN BROWER: So it's not being
6 passed on.

7
8 MS. HYER: They think that it's
9 involved in the prey that they're feeding on in the
10 ocean and the adults are acquiring it through their
11 feeding, but I don't think they know -- I don't think
12 that's confirmatory, I think that's still speculation.

13
14 CHAIRMAN BROWER: So that's to be
15 determined in further research?

16
17 MS. HYER: Correct.

18
19 MR. NAGEAK: So what you're saying is
20 it's not sexually transmitted?

21
22 MS. HYER: That's my understanding.

23
24 CHAIRMAN BROWER: Any further questions
25 or comments.

26
27 (No comments)

28
29 CHAIRMAN BROWER: Hearing no further
30 comments or questions, thank you, Karen.

31
32 MS. HYER: Okay.

33
34 CHAIRMAN BROWER: I think we'll break
35 at this time for lunch and we'll continue on Agenda
36 Item 9 when we come back from lunch recess.

37
38 MR. G. BROWER: What time do you want
39 to come back, 1:00 o'clock or 1:30 or what?

40
41 CHAIRMAN BROWER: 1:00 -- 1:15, meet in
42 the middle.

43
44 (Laughter)

45
46 CHAIRMAN BROWER: Thank you. We'll be
47 back, lunch recess until 1:15.

48
49 (Off record)

50

1 (On record)
2
3 CHAIRMAN BROWER: Tina, are we ready to
4 go?
5
6 REPORTER: Yep.
7
8 CHAIRMAN BROWER: Okay. Good afternoon
9 everyone and welcome back from lunch. We'll call the
10 North Slope Regional Advisory Council meeting back to
11 order from our brief recess, lunch break. We're on
12 Agenda Item 9A, Closure Review and Council
13 recommendations. So this is probably another action
14 item that we need to be considerate of so we'll.....
15
16 MS. HYER: Mr. Chairman.
17
18 CHAIRMAN BROWER: Yes, Karen.
19
20 MS. HYER: I was going to finish my
21 report on cisco before we moved on, it's not on the
22 agenda but it was part of No. 8 and I was going to do
23 that after lunch.
24
25 CHAIRMAN BROWER: Part of No. 8, okay,
26 Karen, we'll give you that opportunity to do that.
27
28 MS. HYER: Thank you very much.
29
30 CHAIRMAN BROWER: So we're back on
31 Agenda Item 8, Fisheries Resource Monitoring Program.
32
33 MS. HYER: And I'm going to be
34 referring to this handout that was in your folders.
35
36 CHAIRMAN BROWER: Uh-huh.
37
38 MS. HYER: I think yours is in pink.
39
40 MS. B. ARMSTRONG: It's the pink copy
41 in your folders.
42
43 CHAIRMAN BROWER: The Life History and
44 Demographic Characteristics of Arctic cisco.....
45
46 MS. HYER: Yes.
47
48 CHAIRMAN BROWER:Dolly Varden and
49 Other Fish Species.
50

1 MR. NAGEAK: Dolly Pardon.

2

3 (Laughter)

4

5 MS. HYER: This was work that was
6 completed by Randy Brown of U.S. Fish and Wildlife
7 Service out of the Fairbanks office, and he was hoping
8 to be with you at your last meeting that was cancelled
9 and at this meeting he has a conflict so he's hoping to
10 join you at the next meeting. But I was just going to
11 point out some of the highlights of his work to make it
12 timely, and he will present probably some of this work
13 and some of his ongoing work at the next meeting. And
14 he would be an excellent person to talk to about
15 concerns about whitefish.

16

17 CHAIRMAN BROWER: Okay.

18

19 MS. HYER: That's his area of expertise
20 and he's worked in the AYK area and up here in the
21 Arctic.

22

23 CHAIRMAN BROWER: Okay.

24

25 MS. HYER: So, anyway, for this
26 particular project sampling began in the Barter Island
27 region in 1988 and continued through 1991 to establish
28 baseline fisheries distribution and abundance
29 information. And then the study was repeated the
30 summers of 2003 to 2005 to increase the knowledge of
31 the baseline information and to continue to explore
32 some of these trends over a longer period of time.

33

34 So based on previous research on Arctic
35 cisco in this area, the Colville River is thought to be
36 the place that they -- excuse me, the fish in the
37 Colville River are thought to have originate in the
38 McKenzie -- the McKenzie River is thought to be the
39 spawning grounds for fish throughout this area. So the
40 age zero fish captured in the Barter Island region
41 would be migrating west from the McKenzie River and the
42 older cisco thought to be in this region could be
43 migrating east from the Colville River over -- from the
44 Coville River's overwintering population or they could
45 be migrating from the McKenzie on the west to this
46 area.

47

48 And this report covered both Arctic
49 cisco and Dolly Varden.

50

1 And the Dolly Varden encountered in
2 this region are thought to come from all over the
3 northern area and Canada.

4
5 So for this particular project, fyke
6 nets were fished each summer during the course of the
7 project. Two nets were fished each in Kaktovik and
8 Jago Lagoons from early July through mid-September
9 during the years of 1988, again, to 1991, and 2003 to
10 2005. All the fish that were captured were identified
11 to species, they were counted, representative samples
12 were measured for their length and weight. Catch per
13 unit effort, which we refer to as CPUE, was calculated,
14 and also a maturity index which we refer to as GSI was
15 also calculated for the fish that were harvested. And
16 the sampling usually began in mid-July and continued
17 through mid-September. And the total effort for most
18 of the years was somewhere between 200 to 250 net days.
19 So now if you refer to Page 11, Table 2, and I'll just
20 kind of walk you through the report here and hit some
21 of the highlights. You can see on Table 2 these were
22 all the species that were captured in the nets, and
23 there were 22 species total that were captured so
24 that's a list of them. And if you turn the page at
25 Figure 4, that's the -- that figure represents the
26 overall CPUE of the seven most abundant species
27 captured in the lagoon. And as you can see between
28 years there was a similar pattern of use except for the
29 Arctic cisco and the nine spine sticklebacks, which
30 were captured more frequently in Jago Lagoon.

31
32 So if you turn to Page 13, Figure 5,
33 this is the annual length frequency histogram of the
34 Arctic cisco and it shows considerable variation in the
35 relative abundance for the three major sizes, and they
36 divided everything into age zero, age one to three, and
37 then age four and up. And as you look down you can see
38 that sometimes there were several age zero and then if
39 you look in '91 and again in 2003 you see a much
40 smaller population. But that variation is also
41 reflected in the other age classes where one to three
42 probably has the least variation. In the age four and
43 up you see a lot of presence and then little presence
44 as you just look over the years.

45
46 So if you keep going through on Page
47 15, Figure 7, this is the maturity index. And for
48 Arctic cisco very few mature sized Arctic cisco
49 captured at the Barter Island region were intending to
50 spawn during the year of capture, although they had

1 mature fish they did not have a huge number of spawning
2 fish. And you can see that by looking at the graph and
3 the highest GSI numbers contain fewer fish than the
4 lower numbers. You can see there's a whole lot of fish
5 that were down around zero.

6
7 So Arctic cisco overwintering in the
8 Colville River must migrate east to the McKenzie River
9 to spawn, but the sampling that they did indicated that
10 these fish were not going into the lagoon, which was
11 kind of interesting and they hypothesized either the
12 fish are migrating before the project started, or else
13 they're migrating outside the lagoon and not going into
14 the lagoon during their migration. And the tagging and
15 CPUE data along the Beaufort Sea suggests that mature
16 sized Arctic cisco encountered in this region are
17 coming from both the Colville and the McKenzie River
18 overwintering groups, so they feel they're migrating
19 both from the east to the west into this area.

20
21 And similar to the mature sized fish,
22 they feel that this immature fish encountered in the
23 island are coming from both regions, but -- but there
24 could be some -- there's some information that suggests
25 that some years they're only coming from possibly the
26 Colville and other years the McKenzie and then some
27 years they're coming from both regions. So there's a
28 lot of mixing that's going on in this particular area.

29
30 MR. G. BROWER: I have a question.

31
32 MS. HYER: Yes.

33
34 CHAIRMAN BROWER: Gordon.

35
36 MR. G. BROWER: Mr. Chair, this is
37 Gordon. You said in some years that immature fish are
38 captured from both sides, is there any indication that
39 cisco do spawn or are you -- in the Colville or is that
40 the young of the year juveniles maybe second year in
41 the Colville coming out to feed?

42
43 MS. HYER: Right. They feel that most
44 of the spawning, if not all the spawning is happening
45 in the McKenzie and the Colville, in deed, the fish are
46 traveling there to feed. They've not located a
47 spawning population in that river. So these fish are
48 traveling a long way, uh-huh.

49
50 CHAIRMAN BROWER: Did that help with

1 your comment, Gordon.

2

3 MR. G. BROWER: Yeah. Yeah. I'd like
4 to acknowledge Terry who used to be on the Federal
5 Council.

6

7 CHAIRMAN BROWER: If we could just take
8 a second, Gordon's getting a little ahead of me.

9

10 We have some new participants here.
11 I'm not sure who the young lady is over here.

12

13 MS. BORBA: Bonnie Borba, Fish and
14 Game.

15

16 CHAIRMAN BROWER: Excuse me.

17

18 MS. BORBA: Bonnie Borba.

19

20 CHAIRMAN BROWER: Bonnie Borba. And
21 then we have, state your name, please.

22

23 MR. TAGAROOK: Terry Tagarook.

24

25 CHAIRMAN BROWER: I know your name but
26 I just need you to get you to introduce yourself.

27

28 (In Inupiat)

29

30 CHAIRMAN BROWER: Terry Tagarook from
31 Wainwright.

32

33 Sorry for the brief interruption.

34

35 Karen, continue.

36

37 MS. HYER: Okay. The overall
38 variability in abundance was the greatest in the age
39 zero Arctic cisco. And they found this to be
40 correlated to the winds and the prevalence, it was
41 generally correlated to the prevalence of the east
42 winds and so when they saw larger populations they'd
43 also see the east winds.

44

45 And then the last thing they looked at
46 with Arctic cisco was over time, within a season, given
47 the annual life cycle of the fish, they felt there
48 should be an improvement in the growth and just the
49 general conditions of the fish between the early season
50 and the late season because of the feeding that went on

1 and so they expected to see an increase and then when
2 they took the ages -- or excuse me, not the ages, but
3 the lengths and the weights of the fish, they didn't
4 notice a general increase which would be expected and
5 they felt this was probably because the fish were
6 quickly coming into this area and then leaving the area
7 so they weren't sampling the same populations that the
8 fish were indeed migrating through the area.

9

10 And that pretty much summarizes the
11 general findings of his work for Arctic cisco.

12

13 And then if you turn to Page 28, Figure
14 16 for Dolly Varden. Dolly Varden they just divided
15 into two groups, the immature and the mature, and you
16 can see here predominately what they encountered in
17 this region were immature Dolly Varden and there were
18 many few were mature Dolly Varden and that's reflected
19 in Figure 16.

20

21 And then if you turn the page to Page
22 29, Figure 17, the abundance of immature Dolly Varden in
23 the lagoon system varied significantly over time. And
24 the one, two, three, four at the bottom just represents
25 early to later in the season so there was abundance
26 varied within the season and then in between the years
27 too in there, so there was a great deal of variation.

28

29 And the last thing they looked at with
30 Arctic char [sic], again, was the improved body
31 conditions over the summer and it existed, there was an
32 improved body condition over the summer in all years
33 except 1990 and 1998, and so they felt that the Dolly
34 Varden spent more time as residents in the two lagoons
35 than the Arctic cisco did.

36

37 And then in final comments he states
38 that this is indeed a mixed stock, and the nature of
39 this fishery makes it impossible to monitor and manage
40 it as a single discreet stock, but it also, having a
41 mixed stock reduces the risk of depleting a single
42 population in the fishery.

43

44 And that pretty much concluded their
45 work for this particular project.

46

47 So are there any questions.

48

49 CHAIRMAN BROWER: Any questions from
50 the Council members.

1 MR. G. BROWER: Yeah, Mr. Chair.
2
3 CHAIRMAN BROWER: Gordon.
4
5 MR. G. BROWER: If it's a mixed stock,
6 do you know what stock are the remainder if the ones
7 that you know are coming from the local spawning area
8 there?
9
10 MS. HYER: Well, for the most part they
11 feel like these fish are spawning in the McKenzie but
12 then they're spreading out along the coast and
13 migrating in and out of the lagoon. So, no, it would
14 be difficult to trace it and I'm not familiar with what
15 they can do with genetics in this region, which would
16 be a really good question to ask Randy when he comes
17 up. But if you can't separate things genetically it
18 makes it very difficult to track them back to the
19 origin.
20
21 MR. G. BROWER: Yeah, in some past
22 explanation, Mr. Chair.....
23
24 CHAIRMAN BROWER: Yes.
25
26 MR. G. BROWER:and some of the
27 biologists and scientists that studied the cisco
28 depending on the prevailing wind of that year.....
29
30 MS. HYER: Uh-huh.
31
32 MR. G. BROWER:and the young of
33 the year coming out during break up season subject to
34 the wind and I don't know exactly if that correlates
35 that some of them get pushed out if it's a heavy west
36 wind season at the time, the young of the year are
37 going out, then more of those fish are into the
38 Taktutuyuk (ph) area.....
39
40 MS. HYER: Uh-huh. Uh-huh.
41
42 MR. G. BROWER:for that year.
43
44 MS. HYER: Uh-huh. In this particular
45 report they found the east wind correlated to the age
46 zero in this particular lagoon. And they had started
47 to look, if you read the beginning of their report,
48 they looked at more environmental conditions, and I'm
49 guessing, and this would be a good question for Randy,
50 that there's a lot that's going on out there but it's

1 hard to collect that information and get it correlated.
2 So it doesn't mean it's not happening, it just means
3 that they were not able to collect it in such a way
4 they could make a definitive statement about it. I
5 think they feel that there's a lot going on with the
6 environmental conditions and where these fish are
7 going.

8
9 CHAIRMAN BROWER: Any other comments or
10 questions.

11
12 (No comments)

13
14 CHAIRMAN BROWER: Gordon, did that help
15 with your comment.

16
17 MR. G. BROWER: Yeah. Yeah, it does.

18
19 CHAIRMAN BROWER: Thank you. Thank
20 you, Karen.

21
22 MS. HYER: Okay.

23
24 CHAIRMAN BROWER: We'll need to get
25 back with this Randy sometime, hopefully we'll be
26 meeting with him in the near future.

27
28 Moving down our agenda Closure Review
29 and Council recommendations. I'm not sure how we want
30 to do all this, there's several of them.

31
32 DR. WHEELER: I'll explain them all.

33
34 CHAIRMAN BROWER: Dr. Wheeler, you have
35 the floor.

36
37 DR. WHEELER: Thank you, Mr. Chair.
38 And I will go through these, it looks like a lot but
39 I'll try and cut to the chase and cut to the -- get to
40 the important stuff. But for those of you that are new
41 to the Council and haven't gone through this process
42 I'll try and be as clear as possible and explain the
43 steps that we need to take here, but if you have any
44 questions, please ask. In case you haven't noticed I
45 do tend to talk a little fast so if I'm talking too
46 fast tell me to slow down.

47
48 On Page 46 in your book there is a
49 briefing, it's called the Wildlife Closure Review
50 Briefing, and what this is, this actually would have

1 been presented to you at your winter meeting but since
2 you didn't meet this winter it's being presented to you
3 at your fall meeting.

4
5 Under the Alaska National Interests
6 Lands Conservation Act, the Federal Board can close or
7 restrict the taking of wildlife or fisheries
8 populations for conservation purposes or to make sure
9 that there's enough there for subsistence users. About
10 two years ago the Board came up with a policy, there
11 was actually some concern voiced on the part of the
12 State and some other folks that the Federal Board
13 wasn't revisiting -- when they closed certain
14 populations to the taking of fish or wildlife by other
15 than subsistence users, there was some concern that
16 they weren't going back and revisiting those areas and
17 making sure that there was still a reason to keep those
18 populations closed to non-Federally-qualified users, so
19 they put a policy into place so that they would, every
20 three years, look at population -- look at areas where
21 they'd had closures to non-Federally-qualified users
22 and see if those reasons were still valid. So it's
23 just sort of a bureaucratic process to make sure that
24 something isn't -- that if they've closed an area to
25 non-Federally-qualified users, so that only subsistence
26 users can fish or hunt in that particular area for that
27 particularly species, if they've done that, they need
28 to make sure that there's still a reason to keep doing
29 it.

30
31 So for your region, your region, the
32 North Slope region, defined pretty broadly, there's
33 actually three areas where the Federal Board has closed
34 the hunting of populations to non-Federally-qualified
35 users and I'll go through them individually.

36
37 But anyway in your books you've got
38 Page 46, that's a one pager of what I just said, in
39 case you forget what I said you can remind yourself
40 there, and the specific points, the specific areas of
41 ANILCA that are referenced. On Pages 47 to Page 50
42 there's the policy, the Federal Board's policy on
43 closures to non-Federally-qualified users that was
44 signed by the Federal Board just about a year ago --
45 actually two years ago -- two years and four days ago,
46 that the Federal Board signed, and, this was, again,
47 brought up by a number of different stakeholders that
48 were concerned that the Federal Board was closing these
49 areas but never bothering to reopen them so that they
50 were providing an opportunity to subsistence users but

1 no one else, and that was a concern.

2

3 And then following that -- yeah.

4

5 CHAIRMAN BROWER: Polly. Gordon.

6

7 MR. G. BROWER: Just a question, Mr.

8 Chair.

9

10 CHAIRMAN BROWER: Yes, Gordon.

11

12 MR. G. BROWER: Following closure and
13 the request by non-Federally-qualified subsistence
14 users for revisiting those, is there a threshold that
15 needs to be met and a criteria and maybe we could talk
16 about those after you want to talk about what you're
17 talking about.

18

19 DR. WHEELER: Absolutely.

20

21 MR. G. BROWER: Because I want to dwell
22 on that a little bit as well.

23

24 DR. WHEELER: Okay, yeah, thank you,

25 Mr. Chair.

26

27 There are -- I mean basically the
28 Federal Board looks at conservation, if the population
29 -- what the status of the population is and if it can
30 withstand additional harvest beyond that provided to
31 subsistence users. Is there a rigid threshold, no.
32 But they do look at the situation as a whole. And I
33 think it will become more clear when I actually go
34 through an actual closure and see what we looked at,
35 and if your question still isn't answered after that,
36 then come back at me.

37

38 MR. G. BROWER: Mr. Chair.

39

40 CHAIRMAN BROWER: Yes, Gordon.

41

42 MR. G. BROWER: Yeah, thank you. My
43 concerns always, you know, never to restrict
44 subsistence take.

45

46 DR. WHEELER: Right.

47

48 MR. G. BROWER: Because we're trying to
49 -- we look at the need to provide food. And I had some
50 interaction with some of the guides, even them guys

1 were telling me that they were too easy to open
2 additional hunts for non-subsistence users to increase
3 moose hunts when areas are so restricted for
4 subsistence take that I think that that's just
5 something worth talking about.

6

7 DR. WHEELER: I couldn't agree with you
8 more, but that's an editorial comment.

9

10 If you look in your book at Pages 48
11 and 49, on the bottom of Page 48 there's a section that
12 says conditions for establishing or retaining closures.
13 So those are what the Board looks at. If they close an
14 area or if they have closed an area to non-Federally-
15 qualified users or even in some instances to
16 subsistence users, that's what they look at; if
17 closures are necessary for the conservation of healthy
18 populations of fish and wildlife, that's taken right
19 out of ANILCA, and then what the measurements are in
20 there goes on the bottom of Page 48 and up to Page 49;
21 and then considerations for deciding on closures. But
22 what they're looking at, most importantly, is the
23 health of the population and what kind of other uses
24 there are out there.

25

26 But, again, let me go through these
27 specific closures and it may become a little easier to
28 understand because a lot of this is a lot of words on
29 paper.

30

31 CHAIRMAN BROWER: Okay.

32

33 DR. WHEELER: So with that we can go to
34 on Page 51 is the first closure, as I said there's
35 three for your area and what I'll do is kind of go
36 through the nuts and bolts of what's actually in the
37 closure review. And our process is, that we, we, being
38 the Office of Subsistence Management, we make a
39 recommendation as to whether or not the closures should
40 be retained, and this would be the closure to non-
41 Federally-qualified subsistence users, and we would ask
42 you for your comments on that, your thoughts on that,
43 and, again, as I mentioned this morning, we have --
44 this is an opportunity to put in wildlife proposals, so
45 if some of these closures make you feel like you want
46 to put in a wildlife proposal, then that is one of the
47 actions that we can take here. I'll tell you up front
48 that our recommendation on all three closures is to
49 keep the closures in place because of conservation
50 concerns and that would be closures to non-Federally-

1 qualified users, so the closures are in place to
2 protect the conservation but also to allow opportunity
3 for subsistence users.

4
5 So the first closure in front of you is
6 08-18, you can find it in your books on Pages 51 to 53
7 and Mr. Koonuk will appreciate this because it's
8 actually in Unit 23. There's a portion of Unit 23
9 that's closed to non-Federally-qualified sheep hunters.
10 And the closure was actually -- this closure was
11 initiated 10 years ago in 1999 because there was a
12 decrease in the number of large rams and because of the
13 decrease there were conservation concerns over that
14 particular species in that particular area. There's
15 the thought that the population has increased somewhat
16 but not so much that it merits being opened up. So our
17 recommendation at this point in time is to maintain the
18 closure, and, again, that would be the closure to non-
19 Federally-qualified users, for the reasons being that
20 there's still conservation concerns and maintaining the
21 closure is consistent with sound management principles
22 as defined in the Alaska National Interests Lands
23 Conservation Act, and this closure would not affect --
24 it would basically still allow the continuation of
25 subsistence uses of the population. So it would keep
26 the subsistence uses in play, and sort of protected in
27 a way, but not allow other opportunity aside from
28 Federally-qualified users.

29
30 And just, again, for those of you who
31 are sort of new, the human population that can hunt
32 this animal population is defined by the customary and
33 traditional use finding. And the customary and
34 traditional use finding for this species in this area
35 is residents of Unit 23 north of the Arctic Circle, so
36 make sure you know where the Arctic Circle is if you're
37 going to go out hunting these animals, and also Point
38 Lay. So it's everybody, in Unit 23, north of the
39 Arctic Circle, and also Point Lay can take advantage of
40 hunting this population under Federal subsistence
41 hunting regs.

42
43 MR. G. BROWER: Just a question.

44
45 CHAIRMAN BROWER: Gordon.

46
47 MR. G. BROWER: Closure date, August 10
48 to April 30, or is that something else, and I'm on the
49 wrong page.

50

1 DR. WHEELER: No, you're right. On
2 Page 51, the current regulation, that's for Federally-
3 qualified users. It's closed to non-Federally-
4 qualified users.
5
6 MR. G. BROWER: Okay.
7
8 CHAIRMAN BROWER: So it's open for
9 subsistence.
10
11 DR. WHEELER: Correct.
12
13 MR. G. BROWER: During this timeframe
14 right there.
15
16 DR. WHEELER: Correct.
17
18 MR. G. BROWER: Okay.
19
20 DR. WHEELER: Yeah.
21
22 MR. G. BROWER: And then for non-
23 Federally-qualified subsistence users it's closed year-
24 round.
25
26 DR. WHEELER: Correct.
27
28 MR. G. BROWER: Okay. I just wanted to
29 make sure I'm on the same page.
30
31 MR. KOONUK: Mr. Chair.
32
33 CHAIRMAN BROWER: Yes, Ray.
34
35 MR. KOONUK: And how does the Board or
36 Northwest feel as far as closing?
37
38 DR. WHEELER: You have the distinct
39 position of being the first Council to meet during this
40 cycle so that Council is meeting.....
41
42 REPORTER: Next week.
43
44 MR. KOONUK: Northwest.
45
46 DR. WHEELER: When are they meeting
47 Barb, Tina, Northwest, next week?
48
49 REPORTER: Yes.
50

1 MS. B. ARMSTRONG: Northwest is meeting
2 next week on the 2nd.
3
4 DR. WHEELER: Next week on the 2nd. So
5 I wouldn't want to speak for that Council but I suspect
6 they would support the continuing of this closure.
7
8 MR. G. BROWER: Yeah, Mr. Chair.
9
10 CHAIRMAN BROWER: Wait just a minute,
11 Gordon.
12
13 MR. G. BROWER: Okay.
14
15 CHAIRMAN BROWER: Ray, did that help
16 with your comment, or did you have additional.....
17
18 MR. KOONUK: Yeah, sure.
19
20 CHAIRMAN BROWER: Thank you, Ray.
21
22 DR. WHEELER: I stand corrected, Mr.
23 Chair.
24
25 CHAIRMAN BROWER: Okay.
26
27 MS. B. ARMSTRONG: They met in winter
28 and supported it.
29
30 DR. WHEELER: As I opened up by saying
31 they met on it this winter and they supported the
32 closure. I'm sorry, they supported retaining the
33 closure. Thank you, Barb.
34
35 CHAIRMAN BROWER: So we're behind them
36 now, Ray, we're not in front of them anymore.
37
38 (Laughter)
39
40 DR. WHEELER: Yep, sorry about that.
41
42 CHAIRMAN BROWER: Thank you for the
43 clarification. Gordon.
44
45 MR. G. BROWER: Yeah, just from this
46 and looking at it and, you know, I understand, you
47 know, when you're closing it to non-Federally-
48 recognized -- for the other population, just for the
49 regular user, is based on the animal population and
50 it's a conservation measure.

1 DR. WHEELER: That's correct.
2
3 MR. G. BROWER: And to make sure that
4 our rights are protected to maintain subsistence
5 availability of this resource, you know, I would tend
6 to think that we should always support something like
7 that. It's a conservation measure but at the same time
8 protecting our rights to subsist off of the animals.
9
10 Thank you.
11
12 CHAIRMAN BROWER: Thank you, Gordon.
13 Any further comments or discussion. George. I know we
14 have a process we're supposed to follow but we make
15 exceptions. George, please.
16
17 MR. OLEMAUN: George Olemaun for the
18 record. Just on the closures and I guess the closures
19 are specific to the area units or -- but how does that
20 -- if the closure or the count or less count or
21 whatever, fewer, animals, fish whatever, if that is
22 caused by outside source, just curious how do you
23 determine that or is that something that's not
24 considered or is that something that.....
25
26 CHAIRMAN BROWER: I didn't -- did you
27 understand the question of outside influence may impact
28 the resource.
29
30 DR. WHEELER: Right, if the resource is
31 going down what's causing it?
32
33 CHAIRMAN BROWER: Yes.
34
35 DR. WHEELER: And we look at that. In
36 the analysis in there, there's a general look at the
37 biology but it's not a real close look. The concern is
38 the population, it was okay, and then it went down and
39 they think it's coming back up again but I don't think
40 they fully understand why or, you know, what the cause
41 of the decline was. It could be hunting pressure but
42 it could be habitat, it could be a lot -- it could be
43 moving across the border, so I don't know if they know
44 specifically what the concern is but they do know that
45 at this point in time maintaining -- keeping the
46 subsistence priority is -- in light of what they think
47 are conservation concerns, I think they're thinking
48 that protecting the subsistence priority is part of
49 retaining the closure.
50

1 CHAIRMAN BROWER: Within the unit area.
2
3 DR. WHEELER: Within the unit, exactly.
4 Yeah, these are all very specific to particular
5 populations in specific areas.
6
7 CHAIRMAN BROWER: Okay. If I could
8 interject, George, so these are under Federal
9 regulations and are just pertaining to Federal lands?
10
11 DR. WHEELER: That's correct. A
12 portion of Unit 23 Federal lands and a portion of Unit
13 23, just sheep.
14
15 CHAIRMAN BROWER: Yes. (In Inupiat),
16 George. So we're just basically looking at Federal
17 lands within that unit and addressing that issue.
18
19 Okay.
20
21 Any other comments or questions.
22
23 James.
24
25 MR. NAGEAK: Yeah, if it's for Federal
26 lands, are there any areas where other, the State or
27 agencies have land within that area, would that mean
28 that they would have a different regulation period or
29 would they, you know, like.....
30
31 MS. B. ARMSTRONG: Like BLM or.....
32
33 MR. NAGEAK: Or NANA or State or some
34 other source.
35
36 DR. WHEELER: I'm looking at the
37 regulations real quick right here for Unit 23, the
38 State, as you know from your -- as many of you know
39 anyway from your history with this program, when our
40 program first started the wildlife and the fisheries
41 regulations sort of copied those of the State parallel,
42 but over time in some places they've gone further
43 apart, so there are some places where there isn't a
44 Federal hunt, there is a State hunt, and I'm looking
45 right now at sheep in Unit 23 and there are various
46 sheep hunts; I'm looking at 23 remainder, there are --
47 there's a registration hunt -- there's two registration
48 hunts, which means, yeah, there are sheep hunts -- I'm
49 just looking to see what the particular area is here.
50

1 But keep in mind under State
2 regulations it's all Alaskans, the Federal regulations
3 differ because we have a specific priority to see --
4 there's a subsistence priority and then the users --
5 the Federal Board can keep the hunting open to
6 Federally-qualified users but close it to non-
7 Federally-qualified users so the systems are very, very
8 different in that respect. And I'm just looking here.

9

10 (Pause)

11

12 DR. WHEELER: Okay, in the particular
13 area that we're talking about there's no open season
14 under the State regs, so it's under the Federal regs,
15 it's closed to all but Federally-qualified users and
16 then there's, the hunt is one sheep by Federal
17 registration permit, the total allowable harvest of
18 sheep is 21 of which 15 may be rams and six may be
19 ewes. So in that total area there's no State hunt and
20 there's a Federal subsistence hunt for a limit of 21,
21 15 of which may be rams.

22

23 CHAIRMAN BROWER: Okay. Did that help,
24 James.

25

26 MR. NAGEAK: (Nods affirmatively)

27

28 CHAIRMAN BROWER: Any further comments
29 or questions.

30

31 MR. G. BROWER: Just a comment.

32

33 CHAIRMAN BROWER: Yes, Gordon.

34

35 MR. G. BROWER: I think conservation
36 measures are needed and, again, I think we should learn
37 to understand the criteria for sound healthy population
38 management in light of what is needed for a village,
39 what percentage of the population that are taken in a
40 given year is enough to sustain for the village needs
41 for that particular animal and then from there minus
42 that, as that does not exist in that population, and
43 then to come up with a number that could be used as a
44 population size to consider for non-Federally-qualified
45 subsistence users. That's the kind of thinking I have.

46

47 A lot of times when I look at the
48 example of moose and how that's been dealt with in Unit
49 23C, you're basically starving that village in Kaktovik
50 because I think there needs to be some readjustment on

1 how you figure the amount of sustainable harvest that a
2 village can do in light of looking at -- there's a lot
3 of different dynamics in moose and in sheep but we've
4 been struggling with that for many years. And I think
5 one of them is being able to consider a healthier
6 population and not to give an easy demand from the
7 other side until that population has substantially
8 increased to sustain an actual hunt on their side.

9

10 Thank you.

11

12 CHAIRMAN BROWER: Thank you, Gordon.
13 Any further comments in regards to Proposal -- did you
14 want to go through all three of them or did you want us
15 to act on them individually?

16

17 DR. WHEELER: It's up to you, Mr.
18 Chair, either way.

19

20 CHAIRMAN BROWER: Okay. Ray.

21

22 MR. KOONUK: Yeah, on your Council
23 recommendations, you have Northwest Arctic Council
24 supports the proposal with modification to include
25 designated hunter system, how is that going to work?

26

27 CHAIRMAN BROWER: The designated.....

28

29 MR. KOONUK: Is that selecting or.....

30

31 CHAIRMAN BROWER: You're questioning
32 the designated hunter.....

33

34 MR. KOONUK: Yeah.

35

36 CHAIRMAN BROWER:authorization?

37

38 MR. KOONUK: Yeah, who's going to
39 select, is it for subsistence use or.....

40

41 DR. WHEELER: I guess I don't fully
42 understand the -- where are you.....

43

44 MR. G. BROWER: What page?

45

46 DR. WHEELER: What page are you on?

47

48 CHAIRMAN BROWER: What page?

49

50 MR. KOONUK: On 51.

1 CHAIRMAN BROWER: 51.
2
3 DR. WHEELER: This is.....
4
5 MR. KOONUK: The Council
6 recommendation.
7
8 DR. WHEELER: This was for the original
9 closure in 1991 [sic] and the Northwest Arctic Council
10 supported that and they also -- they supported the
11 proposal with the modification to include the
12 designated hunter system. The designated hunter system
13 under the Federal system is getting another Federally-
14 qualified user to hunt for you if you're unable to
15 hunt. It's sort of like the State proxy system, some
16 people are more familiar with that.
17
18 But this was, again, back in 1991
19 [sic].
20
21 MR. KOONUK: Okay.
22
23 DR. WHEELER: When they supported the
24 original closure, so that was sort of an addendum to
25 their support of this original closure.
26
27 MR. KOONUK: You forgot the date on
28 there.
29
30 DR. WHEELER: I'm sorry 1999.
31
32 MR. G. BROWER: Mr. Chair.
33
34 CHAIRMAN BROWER: Does that help
35 clarify your comment, Ray.
36
37 MR. KOONUK: Yeah.
38
39 CHAIRMAN BROWER: Yes, Gordon.
40
41 MR. G. BROWER: And I know it's from --
42 that points a good question still today, and is that
43 something that was adopted and is still in place, that
44 a designated hunter, let's say you have a Federal
45 subsistence qualified user that's an elder.....
46
47 DR. WHEELER: Uh-huh.
48
49 MR. G. BROWER:and wants to have
50 a sheep and gets a young hunter that's Federally

1 subsistence qualified to hunt on their behalf, so I
2 would think that's still in place.

3

4 CHAIRMAN BROWER: I don't think it's
5 changed to-date.

6

7 DR. WHEELER: It has not changed. I
8 was just double checking to make sure that sheep is one
9 of these species that can be utilized under the
10 designated hunter system and I believe that it.....

11

12 MR. KOONUK: Mr. Chair.

13

14 CHAIRMAN BROWER: Yes, Ray.

15

16 MR. KOONUK: Yeah, then the date should
17 have been, you know, put in there, when they were
18 adopted as far as keeping it in place -- 1991 [sic] --
19 they should have had -- at the time this was adopted to
20 keep the designated hunter.

21

22 CHAIRMAN BROWER: Okay, thank you.

23

24 MR. G. BROWER: Mr. Chair.

25

26 MR. KOONUK: And then you go down to
27 the second question it says the North Slope Council
28 supported the proposal, was that back also in 1991
29 [sic]?

30

31 DR. WHEELER: It was at the time of the
32 original closure, and to my knowledge I don't believe
33 that this closure has been revisited in the 10 years
34 since it originally passed but because the Board put
35 that.....

36

37 MR. KOONUK: Yeah, well, you should
38 have the dates on there as far as when they were
39 approved and you're bringing them back and you're going
40 to utilize them again.

41

42 DR. WHEELER: So you want us to every
43 time.....

44

45 MR. KOONUK: Yeah.

46

47 DR. WHEELER:you want us to put
48 the dates in and an overview of when.....

49

50 MR. KOONUK: No, the date they were

1 approved and if there were any changes as far as
2 designated -- trying to designate a hunter for, like,
3 he had asked about, you know, an elder.....

4
5 DR. WHEELER: Uh-huh.

6
7 MR. KOONUK:might want to, you
8 know, get a sheep.

9
10 DR. WHEELER: Right. But just keep in
11 mind the closures are different than the designated
12 hunter system. That's a separate system. This is just
13 for the closures today.

14
15 MR. KOONUK: But they're using --
16 you're using from the 1991 [sic].....

17
18 CHAIRMAN BROWER: Background
19 information.

20
21 DR. WHEELER: Right, I get it.

22
23 CHAIRMAN BROWER: You're using
24 background information from 1991 [sic].

25
26 DR. WHEELER: Right.

27
28 MR. KOONUK: That was approved, right.

29
30 DR. WHEELER: Right.

31
32 CHAIRMAN BROWER: Any further
33 discussions. Gordon, did you have another comment.

34
35 MR. G. BROWER: Just the same lines as
36 Ray, Mr. Chair.

37
38 CHAIRMAN BROWER: Okay.

39
40 MR. G. BROWER: Yeah, it's good to have
41 a chronology.....

42
43 CHAIRMAN BROWER: Sure.

44
45 MR. G. BROWER:on its path to
46 closures and when it was introduced and it can be just
47 slight misleading but it's good to have the history
48 like that because when I read it you start to think
49 back on some of these if you were involved in them and
50 it gives you a little bit more insight.

1 But I think that the closure that we're
2 talking about now is still based on population
3 trends.....

4
5 DR. WHEELER: It is.

6
7 MR. G. BROWER:and the recent
8 count of what's on the ground right now.

9
10 DR. WHEELER: To the best of our
11 knowledge, yeah.

12
13 MR. G. BROWER: Yeah. And I think
14 that's what we're looking at right now, it's just based
15 on population size and I think all this other
16 background information is good chronology to get you to
17 thinking, but Ray is also, I think, correct, I was
18 almost misleading to think that maybe this all had just
19 occurred in some areas just recently but there are some
20 dates in there.

21
22 DR. WHEELER: And I think I misspoke
23 earlier. This was first passed about 10 years ago and
24 then it was revisited in 2006 so there was a fairly
25 lengthy period of time between which when it was
26 originally passed and then initially reviewed, so this
27 is why three years later we're reviewing it.

28
29 CHAIRMAN BROWER: I was just going to
30 reference back to the front page of the proposal,
31 closures to hunting, trapping, fishing on Federal
32 public lands and waters in Alaska from the Federal
33 Subsistence Board so it's a revisiting process in terms
34 of policies and procedures for the Federal Subsistence
35 Board to follow through on, and specific to the closure
36 areas.

37
38 MR. G. BROWER: Mr. Chair.

39
40 CHAIRMAN BROWER: Yes, Gordon.

41
42 MR. G. BROWER: I'm asking if we need
43 to make a motion individually for each one or as a
44 whole because I would tend to agree with this
45 particular closure.

46
47 CHAIRMAN BROWER: It's at the
48 discretion of the Council. If you wish to make an
49 individual motion at this time that's welcome as well.
50

1 MR. G. BROWER: Mr. Chair. Move to
2 approve WCR08-18, I think that's what it is, right?
3
4 DR. WHEELER: Yes.
5
6 CHAIRMAN BROWER: Yes, okay.
7
8 MR. KOONUK: Second that motion, Mr.
9 Chair.
10
11 CHAIRMAN BROWER: Motion on the floor
12 to approve the recommendation on the Proposal WCR08-18
13 to remain status quo.
14
15 MR. NAGEAK: Question.
16
17 CHAIRMAN BROWER: It's been seconded.
18 Any further discussion.
19
20 MR. NAGEAK: Call for question.
21
22 CHAIRMAN BROWER: Question's been
23 called on the motion. All in favor signify by saying
24 aye.
25
26 IN UNISON: Aye.
27
28 CHAIRMAN BROWER: Opposed, same sign.
29
30 (No opposing votes)
31
32 CHAIRMAN BROWER: None noted. Thank
33 you. We're going to continue to our next proposal.
34
35 DR. WHEELER: Thank you, Mr. Chair. If
36 you look on Pages 54 to 58 in your books then that's
37 the next closure review in front of you and this deals
38 with Unit 24 remainder moose and you might ask why
39 you're being asked to look at Unit 24 remainder moose
40 but the reason why is because Anaktuvuk is included in
41 the customary and traditional use finding for moose in
42 this area.
43
44 There's Federal public lands in a
45 portion of Unit 24B are closed to non-Federally-
46 qualified moose hunters. On Page 54 there's the
47 existing regulation and, again, that's for Federally-
48 qualified subsistence users.
49
50 This closure was initiated in 1992 so

1 almost at the beginning of the Federal Program based on
2 a low moose population which could not support both
3 sport and subsistence harvest. The closure provided a
4 priority for subsistence users, consistent with the
5 Alaska National Interests Lands Conservation Act. The
6 moose population in the area has been relatively stable
7 but at low levels since 1999 ranging between roughly
8 600 and 1,000 animals and there's a table on Page 56
9 that shows you the range. Subsistence harvest has also
10 been low over the past few years, I should say reported
11 subsistence harvest.

12

13 But because of continued conservation
14 concerns about this population, the preliminary
15 recommendation from the Office of Subsistence
16 Management is to keep the closure in place, that is the
17 closure to non-Federally-qualified users with the
18 understanding that the closure is consistent with sound
19 management principles and it would allow the
20 continuation of subsistence uses of this population.

21

22 Mr. Chair.

23

24 CHAIRMAN BROWER: Thank you.
25 Discussion from the Council members.

26

27 MR. G. BROWER: Mr. Chair.

28

29 CHAIRMAN BROWER: Gordon.

30

31 MR. G. BROWER: This kind of reminds me
32 of maybe four or five years ago we may have talked
33 about this particular issue with representatives from
34 Anaktuvuk Pass.

35

36 CHAIRMAN BROWER: Uh-huh.

37

38 MR. G. BROWER: And I think we had
39 supported it in the past and the conservation measure
40 needed to be dealt with from our region as well because
41 there were Federally-qualified subsistence users being
42 affected for the proposal.

43

44 And my question right now is has there
45 been any increase on this, is it on its rise or is it
46 still in a state where it's either going up or going
47 down?

48

49 DR. WHEELER: If you look at the chart
50 on Page 56, it's at the top of Page 56, and to my way

1 of -- and this is a weird chart, it reads backwards in
2 my mind, it starts in 2008 and goes to -- 2008 is on
3 the left and 1999 is on the right, I would have done it
4 the other way but that's just how I think, but if you
5 look at the range of estimate it's the one, two, three,
6 four, fifth thing down, that estimate is pretty flat.
7 So I would say that the original closure was passed
8 because of concerns over the population and it's
9 remained pretty flat over the decade between 1999 and
10 2008.

11
12 CHAIRMAN BROWER: So there's been very
13 minimal fluctuation of the population, it basically has
14 remained stable.

15
16 DR. WHEELER: It looks -- yeah.

17
18 CHAIRMAN BROWER: I mean that's how it
19 would be interpreted in terms of what the numbers are
20 indicating.

21
22 MR. G. BROWER: Mr. Chair.

23
24 CHAIRMAN BROWER: Maybe even a little
25 bit lesser than the original 1999 if you look at the
26 numbers.

27
28 DR. WHEELER: Uh-huh.

29
30 CHAIRMAN BROWER: Yes, Gordon.

31
32 MR. G. BROWER: Just another concern.
33 If there's minimal subsistence take going on and I
34 suspect that's what you just said, there's not that
35 much subsistence take and just looking at the
36 population trend and actually going down a little bit,
37 has there been any other field investigation as to why
38 this might be occurring, if it's due to sickness like
39 brucellosis where Umiat had problems in the past, and
40 also increase predators? I know we had maybe about six
41 years ago some concerns of predators on the Fortymile
42 caribou and then we had agreed to relocate a bunch of
43 wolves from the Fortymile caribou area up to the North
44 Slope just to reduce the predation of these animals to
45 reduce that pressure. And are any of those kind of
46 remedies being talked about as well.

47
48 DR. WHEELER: Well, this area was
49 actually a -- there was a large scale planning effort
50 in the early 2000-2005, the Koyukuk River Moose

1 Planning effort and this area was area was sort of on
2 the upper area of that planning effort but there was a
3 lot of concern over hunting pressure, there was a lot
4 of concern over predators. Some of this area is in an
5 intensive management area that's managed -- the
6 intensive management area is by Fish and Game, so,
7 again, I think there's also some concerns over habitat,
8 and it may be that this area is -- can retain the
9 population that it has without getting much higher, or
10 certainly we all know it could drop. But some of those
11 issues are being looked at. But specific to this area
12 I think because the harvest has generally been somewhat
13 low, this area hasn't gotten some of the attention that
14 other areas in the state have gotten as far as predator
15 control and other things like that.

16

17 CHAIRMAN BROWER: In regards to what's
18 currently known, this population is probably at its
19 carrying capacity at this time. I don't see any great
20 increases over time, I don't see any drop offs, whether
21 it's from hunting pressure or predation.

22

23 DR. WHEELER: It's flat.

24

25 CHAIRMAN BROWER: It's probably at its
26 maximum capacity in terms of the number of animals and
27 foraging effort for this population specifically.

28

29 DR. WHEELER: You know without -- you
30 can look at these population figures and reach your own
31 conclusions, I guess. But knowing that there's not a
32 lot of harvest in this area and looking at it -- even
33 though there's not a lot of harvest I know that there
34 are local people that are very concerned. Some people
35 on the Western Interior Regional Advisory Council that
36 are concern over hunting pressure in the general area
37 in Unit 24 altogether. And there are people there that
38 will say it's hunting pressure, it's wolves, it's
39 bears, it's habitat.

40

41 MR. G. BROWER: Mr. Chair.

42

43 CHAIRMAN BROWER: Gordon.

44

45 MR. G. BROWER: I'll refer to
46 Anaktuvuk.

47

48 CHAIRMAN BROWER: James.

49

50 MR. NAGEAK: Yeah, I was just thinking

1 has there been any discussions looked at on the
2 immigration, Unit 26 let's say, has there been any
3 studies to see if the moose has become immigrants on
4 this side, you know, because of the change in climate,
5 you know, it's more contusive [sic] for the moose to be
6 able to stay on this side of the border than staying
7 over that way.

8

9 DR. WHEELER: I've heard that.

10

11 MR. NAGEAK: Maybe even though the
12 population has probably increased over there, maybe
13 there's a migration -- not migration, but becoming
14 immigrants on this side of -- in Unit 26.

15

16 DR. WHEELER: I've heard that, and, you
17 know, I don't know. We had Geoff Carroll in here
18 earlier and he skipped out, but if he comes back in
19 maybe we can grab him and ask him what the status is of
20 the migrating moose, but I have heard that, that
21 they're moving north as things warm up.

22

23 MR. NAGEAK: You know I've seen them,
24 an older moose on this side 60-inch type moose that was
25 caught a couple years ago and maybe the older guys are
26 coming over this side of the border and staying on this
27 side.

28

29 DR. WHEELER: Maybe.

30

31 MR. NAGEAK: I don't know. It's a
32 possibility that they, you know.....

33

34 CHAIRMAN BROWER: I guess there's other
35 factors to be considered, forest fires, and what have
36 you within the area in terms of immigrants.

37

38 MR. NAGEAK: Uh-huh.

39

40 CHAIRMAN BROWER: It's not a
41 transplant.

42

43 (Laughter)

44

45 CHAIRMAN BROWER: I mean these are
46 something that I'm not sure if that's something that --
47 in regards to the research that's being considered but,
48 you know, currently we see or hear of forest fires
49 within -- even within this side of the Brooks Range the
50 past couple years, and that may have an effect on

1 what's occurring, but it's still a question mark.

2

3 Gordon.

4

5 MR. G. BROWER: Yeah, I would tend to
6 agree with this one. It's always good to talk about,
7 you know, what we're reviewing and it's always good to
8 talk about looking at the population trends and, you
9 know, we may be looking at something, like Harry, this
10 area is at its maximum level and that's what the
11 habitat can support and it stays flat and it's not
12 going to be subject to growing too much larger. And at
13 the same time listening to Anaktuvuk Representative
14 Nageak, that there are a lot of concerns that these
15 animals move around and you can't really expect them to
16 stay put and, you know, say you are a Unit 24B person,
17 you can't go to Unit 24C, they don't recognize these
18 borders. And at the same time the conservation measure
19 is, I think still warranted, it's not a very large
20 population and to maintain subsistence for Federally-
21 qualified subsistence users to take those animals is a
22 good conservation measure.

23

24 Thank you.

25

26 CHAIRMAN BROWER: Any further comments
27 or questions.

28

29 MR. NAGEAK: Mr. Chair.

30

31 CHAIRMAN BROWER: James.

32

33 MR. NAGEAK: I move that the Council
34 accept to maintain status quo on this recommendation.

35

36 CHAIRMAN BROWER: Motion by James
37 to.....

38

39 MR. NAGEAK: Maintain the status quo.

40

41 CHAIRMAN BROWER:maintain the
42 status quo recommendation by OSM.

43

44 MR. NAGEAK: Yes.

45

46 CHAIRMAN BROWER: Motion on the floor.

47

48 MR. G. BROWER: Seconded for WCR08-20,
49 right?

50

1 CHAIRMAN BROWER: Yes.
2
3 MR. NAGEAK: Yeah.
4
5 CHAIRMAN BROWER: The motion is on
6 WCR08-20. James made a motion to remain status quo as
7 recommended by Office of Subsistence Management.
8
9 Seconded by Gordon.
10
11 Further discussion.
12
13 MR. KOONUK: Question.
14
15 CHAIRMAN BROWER: Question has been
16 called on the motion, all in favor signify by saying
17 aye.
18
19 IN UNISON: Aye.
20
21 CHAIRMAN BROWER: Opposed, same sign.
22
23 (No opposing votes)
24
25 CHAIRMAN BROWER: None noted. The
26 motion passes. Thank you.
27
28 Next proposal.
29
30 DR. WHEELER: Thank you, Mr. Chair.
31 This is the final one.
32
33 No. 08-20 Wildlife Closure review --
34 No. 08-20 can be found on Pages 59 to 62 of your book.
35
36 CHAIRMAN BROWER: 25 or 20? I thought
37 we.....
38
39 DR. WHEELER: 59. It's No. 20 but it
40 can be found on Pages 59 -- I'm sorry 25, sorry. Too
41 many of these numbers in front of me.
42
43 CHAIRMAN BROWER: 25.
44
45 DR. WHEELER: No. 25 but it's on Pages
46 59 to 62 in your books.
47
48 CHAIRMAN BROWER: Okay.
49
50 DR. WHEELER: And this deals with

1 muskox in Unit 26C, and the customary and traditional
2 use finding for that species in that area is just the
3 residents of Kaktovik.

4
5 Currently as you're all pretty much all
6 aware Federal public lands in 26C are closed to non-
7 Federally-qualified muskox hunters. The regulation for
8 Federally-qualified subsistence users is on Page 59.
9 This closure to non-Federally-qualified users began in
10 1992 and it was based on the muskox population being
11 below management objectives and basically not being
12 able to support both subsistence and sport hunting.
13 The closure provided a priority for subsistence users.
14 During the April -- and actually on Page 59 the
15 proposal number of initial closures and any subsequent
16 proposals, you can see, there's a fairly lengthy
17 history there of the different proposals that the Board
18 has considered over time. They last reviewed this in
19 2006 when they, again, supported retaining the closure
20 to non-Federally-qualified users. The muskox
21 population, as you all probably know, has declined.
22 They think it's basically due to low calf survival,
23 increased adult mortality and the changes of the
24 distribution of the animals. The harvest has been low
25 and because of the decreasing population of muskox in
26 the unit, the number of permits issued has also been
27 low.

28
29 In 2008, based on the precalving
30 census, only one permit for one bull muskox was issued,
31 so clearly there's concern over this population.

32
33 The recommendation from the Office of
34 Subsistence Management is to maintain the closure.
35 There's conservation concerns for this muskox
36 population as the population's really small.
37 Maintaining the closure is consistent with sound
38 management principles, and it will allow the
39 continuation of subsistence uses of this population if
40 there's a harvestable surplus of the population.

41
42 So, again, the preliminary
43 recommendation is to keep the closure in place.

44
45 Mr. Chair.

46
47 CHAIRMAN BROWER: Thank you. Council
48 comments.

49
50 (No comments)

1 CHAIRMAN BROWER: Questions.

2

3 MR. G. BROWER: Mr. Chair.

4

5 CHAIRMAN BROWER: Gordon.

6

7 MR. G. BROWER: I would think that
8 there was a reason to -- population trend survey.

9

10 DR. WHEELER: There's a -- on Page 60
11 there's the resource population trend, there is a
12 precalving census in April of 2008, granted which was
13 over a year ago, where 44 muskox were seen on the
14 Arctic National Wildlife Refuge although, as it says
15 here, many of these animals were not present in Unit
16 26C in late October suggesting that at least one group
17 returned to Canada by early winter 2008.

18

19 CHAIRMAN BROWER: Does that help with
20 your question, Gordon.

21

22 MR. G. BROWER: Yeah. Mr. Chair.

23

24 CHAIRMAN BROWER: Gordon.

25

26 MR. G. BROWER: Just another, maybe a
27 question and partial observation, too. When it comes
28 to population trend and you have concerns of transient
29 migration of these animals from one area to another, and
30 the kind of regulation that's in place to limit the
31 harvest of these resources because they're not
32 recognizing any border and they move out and suddenly
33 you have a catastrophic decrease in an area when
34 they're just passing through and suddenly you can't
35 pick up a rifle and shoot one down because they're
36 constantly moving around and we know that of animals.
37 It seems to me there needs to be some way to revisit
38 some of these. I know there's a lot of caribou in
39 place and then they migrate in and then they migrate
40 out but the harvest level of caribou remains the same
41 even when they move back to Canada and then we know
42 they come back, from time to time, but when we look at
43 certain species like moose and muskox.

44

45 And that was also another concern that
46 we had a few years ago when the moose was being talked
47 about and we had deliberated for a long time about the
48 population around 26C on moose -- I hate to get off the
49 subject, but I'm just trying to make a point.

50

1 CHAIRMAN BROWER: Uh-huh.

2

3 MR. G. BROWER: That these moose move
4 from one border to another and they're basically
5 transient, coming in and out as they wish. And trying
6 to make a quota out of when they're there real quick
7 and then they move out, seems to not do justice to the
8 community, it really hurts them to do it that way.
9 Because the increase in 26C and then the -- the
10 decrease in 26C and then you look at the neighbor 26B,
11 and then they want an increase, it seems like a few
12 years ago we were talking about the request to open a
13 remainder of 26B for moose when we knew 26C just on the
14 other side was limited to only one or two moose but the
15 non-Federally-qualified users in this area, where the
16 subsistence take was being increased and asking to add
17 more open area to do these kinds of things.

18

19 Those are just some of my concerns, and
20 I see we've got a serious biologist here that can
21 elaborate a little bit better.

22

23 CHAIRMAN BROWER: Thank you, Gordon for
24 your comment.

25

26 Dr. Yokel.

27

28 MR. YOKEL: Thank you, Mr. Chair. It's
29 well known by local residents and agency biologists
30 that these muskox move back and forth across the
31 U.S./Canada border and also across the 26C and 26B
32 border and, in fact, the text here acknowledges that in
33 its latest -- I say latest, remember this write up was
34 written for last February's meeting.....

35

36 CHAIRMAN BROWER: Uh-huh.

37

38 DR. YOKEL:so the latest census
39 was in, according to this, was in April 2008, and it
40 acknowledges that they saw 44 muskox in 26C at that
41 time but some of them were gone the next fall. So
42 that's well known.

43

44 But what we've been trying to do is
45 count these muskox in all three of those areas, Canada,
46 26C and 26B at about the same time so that we can
47 account for those movements and still have some idea of
48 the trend of the muskox population because biology it's
49 most valid to think of all three of these areas as a
50 single population.

1 So I understand your concern and I'm
2 not going to address the moose part of it, but I think
3 everything that can be done has been done to have a
4 good handle on whether or not we're dealing with real
5 numbers here for these muskox. And as most of you are
6 aware, we've had a muskox working group on the North
7 Slope that has worked for many years, hasn't -- you
8 know we kind of developed a muskox harvest plan and
9 haven't been too active since because the harvest plan
10 has remained in place and we're still going by it, and
11 so what happened after this 2008 census was that,
12 according to the harvest plans, with these numbers, we
13 could allow one muskox permit in 26C. And actually the
14 Kaktovik member of the working group said, no, let's
15 just let it go, let's not have any permits this year,
16 let's save that muskox. But the Arctic Refuge manager
17 decided to go ahead and issue a permit, and so that was
18 the case.

19
20 I don't -- I haven't heard what the
21 count was in 2009 yet, which will determine whether or
22 not there'll be a hunt in the next season.

23
24 That's all I had to say, I hope that
25 addresses Gordon's concerns.

26
27 CHAIRMAN BROWER: Thank you. Any
28 further comments from the Council.

29
30 MR. G. BROWER: Mr. Chairman.

31
32 CHAIRMAN BROWER: Yes, Gordon.

33
34 MR. G. BROWER: I'd just like to thank
35 Dr. Yokel there and it's always good to prompt him
36 somehow to come out and talk about a few things, I just
37 like to listen to him.

38
39 But there are real concerns though.

40
41 CHAIRMAN BROWER: Uh-huh.

42
43 MR. G. BROWER: These population
44 trends, you know, you look at 26C, 26B and the moving
45 in and out of there and if there were 400 in 26B
46 available for subsistence take then that one that was
47 in 26C just happened to walk over to 26B and get shot,
48 you know, those are just the type of concerns I have
49 here, you limit one area from the other when they move
50 around and they don't follow the boundary.

1 But at the same time I know it's a
2 conservation measure and I tend to agree with it and
3 thank the Refuge manager that, you know, one is at a
4 minimum -- you know, from 44 animals, that's.....

5
6 DR. YOKEL: Well, the agreement that we
7 reached was that we would not harvest more than three
8 percent of the number that was counted in that
9 precalving survey each spring and so when you take
10 three percent of 44 animals you get 1.something muskox,
11 I think, and we can't give a permit for a piece of a
12 muskox.

13
14 (Laughter)

15
16 CHAIRMAN BROWER: I'm ready to make a
17 comment now that I heard something that's.....

18
19 (Laughter)

20
21 CHAIRMAN BROWER: You get to shoot a
22 hindquarter of a muskox and take what's remaining.

23
24 (Laughter)

25
26 DR. YOKEL: But there also has been a
27 legal hunt in 26B under State regulations, I think the
28 Tier II system.

29
30 CHAIRMAN BROWER: Uh-huh.

31
32 DR. YOKEL: And so that has gone on as
33 long as there have been suitable numbers of muskoxen
34 there as well. But the entire population, Canada, 26C
35 and 26B has declined dramatically since about 2000 or
36 something like that.

37
38 MR. G. BROWER: Mr. Chair.

39
40 CHAIRMAN BROWER: Yes, Gordon.

41
42 MR. G. BROWER: And is that one, that
43 suitable hunt in 26B, is that a rural preference hunt
44 or is that a get a permit and, you know, get a trophy
45 hunt?

46
47 DR. YOKEL: Yes, it's -- I don't know
48 the State regulations that well but I'm pretty sure
49 it's a Tier II hunt, it's a rural preference, almost
50 all the permits, if not all of them would go to Nuiqsut

1 residents when it was held. Anaktuvuk Pass residents
2 might have fared better than most other people if they
3 had applied for a permit in that.

4

5 MR. G. BROWER: Mr. Chair.

6

7 CHAIRMAN BROWER: Yes, Gordon -- before
8 you start. Just from my personal knowledge of that
9 State hunt, there's a Tier II system and it has, I
10 think, eight criteria factor that you have to meet
11 to.....

12

13 DR. YOKEL: Yeah.

14

15 CHAIRMAN BROWER:be able to be
16 eligible for that permitting process so there's
17 criteria that you have to meet.

18

19 Gordon, continue.

20

21 MR. G. BROWER: Sorry just to dwell on
22 this quite a bit, but that's the exact concern that I
23 always have, that the animal, 26C, you'll be very
24 limited to hunt it because it doesn't like to stay
25 there and it moves around and then it crosses the
26 border on 26B and it's going to get -- might get.....

27

28 DR. YOKEL: Yeah, well.....

29

30 MR. G. BROWER:shot in a Tier II
31 hunt. It seems to me that we need to look at what the
32 State is doing and look at the population as a whole if
33 we needed to, say if Nuiqsut has a hunt there and is
34 qualified there, and Kaktovik has a qualified hunting
35 there as well, but the distances are so vast to be able
36 to go over there an hunt those, that it's not
37 economical, it's more of a.....

38

39 DR. YOKEL: Well.....

40

41 CHAIRMAN BROWER: Gordon.

42

43 DR. YOKEL:I don't want to argue,
44 Gordon, but we biologists do look the population as a
45 whole, but the population as a whole harvest is
46 regulated by three different governments regulations,
47 Canada, U.S. and the State, and, in fact, since the
48 numbers of the population as a whole did go down
49 dramatically the State has also closed the Tier II hunt
50 on 26B, so I don't think your most recently expressed

1 concern is something to remain concerned about.

2

3 MR. G. BROWER: Thank you, Mr. Chair.

4

5 CHAIRMAN BROWER: Thank you, Gordon.

6

7 MR. G. BROWER: I rest my talking. I
8 talked this enough.

9

10 (Laughter)

11

12 CHAIRMAN BROWER: Thank you, Dr. Yokel.

13 Any further comments or questions. James.

14

15 MR. NAGEAK: Yeah, I was just thinking,
16 you know, since we know that they are transient and
17 they go from one border to the other, you know, the
18 early reindeer herders had the same situation, you
19 know, the reindeer were moving around quite a bit but
20 they didn't have any problems in identifying whose
21 reindeer that was by, you know, instead of putting
22 collars on polar bears where the skin and the neck are
23 exposed, you know, why not mark the ears like the
24 reindeer herders mark theirs so that we know if the --
25 the Canadians would mark them in a different way and,
26 of course, the United States would mark theirs
27 differently, to see what kind of interaction there is
28 between the two population of the same species like
29 muskoxen, and Unit 25 moose and Unit 26 moose and see.

30

31 I was just thinking about that.

32

33 CHAIRMAN BROWER: Thank you, James.

34 Maybe at this time.....

35

36 MR. OLEMAUN: In fact they're doing
37 that with the polar bear radio ear tag instead of the
38 collars.

39

40 CHAIRMAN BROWER: Uh-huh.

41

42 MR. NAGEAK: Are they doing it now
43 instead of just marking it radio.....

44

45 MR. OLEMAUN: It's starting in 09/10.

46

47 CHAIRMAN BROWER: So that was George
48 referencing the USGS research program that's considered
49 by Fish and Wildlife Service on polar bears.

50

1 MR. NAGEAK: Oh, that's good to know.
2 You could do the same thing on all of the animals, you
3 know.
4
5 CHAIRMAN BROWER: I was going to maybe
6 suggest we need to find Doctor Dolittle so we could
7 talk to the animal and see if it's better for them.
8
9 (Laughter)
10
11 MR. NAGEAK: Yeah, if they say 'eh then
12 they're Canadian.
13
14 (Laughter)
15
16 MR. G. BROWER: Mr. Chair.
17
18 CHAIRMAN BROWER: Yes, Gordon.
19
20 MR. G. BROWER: Did I hear that there's
21 a muskox working group that works together to look at a
22 overall condition of the United States versus the
23 Canadian or together.
24
25 CHAIRMAN BROWER: I think they are one
26 group of animals just that they're moving between the
27 boundaries. It's like that statement you made earlier,
28 hunger knows no law, when they're hungry and there's
29 good food on the Canadian side they'll go eat over
30 there.
31
32 MR. NAGEAK: Are those the Shriners.
33
34 (Laughter)
35
36 CHAIRMAN BROWER: I think, Dr. Yokel,
37 you're asking for the floor, go ahead.
38
39 DR. YOKEL: Well, you're asking a
40 little bit about history.
41
42 CHAIRMAN BROWER: Sure.
43
44 DR. YOKEL: And back when the muskox
45 issue was first brought before the Federal Subsistence
46 Board and I can't tell you what year it was, sometime
47 back in the '90s, the Federal Subsistence Board came
48 back and said, you know, there's too much conflict
49 among different agencies and governments on the North
50 Slope, why don't you come together and present a muskox

1 harvest plan to us, the Federal Subsistence Board,
2 before we will act on this.

3

4 So if I recall right it was coordinated
5 more through the North Slope Borough Fish and Game
6 Management Committee and Fenton Rexford was the chair
7 of the group and there was a representative from each
8 of the different agencies involved, and after a couple
9 years of a lot of working together we came up with a
10 more or less mutually agreed upon plan for how to
11 manage the muskox harvest of the eastern half of the
12 North Slope. We were concerned about that population
13 that originated from the transplant to Barter Island.
14 And that working group has not been active much since
15 we hammered out that plan except to, by email every
16 year, say well this is how many muskox we have in the
17 year, according to the plan this is how many permits we
18 can allow and does anybody -- you know, any comments or
19 anything on that, any agreement, disagreement, and so
20 that's all that's been going on in the last several
21 years.

22

23 CHAIRMAN BROWER: Thank you, Dr. Yokel.
24 Did that help Gordon.

25

26 MR. G. BROWER: Yeah, I think it'd be
27 good to, you know, talk about that working group and
28 see how its mechanism is to review this, because I have
29 concerns and it seems to me that because they move
30 around and you regulate from one boundary to the other
31 on a population that's so small anyway, that you really
32 need to look at them as a whole and then if there's a
33 customary use determination by each village that may be
34 the nearest and divide that system between the two or
35 the villages that may be affected, regardless if those
36 animals are in that unit, just as the population for a
37 -- just looking at the population size as a whole from
38 both boundaries. I mean that just seems to me could be
39 some commonsense issues on some of these instead of
40 territorial disputes.

41

42 Thank you.

43

44 CHAIRMAN BROWER: Thank you, Gordon.
45 Maybe a recommendation for the muskox working group to
46 meet coming from this North Slope Regional Advisory
47 Council and having them meet to give us their
48 considerations and suggestions on a way forward on this
49 concern in regards to this population estimate and
50 number of take for the communities of concern.

1 Any further discussion or comments in
2 regards to Proposal WCR08-25, muskox.
3
4 MR. G. BROWER: Mr. Chair.
5
6 CHAIRMAN BROWER: The recommendation by
7 OSM is to remain status quo.
8
9 James and then Gordon.
10
11 MR. NAGEAK: Yeah, I was just
12 wondering, too, if I don't have a permit for Unit --
13 for muskox in my area and I liked the comment earlier,
14 and I'm watching the brown bear attacking this muskox
15 and it kills it and I shoot the brown bear because I
16 have a tag, what is the Fish and Game going to do to me
17 if I harvest a muskox in an area where it's a
18 closed.....
19
20 CHAIRMAN BROWER: I could make the
21 comment.
22
23 (Laughter)
24
25 MR. NAGEAK: I'm just making you think
26 a little bit here.
27
28 CHAIRMAN BROWER: You harvested a brown
29 bear but the brown bear killed the muskox before you
30 got to the brown bear.
31
32 (Laughter)
33
34 MR. NAGEAK: Yeah, but what's Fish and
35 Game going to do, are they going to confiscate the
36 muskox that the bear that I'm claiming because.....
37
38 DR. YOKEL: Call Geoff.
39
40 MR. NAGEAK: Uh.
41
42 DR. YOKEL: Call Geoff.
43
44 DR. WHEELER: Maybe that's why Geoff
45 left.
46
47 (Laughter)
48
49 CHAIRMAN BROWER: I think we need to
50 provide an example.

1 MR. NAGEAK: Yeah, I think so.
2
3 CHAIRMAN BROWER: And see what the
4 outcome is. I mean we got to go through that practice
5 and scenario to see what occurs afterwards.
6
7 MR. NAGEAK: It's happened before.
8 When I was growing up at Kaktovik my Uncle George (In
9 Inupiat).....
10
11 CHAIRMAN BROWER: Uh-huh.
12
13 MR. NAGEAK:we were up in the
14 mountains and he was going after this bull caribou and
15 when he's stalking it, he saw in the peripheral vision
16 there the wolf was going after the caribou, too, and so
17 since he saw that he waited for the wolf to get really
18 close to the caribou and shot the wolf and shot the
19 caribou too, and the wolf had \$50 bounty back then, you
20 know, when we were growing up and there's that -- so,
21 you know, it could happen.
22
23 CHAIRMAN BROWER: I've gone through my
24 own different experiences for similar situations,
25 James, hunting in March going down in the Colville and
26 finally get to meet up the wolf and it's already eating
27 on the sheep, you might as well take the wolf and pack
28 the sheep along with it. I mean that's why I had
29 expressed that concern earlier, I mean my own
30 experiences that I've gone through in terms of
31 opportunistic hunting. These are some things that we
32 come across as hunters and they're unexpected but it
33 occurs. I mean this is a great situation in regards to
34 brown bears, muskox, we know muskox are taken down by
35 brown bears and when the hunters are hunting for brown
36 bear it can take the brown bear and a muskox with one
37 bullet.
38
39 MR. G. BROWER: Mr. Chair.
40
41 CHAIRMAN BROWER: Yes, Gordon.
42
43 MR. G. BROWER: Well, did you finish,
44 James?
45
46 MR. NAGEAK: Yes, go ahead.
47
48 CHAIRMAN BROWER: Gordon.
49
50 MR. G. BROWER: I would tend to go

1 along with this as there's one bull available but I
2 would also like to make a recommendation that the
3 muskox working group look at the overall picture of the
4 status of the muskox from Point Hope to Demarcation. I
5 saw a muskox last week at the mouth of Chip River.....

6

7 CHAIRMAN BROWER: Uh-huh.

8

9 MR. G. BROWER:and just looked at
10 it and look at the whole status and if that status
11 reveals a total of 800 muskox and you can divide the
12 harvestable, sustainable for that as a whole and divide
13 it amongst the villages, maybe one or two per village
14 and it seems to me limiting it to borders when the
15 animal is transient and moving around, it allows change
16 from one border to the other concerning this animal,
17 and like I said and talked about, might have been a 26B
18 hunt and it's not allowed in 26C and the animal walks
19 over and gets slaughtered in 26B the next day.

20

21 It just seems like it's not a really
22 good system when the animal is moving around. If we
23 had a system like we're talking about maybe I could
24 have harvested that one at the mouth of Chip River last
25 week.

26

27 Thank you.

28

29 CHAIRMAN BROWER: Thank you, Gordon,
30 for your comments.

31

32 We need a motion in regards to WCR08-
33 25.

34

35 MR. G. BROWER: So moved, Mr. Chair,
36 with the recommendation to the muskox working group.

37

38 CHAIRMAN BROWER: There's a motion on
39 the floor to support the OSM recommendation to remain
40 status quo with the recommendation to forward to the
41 muskox working group to consider -- Gordon, you might
42 want to help me here and if you could interject on your
43 comment.

44

45 MR. G. BROWER: Yeah, Mr. Chairman, the
46 motion was to maintain the.....

47

48 CHAIRMAN BROWER: Status quo.

49

50 MR. G. BROWER:for this one with

1 one bull out of Kaktovik and to review the muskox as a
2 whole, and consider revising to include all the
3 villages after an assessment of the muskox as a whole,
4 not just in each unit.

5
6 Thank you.

7
8 CHAIRMAN BROWER: Thank you, Gordon.

9
10 MR. KOONUK: Second that motion.

11
12 CHAIRMAN BROWER: Seconded by Ray.
13 Further discussion on the motion.

14
15 MR. NAGEAK: Well.....

16
17 CHAIRMAN BROWER: We're under
18 discussion Ben. We're under discussion of the
19 motion.....

20
21 MR. NAGEAK: Okay.

22
23 CHAIRMAN BROWER:Ben.

24
25 MR. NAGEAK: Second.

26
27 CHAIRMAN BROWER: It's already been
28 seconded we're under discussion.

29
30 MR. GUNDERSON: Question.

31
32 CHAIRMAN BROWER: Any further
33 discussion on WCR08-25.

34
35 MR. NAGEAK: Well.....

36
37 CHAIRMAN BROWER: We're under
38 discussion under the action by the Council.

39
40 MR. NAGEAK: Well, I should have said
41 something before then -- okay.

42
43 CHAIRMAN BROWER: We're under a motion,
44 point of -- do we have any further discussion on the
45 motion.

46
47 (No comments)

48
49 CHAIRMAN BROWER: If there's no further
50 discussion the question needs to be called.

1 MR. NAGEAK: Question called for.
2
3 CHAIRMAN BROWER: The question has been
4 called on the motion, all in favor signify by saying
5 aye.
6
7 IN UNISON: Aye.
8
9 CHAIRMAN BROWER: Opposed, same sign.
10
11 (No opposing votes)
12
13 CHAIRMAN BROWER: None noted. So we
14 have adopted the motion and the recommendation with the
15 recommendation for the muskox working group to
16 consider.
17
18 Ben, I'm sorry, we were under a motion
19 and discussion.
20
21 MR. NAGEAK: I should have said
22 something earlier.
23
24 CHAIRMAN BROWER: All right, thank you.
25 Our next agenda item -- do you want to take a five
26 minute break.
27
28 MR. NAGEAK: Good idea.
29
30 CHAIRMAN BROWER: Migratory bird update
31 (In Inupiat) -- okay, five minute break.
32
33 Thank you.
34
35 (Off record)
36
37 (On record)
38
39 CHAIRMAN BROWER: We're ready to call
40 the meeting back to order after a brief recess. We're
41 now under Agenda Item 10, Migratory Bird update, Doug
42 Alcorn and Fred Armstrong.
43
44 MR. ALCORN: Thank you, Mr. Chair. I'm
45 Doug Alcorn, Fish and Wildlife Service, for the record.
46 And Fred Armstrong, the Executive Director of the
47 Alaska Migratory Bird Co-Management Council's also
48 here. I'm going to let him give a presentation on the
49 2009 regulations. And then if there are any questions
50 regarding process or policy I'll be glad to answer

1 those, but Fred will give you the details on the 2009
2 regulations and what we are expecting for the 2010
3 regulations as well.

4
5 CHAIRMAN BROWER: So are we going to
6 start considering regulations for the Migratory Birds?

7
8 MR. ALCORN: No, we were asked to.....

9
10 CHAIRMAN BROWER: Or just being
11 informed of them.

12
13 MR. ALCORN: We were asked to report on
14 the 2009 regulations. There was some significant
15 changes for the North Slope Borough, North Slope
16 region.....

17
18 CHAIRMAN BROWER: Uh-huh.

19
20 MR. ALCORN:and there was a lot
21 of public discussion and it's possible because of that
22 we were asked to come and make this presentation.

23
24 CHAIRMAN BROWER: All right, thank you.

25
26 MR. ALCORN: So I'll turn it over to
27 Fred.

28
29 CHAIRMAN BROWER: Fred.

30
31 MR. F. ARMSTRONG: Thank you, Mr.
32 Chair. Members of the Committee.

33
34 Just a brief overview or history of the
35 program back in 1997 the Senate ratified the
36 International Migratory Bird Treaty Act to allow the
37 government to manage an otherwise closed season between
38 March 10 and September 1st. Our Council consists of
39 Alaska Natives, State of Alaska, and the Federal
40 government who operate as equals. We have an 11 member
41 Native caucus that is part of the group. Each group
42 has one vote each and we meet twice a year. Our
43 proposal period is from November 1st through December
44 15. And we normally have our regulations meeting in
45 April of each year. We provide recommendations to the
46 Secretary of Interior for regulations one year in
47 advance, which is kind of different than any other
48 regulatory scheme that you may have dealt with.

49
50 The North Slope is broken into three

1 regions as requested by the representatives to the
2 Council and I'm going to be speaking from this
3 handbook. It's a simplified version of our regulations
4 which normally are published in the Federal register
5 which isn't really easy to read.

6
7 But each region in Alaska, 11 regions,
8 have regulations that differ slightly. The North
9 Slope, I as I mentioned as three regions, a southern
10 Unit, northern unit and eastern unit and they're
11 separated by GPS coordinates provided to us by the
12 North Slope Wildlife Department representative.

13
14 One of the initial regs that we have
15 annually is the use of yellow-billed loons that are
16 inadvertently caught in subsistence nets. Normally
17 because it's a bird of concern they wouldn't allow the
18 use of it but since the loons are normally dead
19 already, that they can use them for customary and
20 traditional uses, so that's recommended annually to the
21 Secretary of Interior, who usually has followed our
22 recommendation and made it a regulation.

23
24 In each of these regions, they have a
25 30 day closure period, and that is because when the
26 birds start laying eggs is when they are the most
27 vulnerable, so we have a 30 day period where there
28 should be no hunting at all.

29
30 Like for instance in the southern unit,
31 you have a closure from June 30 to July 29 for seabirds
32 and June 20 to July 19 for all other birds.

33
34 For the northern unit you have a
35 closure of June 7th through July 6th for kinds and
36 common eiders. And June 16 through July 15th for all
37 other birds.

38
39 The eastern unit has just a closure of
40 June 20 through July 19th.

41
42 Back in 2008 there was about
43 approximately 27 steller's eiders that were found
44 within the Barrow area. The total bird population is
45 estimated to be about 576 to 27 birds is a significant
46 amount based on the number of birds that we have and
47 that we're trying to save and repopulate. Our
48 endangered species program, who oversees birds that are
49 closed, directed us to go back into consultation and to
50 figure out how we can stop the harvest of these birds

1 and continue a hunt at the same time. So what we did
2 was, beginning last fall we came up here and met with
3 our North Slope Wildlife Department folks to try to
4 figure out what we can do. That started a series of
5 meetings where we -- Doug and I have been up here at
6 least 30 times on different occasions, a lot of them
7 public meetings here in Barrow, radio shows, we've
8 traveled to the four eider villages; Wainwright, Point
9 Hope, Point Lay, and here in Barrow to conduct meetings
10 with a lot of possible regulation options that we could
11 impose without restricting the hunt as much as -- as
12 less as possible. And it was at that time we developed
13 a working group to put together a MOU or memorandum of
14 understanding outlining which group would do what and
15 by what time, so that we could allow a hunt to
16 continue.

17
18 The steller's eider, they nest just in
19 and around Barrow and that's, you know, different from
20 other places where birds, you know, normally don't nest
21 close to a community. But for some reason they nest
22 within the confines of the city. They don't nest
23 annually. A lot of it depends on lemmings. If there's
24 a lot of lemming and there's a lot of Snowy owls and
25 foxes, they focus -- those predators focus their
26 attention on catching lemmings so the steller's they'll
27 nest where all the Snowy owls and foxes are and they're
28 protected from jagers (ph), from snow owls and foxes so
29 they wait for those conditions to happen before they'll
30 nest, they don't nest every year like other birds. So
31 taking that into consideration we developed a MOU which
32 I provided you a copy with, it was signed by local
33 representatives from UIC, Native Village of Barrow,
34 ICAS and the North Slope Borough.

35
36 First of all when the Service was
37 trying to figure out how we can continue to have a hunt
38 we put out a proposed rule and published a series of
39 options that we could use to impose on the region. We
40 could have had a closure just around Barrow, we could
41 have had a road closure, we could have had a area wide
42 closure, those were options that were published, and we
43 had hearings to listen to the folks. And once the
44 hearings were done, the Service met and decided that
45 there would be four options that we would have to
46 initiate and implement as soon as possible and the
47 first one was shooting hours. Of course we know most
48 of the summer, you know, there's sunlight 24 hours a
49 day. On Page 11 or 12, 13 of your handbook is a table
50 with shooting hours on them. And Point Hope shooting

1 hours began August 10th, that's when the sun started
2 setting. And Point Lay it was August 13. Wainwright,
3 August 17. And Barrow, August 20th. And Barrow,
4 August 20 through August 31st, those 11 days shooting
5 hours are in effect, meaning that once the sun sets
6 there's to be no more hunting.

7
8 And our regulations sunset every year
9 on August 31st. So after that these regulations are no
10 good. What goes into effect are what are called the
11 fall regulations and what people like to refer to as
12 sport regulations; they have different requirements,
13 such as use of plugs, three-shot rule, sunset --
14 sunrise to sunset shooting hours, bag limits, those
15 that we don't have in the spring and summer actually go
16 into effect September 1st. So, you know, we heard that
17 concern this spring at our regulatory meeting and the
18 North Slope region as well as another region, I think
19 it was Seward Peninsula, talked about, you know, having
20 the authority to hunt -- subsist under the sport regs
21 -- proposed subsistence regulations so that they can
22 hunt normally using the fall regs with more liberal
23 requirements.

24
25 What we're tasked with doing is putting
26 together a public meeting, which is going to occur
27 September 24 and 25 and we're going to discuss those
28 issues, regulatory requirements, co-management at the
29 regional levels, the regions having the authority to
30 manage birds; those issues are going to be discussed at
31 this regional meeting.

32
33 I'm kind of jumping all over the place
34 here because I wanted to try to go as fast as I can
35 here.

36
37 The most significant additional
38 requirement was the shooting hours. There was three
39 others.

40
41 If an enforcement officer approaches a
42 hunter and asks to see his catch, by law you're
43 required to do that. And that was already in law, it's
44 just clarifying it in our regulations.

45
46 The other one is possession of closed
47 species. If you see a steller's eider or a spectacled
48 eider, you're not to pick it up or use it, you know,
49 our culture values where we don't waste food, but in
50 this instance, this example of picking up steller's can

1 get you in trouble and there's a hefty fine that goes
2 along with it. So the important thing is once you find
3 a bird is to contact either Wildlife Department or our
4 law enforcement 800 number, I don't really have it with
5 me, but contact somebody and let them know that you
6 found a steller's or a spectacled eider, and, you know,
7 we need to get the word out that people shouldn't pick
8 them up. It's just against the law.

9

10 And the last requirement is if
11 everything else fails and there's still harvest of
12 steller's going on, the Regional Director has the
13 authority to close the season, close an area, close a
14 region to try to stop the harvest of birds.

15

16 But so far this season we've been
17 really good, there's been no steller's been shot and
18 the hundreds of contacts or reports from the agents
19 that have been made, there's been really good
20 compliance. I think there was four citations for the
21 use of lead shot and that basically was it.

22

23 We started the season out, I think it
24 was six or -- enforcement agents and because there was
25 such good compliance, by mid-summer there was only two
26 law enforcement agents here, and they're going to be
27 here through August 31st, you know, that was one of the
28 requirements we had to meet in order to have a season.

29

30 The MOU working group has been very
31 helpful to us, giving us ideas of how we can get the
32 word out, where to put signs up, when to put signs up,
33 what kind of words to use on the signs so, you know,
34 the representatives on that group has been very
35 effective, and, you know, we have to compliment them
36 for the hard work they've done because, you know, the
37 community has come together and gotten the word out
38 about steller's and not to harvest them and, you know,
39 we're real thankful for that and hope that we can
40 continue with that type of compliance.

41

42 When we went to the Service regulations
43 committee, they are like the Federal Subsistence Board
44 to this group, they're the ones who make the final
45 recommendation to the Secretary. We go and submit our
46 recommendations annually to this group. At our spring
47 meeting, because we didn't have regulations published
48 the North Slope representative requested that we go
49 back to the 2008 regulations, which didn't have the
50 eider regulations. But in deliberations, the Service

1 Regulations Committee said we just have completed one
2 year, we still need to protect those birds and so what
3 they've done is continued the 2009 regulations into
4 2010 so the same regulations will be in effect next
5 spring and we're really hoping that compliance will be
6 as good as it's been this year. It's been relatively
7 good and quiet and we've really appreciated that. But,
8 you know, it's been the work of the locals that has
9 really helped us.

10

11 That pretty much is it in a nutshell.
12 I'd be willing to answer any questions, or Doug do you
13 have anything to add.

14

15 MR. ALCORN: Yeah, I'd just add a
16 couple of things. Doug Alcorn for the record.

17

18 I think this presentation begs the
19 question, why did things have to change from 2008
20 regulations, and the regulations that were earlier,
21 dating back to 2003 when we actually had our first
22 regulations for spring and summer bird hunting.

23

24 The mortality that Fred talked about
25 was found out in 2008, a year ago, and it occurred on a
26 number of occasions along the lines and at a hunt camp.
27 And when we had processed the endangered species,
28 Section VII consultation a year ago, we had a threshold
29 of no birds, no birds could be taken without -- no
30 steller's, excuse me, let me specify that, no steller's
31 could be taken incidental to the subsistence harvest
32 without the Service re-initiating the Section VII
33 consultation process. And that whole Section VII
34 consultation process is designed to prevent a Federal
35 agency action from negatively impacting an endangered
36 species. The action was that the Fish and Wildlife
37 Service established regulations; that was the Federal
38 action. And so by doing -- by establishing the
39 regulations we were taking the Federal action, and the
40 -- under one law, the Migratory Bird Treaty Act, under
41 the other law, the Endangered Species Act, it says if
42 the government takes action it has to ensure that it
43 will not jeopardize the future existence of an
44 endangered species.

45

46 So through that consultation process
47 the threshold of zero birds was allowed to prevent us
48 from having to reaccess the impact of that hunt. When
49 one bird was taken last summer we were supposed to
50 reinitiate the consultation process and we began to

1 have those discussions. Before we could even begin it,
2 because it happened so late in the season, the season
3 ended, and by the time we tallied up the take it was 27
4 birds, 20 of which had been shot by shotguns. We were
5 able to determine that.

6

7 Harry.

8

9 CHAIRMAN BROWER: Before you go any
10 further, but you couldn't tell who?

11

12 MR. ALCORN: Correct. You're right.

13

14 CHAIRMAN BROWER: You couldn't tell if
15 it was the law enforcement or a subsistence hunter.

16

17 MR. ALCORN: You're right, we did not
18 know.

19

20 CHAIRMAN BROWER: But yet the attack is
21 directly to the subsistence user.

22

23 MR. ALCORN: We did not know who took
24 the birds. But what we do have is what's regarded as
25 incidental take. And if we don't know if it was
26 incidental to the subsistence hunt or if it was
27 malicious or illegal shooting, and we could not
28 determine that. But there is a condition that we have
29 to assess and that's basically making a reasonable
30 assessment of how did these birds die and why did they
31 die and so there is a -- there was a connection by time
32 and by locality to the subsistence hunt. So regardless
33 of whether or not it could be proven that a subsistence
34 hunter took it, because our action was establishing the
35 subsistence hunt, we had to go back and consider the
36 possibility that it was associated with that
37 subsistence hunt. That's why we didn't close the
38 season.

39

40 So in the process of doing the analysis
41 for the 2009 season, we had to consider the possibility
42 that the subsistence hunt was associated with that
43 mortality, and as a result of that discussion, we ended
44 up having to institute those changes that Fred has
45 described. And those were necessary to get the agency
46 to what's called a non-jeopardy or a no-jeopardy
47 opinion.

48

49 And when the Co-Management Council was
50 deliberating this last spring, the recommendation from

1 the North Slope region for the 2010 season, the
2 recommendation from the region was to revert back to
3 the 2008 regulations, which basically was essentially
4 no change from the original regulations. The agency
5 looked at that recommendation that was submitted by the
6 AMBCC and the agency took a different position and
7 basically said we cannot support that recommendation
8 from the AMBCC because we don't feel like it will get
9 us to a no-jeopardy place through the Section VII
10 consultation process. so we recommended, as the
11 agency, to go back to the 2009 regulations for 2010.

12
13 So that's sort of the evolution of how
14 the regulations making process works. There are
15 recommendations coming from the regional advisory group
16 to the AMBCC, the AMBCC makes a recommendation to the
17 Service Regulation Committee, and that regulation
18 committee then makes a recommendation to the Secretary.

19
20 So kind of a long-winded explanation.
21 But the Section VII consultation process for the
22 Endangered Species Act has really driven this process
23 for the past year.

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

26
27 CHAIRMAN BROWER: Gordon.

28
29 MR. G. BROWER: Yeah, that's long and
30 it's a real good history and chronology of what's gone
31 on to where we got today. And I have very big concerns
32 as to what you guys are doing in terms of affecting our
33 cultural activities. At the same time have a wide
34 concern about conservation measures and being able to
35 protect an endangered species.

36
37 And I'm sure you guys have heard this
38 before and I know there's no action being taken, it's
39 just informative right now, you know, what regulation
40 is there now, is what's already taking place. But
41 spectacled and steller's eiders has never been a big,
42 big population ever. It has always been a low numbered
43 bird in our area up here. They're here but they're not
44 here in the levels that you would expect to find status
45 of common eiders and regular eiders that we shoot
46 because those are abundant, and they're probably in the
47 millions. And you will -- but for the spectacled and
48 steller's, (In Inupiat) and those (In Inupiat) you will
49 not see that type of population up here and it's always
50 been that way. It's always not been a big one to hunt.

1 It's always not been -- we're usually hunting common
2 and king eiders, but you can recognize these birds when
3 they're flying in formation and you can see these birds
4 as well because they will fly with the regular common
5 eiders.

6
7 Those are my concerns and I hope we get
8 to a point where, like you said, no birds caught then
9 you look at the regulation and don't impose too much,
10 because you're dealing with a livelihood, a lot of
11 people -- when I start hearing you're going to need
12 duck license, duck tags, and start to dole out money to
13 be able to subsist, that's an issue; that's a concern
14 when you got to start doing these things. But there
15 should be alternative things that you can also do to
16 protect this bird. I'm sure the conservation groups,
17 like Sierra Club, and those are ready and poised to sue
18 you all if you don't do nothing about it, or watch
19 things happen, because, you know, that's usually one of
20 the action items you come across, is what's forcing you
21 to do this and a lot of them are pressure from Sierra
22 Club and these places that want to conserve nature.

23
24 But don't do it at the -- that's my
25 thing, don't do it at the cost of a culture. We want
26 to be able to hunt and we want to follow the rules, but
27 understand you'll never get that bird in the numbers
28 that you're going to see regular eiders, that's how
29 they are, you'll never see that much population in that
30 bird, and that's what I've been made to understand from
31 my elders, it was always in low numbers.

32
33 But other things you can do, get a
34 bounty on foxes, get a bounty on other things that
35 predate on these chicks, the hatchlings and stuff. In
36 the past you've seen those kind of efforts taken place.
37 I've heard of bounties for wolves, bounties for
38 anything because there's predators and there's numerous
39 predators and, you know, you look at what ravens do and
40 what the jagers do, they're not kind animals, I would
41 shoot them up, because they're affecting subsistence in
42 a long roundabout way. There's a lot of them but
43 they're helping to increase the mortality on these ones
44 you're trying to bring up.

45
46 At the same time I have concerns of
47 sabotage. Do you think a hunter would stack up a bunch
48 of endangered species and leave them out in the open to
49 jeopardize the rest of the hunting for the rest of the
50 town; I don't think so. You know, we're not a wasteful

1 people, we're commonsense. I know we can blow some
2 steam off and say these things and there's no
3 regulatory thing that's being talked about right now
4 but, you know, we should send these types of
5 recommendations to the people that you all are getting
6 direction from.

7

8 These are big concerns. We just need
9 to be more involved. Pretty soon we'll get to a point
10 where there's a, you know, uprising, or who knows or,
11 you know, what happened with Taluk in the past, what
12 was it 1968 or '69 with the Duck Inn and all that, I
13 mean you can't affect people's right to live and exist
14 unless you replace it with something else.

15

16 The other concern I have is I've had
17 people approach me, what is the Fish and Wildlife
18 Service doing when you're monitoring birds and now
19 they're checking in everybody's boats down at the beach
20 and just a concern, you know, people have very big
21 concerns about appropriateness and respecting of others
22 that hunt, not to think that everybody is some kind of
23 a law breaker.

24

25 Those are my concerns, thank you.

26

27 MR. KOONUK: Mr. Chair.

28

29 CHAIRMAN BROWER: Before we continue
30 on, I just wanted to ask Doug and Fred before we go any
31 further, this is an update on your part of the
32 Migratory Bird regulations committee or the Migratory
33 Bird Service, within the Fish and Wildlife Service, and
34 if we do make comments and concerns voiced, how far is
35 it going to be carried from here?

36

37 MR. ALCORN: Do you want me to respond?

38

39 CHAIRMAN BROWER: Are they going to be
40 taken out to share with others or is it going to have a
41 dead stop from this conversation?

42

43 MR. ALCORN: Well, I'll respond, Mr.
44 Chair. I think -- we have a mechanism, just as your
45 Council has a mechanism for conveying concerns that
46 have been expressed by Gordon, and possibly by Ray,
47 he's got his hand raised, and so.....

48

49 (Speaker noise)

50

1 REPORTER: Okay, I just don't know why
2 that is doing that.

3
4 (Laughter)

5
6 MR. ALCORN: So as those concerns are
7 expressed and put on the record, I'm not here taking
8 notes, but it seems to me that the best way that -- I
9 would recommend that if you all want to make your
10 comments official, you would note those and then give
11 them to the regional representative who is Taqulik
12 Hepa, and, she, for the last couple of meetings has
13 delegated that responsibility to one of her staff, Mike
14 Peterson of the North Slope Borough, and that
15 representative can bring those concerns to the Council,
16 the Council meets the first week of October, I believe,
17 is when we're going to meet again in the fall.....

18
19 CHAIRMAN BROWER: Uh-huh.

20
21 MR. ALCORN:and those concerns
22 can be put on our record and then there can be an
23 official response, if you so desire.

24
25 I will tell you that we went to great
26 pains, Gordon, to keep the hunt open, and the reason
27 that we had all of the meetings that Fred referred to
28 and the multiple outreach efforts was to keep the hunt
29 open and we, as a regulatory agency, tried to keep the
30 changes that were implemented in the regulations to an
31 absolute minimum. And of all the changes that
32 occurred, the only change that really affects hunters
33 is the shooting hours and that's an 11 day period,
34 which we're right in the middle of right now. The rest
35 of the regulations that were put in effect were really
36 clarifying already existing regulations that were in
37 the separate parts of the Code of Federal Regulations,
38 and it was sort of bringing them together so that
39 hunters knew what the rules were. So it really
40 resulted in one significant change, the shooting hours,
41 and those shooting hours were in place for the four
42 eider villages, being the four that Fred mentioned,
43 Barrow, Wainwright, Point Lay and Point Hope, those are
44 the four -- that's the area where the shooting hours
45 took effect. And that's what's also proposed for the
46 subsequent year, for the 2010 season.

47
48 But we really are trying to keep those
49 changes to an absolute minimum and still get to a no-
50 jeopardy opinion and have it biologically substantial

1 and substantiated with the biological facts so that if
2 we are sued, as you mentioned, potentially, by a
3 conservation group or anyone that would sue us to say
4 that we are not adequately protecting endangered
5 species, we can go back to the record and we can show
6 through the administrative record all the things that
7 we considered in order to keep a hunt open as well as
8 to conserve the birds, so we are really trying to
9 balance the needs of the hunting community and the
10 needs of the birds. And that's a real art, it really
11 is, and so trying to keep those changes to an absolute
12 minimum is really kind of where we were.

13

14 And I would say that I think that the
15 partners that came to the table on that MOU really
16 should be commended, that's UIC, Native Village of
17 Barrow, North Slope Borough, and ICAS. The
18 representatives, the staff that worked on that MOU and
19 worked with us to do the outreach should be commended
20 for the work well done, because we, to this date, have
21 no take of steller's eiders recorded, so it's a
22 success, and we should all be proud of that.

23

24 MR. F. ARMSTRONG: Mr. Chair, just to
25 add to that.

26

27 CHAIRMAN BROWER: Fred.

28

29 MR. F. ARMSTRONG: There are people
30 higher up at the higher level, such as the Regional
31 Director, he's come up several times to meet with local
32 leaders.....

33

34 CHAIRMAN BROWER: Uh-huh.

35

36 MR. F. ARMSTRONG:he's coming up
37 again to meet with the Mayor, so people at all levels
38 are concerned and actually quite happy that things are
39 going the way they are. So your message is not going
40 to stop here.

41

42 We brief our higher ups. This summer
43 we were briefing them weekly. So there's not a stop
44 measure, you know, we're keeping everything as open as
45 possible. We want to continue meeting with the local
46 people to keep them involved as much as we can and, you
47 know, that's what's making this possible, is the local
48 people are really pitching in and helping out.

49

50 CHAIRMAN BROWER: Thank you, Fred.

1 Ray.

2

3 MR. KOONUK: Yeah, thanks. On this
4 MOU, was this circulated to the tribes before it was
5 signed?

6

7 MR. ALCORN: It was circulated -- it
8 was.....

9

10 MR. KOONUK: I know you have ICAS
11 representatives from each village, each council member,
12 and I'm wondering if an ICAS board member had given
13 this to tribes -- tribal government before this was
14 agreed and signed upon, that are in here. Was this
15 reviewed by the tribal councils?

16

17 MR. ALCORN: Fred, go ahead.

18

19 MR. F. ARMSTRONG: Mr. Chair.

20

21 CHAIRMAN BROWER: Yes, Fred.

22

23 MR. F. ARMSTRONG: Doug and I attended
24 the ICAS meeting when they had a teleconference with
25 the villages and they were in approval of moving
26 forward with the MOU.

27

28 MR. KOONUK: That's ICAS?

29

30 MR. F. ARMSTRONG: Yes.

31

32 MR. KOONUK: But you never brought this
33 to the tribes because.....

34

35 MR. F. ARMSTRONG: We went.....

36

37 MR. KOONUK:I think.....

38

39 MR. F. ARMSTRONG:to each
40 village, Point Hope, Point Lay, Wainwright and Barrow,
41 conducted public meetings, we asked that when we were
42 there to meet with the tribes and only the Native
43 Village of Barrow asked us to go forward with -- so
44 each tribe was offered the opportunity.

45

46 MR. KOONUK: And was there a response
47 in regards to -- I want to know what Point Hope Tribal
48 Council, say, where their executive director in regards
49 to this.

50

1 MR. F. ARMSTRONG: When I asked.....
2
3 MR. KOONUK: I would hate to see an
4 agreement signed, you know, without consulting with our
5 tribal governments because we -- you know we -- we
6 always deal with our tribal government with regards to
7 subsistence issues.
8
9 MR. F. ARMSTRONG: I don't know what
10 ICAS' role and how they conduct their business with the
11 villages, but as far as I know we offered every
12 opportunity to tribes to present the information. I
13 think you could start with your tribal representative
14 because I did call them and they said everybody was in
15 Anchorage and.....
16
17 MS. B. ARMSTRONG: When the Native
18 Village of Point Hope asked us to.....
19
20 REPORTER: Barb. Barb.
21
22 MS. B. ARMSTRONG:work with the
23 city.....
24
25 REPORTER: Barb, I can't hear you.
26
27 CHAIRMAN BROWER: Yes, if we can get
28 the speaker to come to the mic to speak, this meeting
29 is being recorded.
30
31 MS. B. ARMSTRONG: I'm sorry, thank
32 you.
33
34 CHAIRMAN BROWER: Thank you.
35
36 REPORTER: Thank you.
37
38 MS. B. ARMSTRONG: Yeah, when we were
39 in Point Hope, the Native Village of Point Hope asked
40 us to work with the city because no one was there from
41 the Native Village, so we worked with city to have a
42 meeting there at the meeting place.
43
44 CHAIRMAN BROWER: Barb, if you just
45 could -- I didn't follow who we was?
46
47 MS. B. ARMSTRONG: Oh, this is Barbara
48 Armstrong, the coordinator.
49
50 CHAIRMAN BROWER: You were referring to

1 the we meaning?

2

3 MS. B. ARMSTRONG: The Native Village
4 of Point Hope.

5

6 CHAIRMAN BROWER: The community
7 meetings was between?

8

9 MR. F. ARMSTRONG: Fish and Wildlife,
10 AMBCC, we went to each village and conducted public
11 hearings as requested. Barb came along as our
12 interpreter and she was very useful in getting the word
13 to elders to explain to them.

14

15 CHAIRMAN BROWER: Yes.

16

17 MR. F. ARMSTRONG: The meeting in Point
18 Hope was well attended. We heard a lot of concerns
19 over there.

20

21 MR. KOONUK: Maybe there was a meeting,
22 but before this was signed was this circulated to the
23 tribes so they could review, you know, it doesn't hurt
24 to circulate it and to have, you know, the tribal
25 council review and maybe they can make their
26 recommendations, but if it wasn't circulated then, you
27 know, I don't know what they'll say or what they'll do
28 now.

29

30 That's what I'm trying to get at.

31

32 CHAIRMAN BROWER: Okay.

33

34 MR. KOONUK: I know you have your
35 hearings but, you know, you still have to deal with the
36 council members, and these tribes, you know, they have
37 their constitutions and whatever and, you know, they're
38 going to get upset if this wasn't circulated to the
39 tribes.

40

41 CHAIRMAN BROWER: Are you done, Ray?

42

43 MR. KOONUK: For now, yeah.

44

45 CHAIRMAN BROWER: Doug.

46

47 MR. ALCORN: That's a very good point.
48 And I think it's -- it really -- it demands enough --
49 it's a significant enough point that it demands a
50 little bit more thorough response and maybe a more

1 official response, and what you're getting at, I
2 believe, is tribal consultation, government to
3 government consultation. And we were asked to consult
4 by the Native Village of Barrow on this and we were
5 also asked by the Native Village of Nuiqsut, and we
6 reviewed our policy, we consulted with our legal
7 department on government to government consultations
8 and we were advised by our legal counsel to go back and
9 look at Fish and Wildlife Service policy on what
10 conditions need to be met before we, as a government
11 agency will consult with a Native village or a
12 Federally-recognized tribe. And our policy, which is
13 subject to change, because we now have a new Secretary,
14 but currently our policy has three conditions -- one of
15 three conditions must be met before we will engage in
16 official government consultation, otherwise we revert
17 to existing protocols and that's the protocol that we
18 were using through the AMBCC and through ICAS and other
19 representatives.

20

21 But the conditions are these:

22

23 The first condition is, is that the
24 Federal action, which is the regulation would affect a
25 resource owned by a Federally-recognized tribe or
26 village and migratory birds, while they are hunted for
27 subsistence they're not necessarily owned by any
28 particular Federally-recognized tribe. So the
29 migratory birds that are being taken don't meet that
30 threshold of being a tribally owned resource.

31

32 The second threshold or condition is,
33 is the action affecting a tribal land, and the answer
34 to that was no. We were not regulating land use.

35

36 And the third condition or question
37 that we have to ask ourself is, is the Federal action
38 affecting the tribe's ability to self-govern; and the
39 answer was no.

40

41 So that action that we were taking, the
42 regulations, didn't affect or meet any of those three
43 thresholds, so with all due respect to the requests
44 that we had from Native Village of Barrow and Nuiqsut
45 to consult, we chose not to consult, but what we did
46 say was we do want to engage with you and keep you
47 informed and have those discussions and so that's why
48 we worked with Doreen Lampe at ICAS. And I will tell
49 you that Doreen Lampe was willing to sign the MOU but
50 she signed it under protest. And she was advised by my

1 Regional Director not to sign if she felt strongly
2 enough by her -- or the tribes she was representing, he
3 advised her not to sign it but she went ahead and did
4 it because she felt at such a late date, it was March
5 26th, the season was supposed to open on the 2nd of
6 April, just seven days later, she went ahead and signed
7 it, using her best judgment, that she felt like it was
8 important that the signed MOU was an important
9 component of our analysis that we had to get to no-
10 jeopardy. So she was acting what she felt like in the
11 villages best interest, and that was just a decision
12 that she had to make.

13

14 But your point is well taken. And we
15 looked at that policy and we responded sort of in a
16 very official way because it is very precedent setting
17 on how we consult in a government to government
18 relationship.

19

20 MR. KOONUK: Mr. Chair.

21

22 CHAIRMAN BROWER: Yes, Ray.

23

24 MR. KOONUK: Well, so you're stating
25 that you had responded, was it verbally or was it in
26 writing to each tribal government in regards to that
27 you can take action in creating this document without
28 working with the other tribal governments?

29

30 MR. ALCORN: Mr. Chair.

31

32 CHAIRMAN BROWER: Yes, Doug.

33

34 MR. ALCORN: To answer the question, we
35 worked with Doreen and with Tommy Olemaun.....

36

37 MR. KOONUK: I'm not asking about
38 Doreen.....

39

40 MR. ALCORN:into the developing
41 of the MOU, and she signed as the president of ICAS.
42 We did not consult directly with the four affected
43 villages other than to have those public meetings and
44 invite people to come and comment on the proposed rule
45 when it was in the proposed rule phase.

46

47 MR. F. ARMSTRONG: And, Mr. Chair, just
48 to clarify.

49

50 CHAIRMAN BROWER: Fred.

1 MR. F. ARMSTRONG: The Service
2 responded to the villages that requested consultation,
3 that was Nuiqsut and Native Village of Barrow.

4
5 CHAIRMAN BROWER: Thank you, Fred.
6 Gordon.

7
8 MR. G. BROWER: Yeah, I know we're not
9 taking up any action but out of this I hope, you know,
10 we can be able to express these and not forget about
11 them because once we're back home and we're going to go
12 and do our subsistence and, you know, go back to our
13 regular things that we're doing, but while it's good
14 and being able to refresh our mind on the topic, it's
15 very good to make sure that some of these are taken
16 down and I hope, you know, we're able to send our
17 concerns on and they're not -- you know, this is the
18 first time probably I've had an opportunity to talk
19 about our birds around here because I'm always busy
20 with other things, and I hate to say that, but I think
21 in my view -- I think the Fish and Wildlife Service has
22 done all the wrong things, even though it's a good --
23 and you want to commend people about it, because I
24 don't -- you know, if you look at some of the issues
25 surrounding why we need an MOU like this and in the
26 beginning that it showed that Barrow was the base of
27 operations for the spectacled and steller's eiders,
28 that's the only place they could be found nesting.
29 That's what I've heard many times. But when you see
30 thousands of eiders flying by at (In Inupiat) and you
31 can spot some of them, or steller's going by there,
32 leads you to believe they're coming from somewhere else
33 as well. If they're being shot down, there's (In
34 Inupiat) and going up that way, them eiders are coming
35 from down the coast, and the ones that are nesting in
36 Barrow have probably already gone that way, not coming
37 down the coast.

38
39 But I mean those are some of the things
40 that don't make logic to me why you single out an area
41 to do these kinds of things. I don't think the
42 spectacled eiders are just using Barrow as a base of
43 operation, I think they're scattered, they're partially
44 scattered out there. This MOU should have been with
45 every village and then say, well, let's go find out
46 every village, see how many nests you could find in
47 your area, you know, and not base it on something that
48 you're afraid you're going to get sued from, from a
49 conservation because I often hear that's some of the
50 reasoning why Fish and Wildlife Service is doing its

1 action, is they're going to get sued, because they're
2 not doing any conservation measure, but before acting
3 on something like that and singling out an area, oh,
4 Barrow is the base of operation for 10 nesting eiders,
5 and then base your whole operation on hunting a
6 majority of all the birds that are coming through based
7 on those seven ducks that are nesting around Barrow,
8 and then -- and then having seven of them shot and
9 stacked up so obvious that it's an obvious violation of
10 something, wanton waste, like it's some sort of
11 sabotage. We're not those kind of people. We eat food
12 and we don't -- we're good conservationists on our own
13 part.

14
15 Those are just my concerns. I mean I
16 don't think Barrow is the only base of operations for
17 these birds and you need to go out there and find them
18 and confirm these things as we see them.

19
20 I think there needs to be other
21 measures. Commend everybody, yeah, that's a good job,
22 well, let's extend this thing over to the other
23 villages and at the same time provide funding to
24 research, researchers to find these nests in these
25 other locations.

26
27 Like we said before, I think, you know,
28 this bird will never come up to be millions like the
29 kings and common eiders because we've known that,
30 they've never flocked like that.

31
32 It just hurts me when you start to
33 impose regulation on the every day subsistence
34 activities that we're doing. We're already dealing
35 with too much, you know, we're dealing with too much
36 regulation. We're going to have to have licenses and
37 everything else, probably a laser tag and what not and
38 say, oh, can't shoot that one it beeped, you know, or
39 something of that nature.

40
41 Those are my concerns.

42
43 Maybe the reverse is, maybe the Natives
44 will turn around from all the tribes and sue you all
45 for taking action that hurts the cultural activities in
46 a way that's unwarranted because you're being forced by
47 the conservationists. I mean it can go both ways.

48
49 I just don't happen to believe that
50 Barrow is just one of these places which you're led to

1 believe to do these conservation measures.

2

3 At the same time I respect it. I want
4 to make sure that, you know, you look at the bowhead
5 whale, we're in it for the long haul for that. We
6 started off with three whales in 1980 probably and we
7 done a good job of managing these things. If we can
8 manage them in-house locally, that's more power to us
9 and good work, but do other things as well, you know,
10 predator control, these things that -- you're
11 controlling us as predators, now control the fox as a
12 predator and the jager and that kind of effort as well.

13

14 CHAIRMAN BROWER: Thank you, Gordon.
15 And just before I recognize you, I just wanted to share
16 a comment with you all in terms of how much longer you
17 have your open season for subsistence, until August 31.
18 After August 31, or September 1, you're going to need
19 some kind of hunting license to be out in the field.
20 That's what it indicates right in this regulations
21 booklet. I'm not sure if you all caught that or not,
22 but that's not our practice. Our practice has been
23 hunting our migratory birds opportunistically and
24 taking them even when the young are in flight now, and
25 they're just arrived beyond August 31 and that's not
26 our practice to shut down our migratory bird hunting at
27 August 31 to become a sport hunter.

28

29 This is something that's being imposed
30 on us again. I'm not sure if anybody else has caught
31 that in terms of the August 31 deadline for a closure
32 date for these regulations. I mean this is why I was
33 making that comment earlier, how far are our comments
34 going to get weight here in terms of our input into
35 this update for this migratory bird issue, and with due
36 respect Doug and Fred, we get a bit frustrated over
37 issues that needed to be kept in-house and dealt with
38 and when it gets to be other people making
39 recommendations on our subsistence practices without
40 even consulting with us and putting deadlines, such as
41 August 31, and the closure periods for these migratory
42 birds that we take for subsistence.

43

44 I'll stop here. Ben, if you could come
45 up to a mic please.

46

47 MR. NAGEAK: I spent half my life
48 working in natural wildlife issues. You should have
49 been here when nobody consulted, when we weren't at the
50 table, and nobody listened until we forced the Federal

1 government to -- we attended meetings and we forced
2 ourselves to go into the meetings and, you know, before
3 you do anything you need to come over and talk to the
4 people who are going to be affected.

5
6 We worked real hard in the early days,
7 back in the '70s and '80s when we first started, to try
8 and get people to come up here and talk to us. You
9 guys here have it easy compared to when we started, we
10 didn't have anything. We forced the Federal government
11 into forming organizations and having us on the table,
12 people like Matthew Ira (ph), who died doing his
13 thing, people from Wales, Point Hope, those people,
14 those are the people who we went to to help us because
15 they were the elders and they helped us and it is so
16 much easier today than it was before.

17
18 You have memorandum of agreement,
19 memorandums of understanding, in the past we didn't
20 have anything. And, you know, I still feel that
21 frustration too, you know, even though it's been 30
22 some years or so, but it's a whole lot easier than it
23 was before. Now everything's on -- it is written. You
24 guys are doing a good job but you got to keep your feet
25 to the fire and they'll keep their feet to the fire too
26 because you're part of the process now which you
27 weren't before. And I still feel that frustration but
28 we have to continue to teach our young people, you
29 know, that there are people watching us still. You can
30 take a camera -- I have a phone here, I can take a
31 camera and see somebody doing something illegal and in
32 15 minutes or less it will be all over the world. So
33 we have things that we didn't have before so we have to
34 be careful what we -- we still have to send that
35 message to people, we learn from our people, from our
36 elders. And I'm not protecting anybody here, I'm just
37 saying that, you know, you should have been there in
38 the past before we had -- even before these guys even
39 came, nobody came. Now they're here to ask for your,
40 you know, to ask for your help, what a switch.

41
42 Thank you.

43
44 CHAIRMAN BROWER: Thank you, Ben.
45 Doug, I think you raised your hand earlier.

46
47 MR. ALCORN: Well, I just didn't know
48 if you wanted me to respond to the comments. I think
49 the overriding question is how do you get your concerns
50 recognized by the AMBCC and the Fish and Wildlife

1 Service. And as I mentioned earlier, I think if you're
2 compelled to, I don't mean to presume to tell you how
3 to do your business, but if you're compelled to convey
4 your concerns in writing, then there's the oppor -- you
5 know, we're compelled then to respond to those.

6

7

CHAIRMAN BROWER: Uh-huh.

8

9

MR. ALCORN: Because I'm not here to
10 take notes and take them back to my council. I am the
11 current chair of the AMBCC but I would be stepping
12 outside of my authorities, I think, if I were to take
13 your concerns back without an official correspondence.

14

15

CHAIRMAN BROWER: Yeah, I guess just
16 from my reading of the regulations as of August 31 our
17 subsistence hunt is going to be closed for the eiders
18 that we subsist for to feed our families this winter,
19 and we have six more days, and the weather has not been
20 so promising for around these migratory birds to start
21 flying when they should have been flying, but we don't
22 control the weather as well. But there's no extension
23 or no exception. The only thing that we can comply
24 with is to follow through with your regulations and go
25 buy a sporthunting permit to do that, to continue our
26 hunting.

27

28

MR. ALCORN: Can I respond to that
29 comment.

30

31

CHAIRMAN BROWER: Yes.

32

33

MR. ALCORN: We have heard that comment
34 on a number of occasions. And the way that we have
35 elected, as a Council, to address that issue, it came
36 as a proposal from the Northwest Alaska region in our
37 spring meeting to consider making recommendations to
38 the Service Regulation Committee for the fall and
39 winter hunt, not calling it a sport hunt, but calling
40 it a fall/winter subsistence hunt.

41

42

CHAIRMAN BROWER: Uh-huh.

43

44

MR. ALCORN: And it's the agency's
45 position that it's outside of our legal authorities to
46 do that.

47

48

When the Migratory Bird Treaty Act was
49 amended, it said that the Secretary of the Interior can
50 now make regulations for what was formerly referred to

1 as the closed season, and that was from March 11th
2 through August 31st. Come September 1st through March
3 10th of each year, those were the -- that was the time
4 period that was formerly the open season, that the
5 Federal government working with the states could
6 establish the fall winter hunt and it's always been
7 traditionally regarded as a sport hunt. And the
8 authorities that we were granted by our interpretation
9 of the law was to open the closed season, and so that
10 close season expired on the 31st of August and so
11 that's why our authorities and our interpretation only
12 go that far and that's why our regulations only go to
13 that date and then they expire. And then as you said,
14 Harry, the fall regulations take effect. And those
15 regulations are a separate regulatory process that are
16 managed by the Pacific Flyaway Council and the Service
17 Regulation Committee.

18

19 CHAIRMAN BROWER: Uh-huh.

20

21 MR. ALCORN: So the Council deferred
22 action or delayed, postponed action on the proposal
23 that came from the Nome region and we decided to host a
24 meeting this fall and it's going to be in September,
25 September 24th and 25th in Anchorage, the AMBCC is
26 hosting a meeting of all the regional representatives
27 on the AMBCC including the Pacific Flyaway Council
28 representatives from the states and the Service
29 Regulation Committee and the Washington office Division
30 of Migratory Bird Management, the Fish and Wildlife
31 Service's Division. That meeting is to discuss this
32 very concept, this very issue of extending the AMBCC's
33 authority into the fall months, the fall and winter
34 months, and we're going to have that discussion. I
35 don't know what the outcome of that discussion will be,
36 but we, as a Council, postponed taking action on the
37 regional proposal until we've at least had the
38 opportunity to have that discussion.

39

40 It was also a point that was raised in
41 the MOU and put in the appendix, to have that
42 discussion as well.

43

44 CHAIRMAN BROWER: Uh-huh.

45

46 MR. ALCORN: So the Service is trying
47 to recognize the concern that was raised for the MOU
48 and the concern raised by one of the regional
49 representatives.

50

1 CHAIRMAN BROWER: So in the meantime we
2 have to be law abiding citizens and go by a
3 sporthunting duck permit or.....

4
5 MR. ALCORN: In the mean -- you're
6 right, in the meantime the regulations that we have in
7 place end midnight August 31st.

8
9 MR. G. BROWER: Mr. Chair.

10
11 CHAIRMAN BROWER: If I can get, George,
12 and then Gordon.

13
14 MR. OLEMAUN: George Olemaun for the
15 record. As they've stated here they've had some
16 meetings in regards to the MOU or for the fact that
17 when we were -- or when they told us that there was
18 going to be a closure, we didn't sign the MOU and that
19 was probably what we were told, there would be a
20 closure of all the hunting, ducks, geese, whatever at
21 that time, that was when the MOU came about so that you
22 could have -- we had a meeting in Barrow, it started in
23 '07, I think, with the meetings and that's when a task
24 force was formed with wildlife on migratory birds or
25 for the spectacled eiders, and we raised the same
26 questions for; I mean we're not the only ones, they
27 come from somewhere, they do nest -- I know in parts of
28 Israel (ph), they do that, we see them once in awhile,
29 so they're all over, we were told that, but at the same
30 time, we work for the group -- the MOU, the way it
31 happened was either sign this or there'll be a full
32 closure and that was when the MOU started with
33 different groups and that's where it is now, this is
34 the first time we've done this, as you understand.
35 Now, they're probably -- you know, they're saying it's
36 going to be the same thing, but at some time, well --
37 well, hopefully at some time this will end, but, again,
38 we were -- for the group -- well, I'm not going to say,
39 we, but I was just -- had my comments too that this was
40 something that either we signed it or we lose it and
41 that was their saying, that was when we started this.

42
43 But, again, as for the group here, and
44 I was just looking at the council and the co-
45 management, these are people that advise the government
46 or the agencies that handle fish and wildlife, actually
47 now with advisory groups, take it or leave it, and the
48 only way to get to where you were going to go is that
49 -- he mentioned the meeting in September and that would
50 be the time to direct to the people that make the

1 regulations, to let them know, I would recommend that
2 this group or the groups or tribals or whatever, note
3 those dates and go to there and state our concern.

4

5 I just wanted to bring that up.

6

7 CHAIRMAN BROWER: Thank you, George.

8 Gordon.

9

10 MR. G. BROWER: (In Inupiat) George. I
11 think those are worthy of doing that, to figure out the
12 dates and time when these groups will meet so we can
13 add -- because I have a concern, when you just said the
14 Northwest recommended a date that's now being imposed
15 in the Arctic up here as the 31st, and what are you
16 going to do on the 31st when there are a lot of
17 subsistence because duck hunting is right through
18 September, and all of our young people could be tagged
19 as illegal poachers in some cases and I'm afraid for
20 that.

21

22 If I could go buy every one of those
23 young folks that are hunting, go buy them licenses and
24 sporthunting credentials to be able to conduct a
25 subsistence hunt because a lot of people depend on
26 these ducks. They don't -- they come by one time, and
27 then you got to make due with other food, that's how
28 we're hunting. We hunt opportunistically because by
29 the time it's winter the resources leave in most cases,
30 and we want to try to have enough to survive for the
31 winter. Not most people, not everybody has the jobs to
32 continue to buy hamburger meat and all that, a lot of
33 it is supplemented with these -- a great portion of it
34 with subsistence food, and I'm afraid for those types
35 of deadlines. If I could, I would go do that. I would
36 go help them individuals so they're not illegally doing
37 things, maybe they don't have the resources to get a
38 sports license because subsistence here does not end on
39 the 31st for these ducks.

40

41 CHAIRMAN BROWER: Ray.

42

43 MR. KOONUK: Can I ask the coordinator,
44 was this on our -- we were supposed to have a meeting
45 back, in what, February, was this part of the agenda,
46 otherwise, you know, we could have had more time than
47 right now because, you know.....

48

49 CHAIRMAN BROWER: I'm not sure if it
50 was in February for our winter meeting.

1 MR. KOONUK: Do you know if this was
2 put on our agenda?
3
4 CHAIRMAN BROWER: It might be more
5 recent than.....
6
7 MR. KOONUK: Well, I want.....
8
9 DR. WHEELER: I don't think it was on
10 your agenda for the winter meeting, I think it's a more
11 recent agenda.
12
13 CHAIRMAN BROWER: Yeah.
14
15 MR. KOONUK: Well, you know, and when
16 was this adopted or.....
17
18 MR. ALCORN: Mr. Chair. It was signed
19 on March 26th.
20
21 MR. KOONUK: Anyway it's all too late
22 but, you know, we could have had a special meeting --
23 you're required to right?
24
25 CHAIRMAN BROWER: I'm not sure how we
26 would have continued forward with this, we're not -- on
27 our purview, it's hunting regulations and fisheries
28 management, this is dealing with migratory birds,
29 that's outside our purview, I think. I think the
30 update is to inform us on what the Migratory Bird Co-
31 Management Council and the regulations that have been
32 proposed are progressing so it's an update for us to
33 get informed on what's occurred already, basically.
34
35 Ray, did you have a comment you wanted
36 to make or.....
37
38 MR. KOONUK: But like you say, August
39 31st, last day.
40
41 CHAIRMAN BROWER: Yep, we have six more
42 days.
43
44 MR. KOONUK: And then we have to get a
45 sport license to go hunt ducks, you know, and that's
46 not enough time for our hunters to know. I don't even
47 know if they know.
48
49 CHAIRMAN BROWER: I mean my comment I
50 was just going to follow up on, is there any further

1 educational information that's going to be presented by
2 this regulations committee or U.S. Fish and Wildlife
3 Service or even the law enforcement in regards to the
4 September 1st date and the deadline of this August 31st
5 closure of subsistence hunting for migratory birds?
6 There's been no communications to that note, and we're
7 being updated and -- and we only have six more days,
8 and I don't even know if the rest of the community
9 knows of these regulations.

10

11 MR. ALCORN: That's a good question.
12 And just to correct the record, Member Brower, Gordon
13 Brower, said that -- maybe I said it erroneously, that
14 the Northwest Alaska region recommended August 31st as
15 a date, in fact, what they did in the spring meeting
16 was they recommended that we extend that date, just as
17 you all are recommending and making the point, that the
18 subsistence activities don't end on the 31st. Their
19 recommendation was consistent with your concern. They
20 weren't suggesting that it stop on the 31st, they
21 recognized that the regulations did stop on the 31st,
22 just as you all have, and they recommended that we
23 extend and what the Council's response was, was to host
24 this meeting, to say, we -- the Council elected to not
25 take action because as a representative from the Fish
26 and Wildlife Service, the Department of Interior, I
27 would have had to have voted against that
28 recommendation because we've been advised that our
29 authorities end on that date so I would have voted
30 against it, and I informed the Council of that fact,
31 and I recommended that rather than call the question on
32 the proposal, if the Council -- if the proposer would
33 be willing to hold it in abeyance until we convene this
34 meeting and have a much more thorough discussion, and
35 that's what the proposer agreed to do.

36

37 CHAIRMAN BROWER: Uh-huh.

38

39 MR. ALCORN: They did not agree to hold
40 that date, that date was already fixed. What they
41 agreed to do was to hold action on that recommendation
42 until we had that discussion.

43

44 CHAIRMAN BROWER: So I need a
45 clarifying question asked to you, Doug, and you just
46 stated something that we all don't really know about in
47 terms of how August 31 came into play. It's been
48 something that's been -- I know working for the
49 Department of Wildlife Management and having been on
50 the Fish and Game Management Committee's discussions

1 about closure dates for road-rearing and that segment,
2 and identifying within the proposed regulations but I
3 don't recall having closure dates as of August 31 that
4 our subsistence hunting for migratory birds is going to
5 close. I don't recall any of those discussions. But
6 somewhere along that line it got imposed on us and now
7 we're having to deal with it after the fact that the
8 regulations have been generated and here are the
9 regulations, we have law enforcement agents out there,
10 we have not been told as to what they're going to be
11 doing as of September 1 or midnight August 31 in terms
12 of what regulations have been generated, and I think
13 they're going to be following it to the letter.

14

15 So that those of us that are not really
16 familiar with all these regulations, besides ourselves,
17 our community members outside are not fully aware of
18 these regulations. There maybe -- some may have --
19 some family members may have knowledge of this and some
20 others don't. And that's a concern that I'm trying to
21 voice.....

22

23 MR. ALCORN: Uh-huh.

24

25 CHAIRMAN BROWER:you know, what
26 -- I mean if there's going to be multiple citations,
27 these folks are going to be looking to us to help pay
28 for their fines in the event that they do get cited.

29

30 MR. ALCORN: The MOU working group has
31 a meeting scheduled for this Thursday at 1:30, on the
32 27th, and we're going to be meeting in the law
33 department, the North Slope Borough Law Department's
34 meeting room, conference room, and it's not a closed
35 meeting, so anyone that wishes to attend is certainly
36 invited to attend, and if we grow too large I suppose
37 we could come into this room if we had to, but the
38 group is going to talk about the successes that we've
39 accomplished so far and what the hunters can expect.
40 We will have a law enforcement agent at that meeting
41 and I think that's a fair question to ask, Mr. Chair,
42 and I can't speak for my law enforcement division
43 because I'm not over that, I have no chain authority,
44 no line authority over that division and what they do.
45 They actually answer directly to the Washington office,
46 they don't answer to my Regional Director, they're
47 completely outside of the regional organizational
48 structure that we have.

49

50 But that's a fair question.

1 And I think if you attend that meeting
2 we will have a representative there to answer that
3 question.

4
5 CHAIRMAN BROWER: Okay.

6
7 MR. ALCORN: Going back to your
8 question about the August 31st date, I will tell you
9 that historically dating back to 1918 when the
10 Migratory Bird Treaty Act was established, it
11 established those dates, September 1st through March
12 10th as being the open season, and our legal counsel
13 interpreted our authorities to only extend from March
14 11th through August 31st and those are -- that's the
15 reason why we only establish regulations for that
16 period. We don't extend into the fall period.

17
18 CHAIRMAN BROWER: So if I could
19 interject a comment here in regards to what you just
20 stated. But the real means of that regulation had not
21 been ground-truthed in terms of the practice of the
22 community here, it was something that was derived from
23 people that were outside of the community, 1918.

24
25 MR. NAGEAK: Mexico and.....

26
27 CHAIRMAN BROWER: And that has an
28 impact when it's being carried forward without any
29 ground-truthing to the practice of the community or the
30 user groups, so that's an impact. I think that needed
31 to be ground-truthed before it was applied in terms of
32 our practices and our customs of utilizing the
33 migratory species, bird species.

34
35 I mean that's -- I'm not sure how you
36 go back to reflecting the comment I just made in terms
37 of what you just stated, it started some place back in
38 1918, and the regulations committee needs to hear all
39 this, I mean what process did they utilize to go
40 ground-truthing to see if that was something that was a
41 real situation that needed to be considered or applied,
42 when it was not?

43
44 MR. ALCORN: They.....

45
46 CHAIRMAN BROWER: Yes.

47
48 MR. ALCORN: They never -- when the
49 Congress established that Migratory Bird Treaty Act in
50 19128, they didn't recognize Alaska Native hunters, nor

1 did they recognize Canadian hunters. First Nation
2 Canadian Inuits and Athabascans also were not allowed
3 to hunt under that Treaty and that Treaty has
4 subsequently been amended, I believe, to allow them to
5 hunt, legally, and our portion of the Treaty wasn't
6 corrected until that law was amended in 1996 and then
7 ratified by the Senate in 1997. It took us six years
8 to actually get a regulation in place, 2003 was the
9 first year we actually were able to establish the
10 regulation based on the recommendation from the AMBCC.

11
12 It's a long convoluted and evolutionary
13 process and we hope to address the issues that are now
14 coming out and, you know, becoming widely known.

15
16 MR. F. ARMSTRONG: Mr. Chair.

17
18 CHAIRMAN BROWER: Yes.

19
20 MR. F. ARMSTRONG: Part of the problem
21 is that, you know, a lot of the public doesn't
22 understand our restrictions and what we can do.
23 Congress authorized the government to manage this
24 otherwise closed season, only Congress can change that.
25 The problem we have that -- your concern is not only
26 North Slope, almost every region has said the same
27 thing to us.

28
29 CHAIRMAN BROWER: Uh-huh.

30
31 MR. F. ARMSTRONG: The problem we have
32 is we're bound by Congress -- we have to do what
33 Congress tells us to do. We can't change no laws, you
34 know, to get the amendments to allow the hunting during
35 the spring and summer took 25 years for the amendments
36 to finally materialize in 1996 and the Senate ratified
37 it a year later in 1997, but, you know, to get the
38 subsistence, you know, authorize to October 31st or
39 whenever, you know, we feel it is going to require some
40 sort of Congressional change. But, you know, at the
41 meeting on September 24 and 25 all of this is going to
42 be discussed, we hope to have all of the people that
43 Doug mentioned at the meeting, and, of course, it'll be
44 open to the public. And, you know, from that I don't
45 know where we're going to go but I think it's only fair
46 that the Native community be heard and their concerns
47 be heard. You know if it was up to us I think we would
48 look at the customary and traditional practices of
49 Alaska Natives and try to, you know, make them
50 accordingly but it's just that's how the law's written.

1 CHAIRMAN BROWER: Yes.

2

3 MR. F. ARMSTRONG: It's a tough
4 situation.

5

6 CHAIRMAN BROWER: So just in a brief
7 comment, Doug and Fred, you know, we've been illegal
8 hunters all along, we finally get to change the
9 Migratory Bird Treaty Act to where we're legal hunters
10 but then we're imposed with hunting regulations which
11 are beyond our subsistence practices and, yet, we're
12 still made illegal hunters after the fact, a certain
13 date arrives. You know, this is beyond our customary
14 and traditional practices of subsisting,
15 opportunistically to take birds when they're in flight.
16 So I mean that's -- one means was good, the other mean
17 was trying to improve, but somewhere along the line it
18 got distorted in ways that it's not so good for the
19 subsistence hunter.

20

21 Gordon, did you have a comment you
22 wanted to make.

23

24 MR. G. BROWER: Yeah, it's just eye-
25 opening to me, you know, I love to eat ducks like
26 everybody else.....

27

28 CHAIRMAN BROWER: Uh-huh.

29

30 MR. G. BROWER:and I didn't know
31 we were illegal hunters. I thought all of this was
32 taken care of by Sam Taluk in the past with the Duck
33 Inn (ph), and, you know, that's just -- I'm just afraid
34 what you're going to do with all of these regulations
35 now that you have enforcement agents on the ground come
36 that date, if there are young folks out there that are
37 trying to provide for their families.

38

39 CHAIRMAN BROWER: Yep. I mean it got
40 pretty close to being confrontational last year in
41 terms of the enforcement agents being out in the field
42 and close calls where there was potential for incidents
43 to occur with the interactions with law enforcement and
44 subsistence hunters out in the field. So I hope that
45 that's being considered in terms of when these
46 discussions occur as of September 1 and the actions of
47 the law enforcement in the community.

48

49 Ben.

50

1 MR. NAGEAK: This started -- there was
2 a whole bunch of us here back in the late '80s and '90s
3 and the Federal government, the Fish and Wildlife
4 Service was trying to put in regulations with no input
5 from us, from the people, and -- and the subsistence
6 hunt wasn't recognized at the time too. So we had
7 meetings everywhere trying to come up with a solution
8 and the only solution was to amend the Migratory Bird
9 Treaty Act to make us to be -- to be recognized as
10 people who have hunted ducks from -- at a season when
11 it was illegal from, you know, in spring time, fall
12 time, according to the Migratory Bird Treaty Act, you
13 know, the hunting was closed but we still hunted,
14 recognizing the fact that that's when the ducks came
15 and so they were trying to set up regulations and the
16 only way to do it was to get together and we started
17 out with -- how we started out was to work with people
18 from everywhere, all the regions and then how we got to
19 do it was to attend sporthunters meetings, they have
20 associations all over the country and for them to
21 recognize, you know, that we as people have hunted
22 these ducks and we want to do it, like you guys, we
23 want to be recognized as legal hunters. And so we got
24 the help of sporthunting associations everywhere we
25 went and finally we got supported, Lake Placid, New
26 York, and finally it got adopted in 19-whatever it was
27 and, you know, we had meetings so we could do this, so
28 we could be recognized as people who, you know, matter.
29

30 CHAIRMAN BROWER: Thank you, Ben.

31
32 Thank you, Doug and Fred. I'm not sure
33 if there's any more comments or concerns.

34
35 MR. KOONUK: One more.

36
37 CHAIRMAN BROWER: Ray.

38
39 MR. KOONUK: Yeah. Have you started
40 advertising this or send out these to the hunters out
41 there in the villages to let them know?

42
43 CHAIRMAN BROWER: Fred.

44
45 MR. F. ARMSTRONG: Mr. Chair. Ray.
46 Yeah, every year since 1993 I've had my Staff put these
47 together and sent out to every mailbox in anything
48 north and west of the Alaska Range, every post office
49 box gets one every spring. A lot of them never make it
50 home, a lot of them just fill up the trash at the post

1 office but a few of them do and a few of them know
2 about the regulations. We actually were sending
3 posters to each post office because they're a Federal
4 entity, we can use them, we've been doing that.

5
6 Doug and I have traveled to every part
7 of the state that have invited us and, you know,
8 educated people about this program so it's a work in
9 progress. It's a new program. We have a lot to do. A
10 lot of outreach. Very little money. But we do what we
11 can.

12
13 CHAIRMAN BROWER: Thank you. Does that
14 help, Ray.

15
16 MR. KOONUK: (Nods affirmatively)

17
18 CHAIRMAN BROWER: Yeah, I think we need
19 to introduce the (In Inupiat) the items that we use for
20 migratory bird hunting. I mean it was before the
21 Migratory Bird Treaty Act was even around or any
22 system.

23
24 (In Inupiat)

25
26 (Laughter)

27
28 CHAIRMAN BROWER: Just to indicate that
29 we've been utilizing the migratory birds for many, many
30 generations and I think we still continue to do that.
31 Again, thank you for taking the time to share with us
32 and giving us the update on migratory birds, Doug and
33 Fred.

34
35 What's the wish of the Council, we have
36 five more items by my count to address under our
37 agenda, Agenda Item 11, call for proposals to change
38 2010/12 Federal Subsistence Wildlife Regulations;
39 Agency Reports, 12, 13 is develop 2009 Annual Report,
40 No. 15 is next meeting; No. 16 is adjournment.

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

43
44 CHAIRMAN BROWER: Yes, Gordon.

45
46 MR. G. BROWER: If we could go as much
47 as we could before we decide we want to go eat or
48 something.

49
50 CHAIRMAN BROWER: Yes.

1 MR. G. BROWER: I think it would be to
2 the best interest to try to knock out as much as we
3 could.

4
5 CHAIRMAN BROWER: Thank you, Gordon.

6
7 MR. NAGEAK: Concur.

8
9 CHAIRMAN BROWER: Okay. So at this
10 time we have Agenda Item 11. Maybe I better recognize
11 Geoff Carroll that he's back, we've been going through
12 introductions. Geoff.

13
14 MR. CARROLL: Yes.

15
16 CHAIRMAN BROWER: We've been going
17 through introductions that we see fit when people
18 arrive so we'll make it known in the record that you're
19 here now.

20
21 MR. CARROLL: All right.

22
23 CHAIRMAN BROWER: You're just in time,
24 we're going to be discussing call for proposals to
25 change 2010/2012 Federal Subsistence Wildlife
26 Regulations, proposal period ends November 2009.

27
28 Dr. Wheeler.

29
30 DR. WHEELER: Thank you, Mr. Chair.
31 It's just the call for wildlife proposals. As you
32 said, we had a -- we had a bureaucratic snafu last
33 spring so our wildlife cycle has been extended until
34 November it usually ends in April, the call for
35 proposals, and that would have coincided with your
36 meeting last spring but we had some problems back in
37 Washington, D.C., so our window is open until November
38 5th. So if there's any wildlife proposals that you all
39 want to submit as a Council, obviously here's your
40 opportunity, but you also can submit them as
41 individuals and the window closes November 5th.

42
43 CHAIRMAN BROWER: Any comments or
44 questions from Council members.

45
46 MR. NAGEAK: What's a snafu, what's the
47 acronym?

48
49 MR. F. ARMSTRONG: It's a problem.

50

1 (Laughter)
2
3 DR. WHEELER: A snafu, it's a little
4 problem. We had a problem back in Washington, D.C.,
5 when the new administration took over.....
6
7 MR. NAGEAK: I know what snafu means.
8
9 DR. WHEELER: I know you know what
10 snafu is, you worked at UAF.
11
12 (Laughter)
13
14 CHAIRMAN BROWER: Any further comments
15 or questions before we continue?
16
17 (No comments)
18
19 CHAIRMAN BROWER: If none, go ahead,
20 continue
21
22 DR. WHEELER: Okay, thank you, Mr.
23 Chair. I'm going to do the briefing, again, remember,
24 if you have proposals, wildlife proposals or proposals
25 to change the wildlife regs, you can submit them to
26 November 5th, which is a ways down the road.
27
28 We've got a number of briefings in your
29 books and I recognize that you're feeling a little
30 pressed here so I'm going to try and be as fast as I
31 can on these.
32
33 I -- Barb, walked out the door again,
34 we have -- the first item under the Office of
35 Subsistence Management is the revised schedule, the
36 calendar for the program, I have here and will hand
37 them out in a little bit because you'll need them when
38 you look at setting up your next couple of meetings.
39 We have just -- because we had that snafu back in
40 Washington this past winter, our process for dealing
41 with wildlife regulations has been drawn out, so at the
42 next meeting, the winter/spring meeting for you all in
43 2010, you'll have analysis in front of you. If we get
44 any wildlife proposals for this region you'll have
45 analysis in front of you and then the Federal Board
46 will meet in May to deal with those proposals. The
47 Federal Board is going to meet in January to deal with
48 the fisheries projects that you talked about earlier.
49
50 So it's just kind of a little bit --

1 we've been delayed a little bit and it was larger just
2 because I think there was confusion when the
3 administration changed. That's all on that.

4
5 The next item on the agenda is the bear
6 claw working group summary, that's on Page 64. You
7 probably -- some of you remember the State of Alaska
8 has submitted -- Federal regulations allow for the
9 inclusion of bear claws into handicrafts which can then
10 be sold, and this region is one of the regions --
11 actually I think at your last wildlife cycle you
12 supported a proposal that allowed that to occur in this
13 region, as you probably may also remember the State of
14 Alaska has pretty consistently been opposed to that.
15 And at the time that the Federal Board dealt with this
16 process -- or these proposals was in May of 2008, and
17 the State of Alaska said, well, maybe we could have a
18 working group on this whole issue on bear claws and
19 work something out so that we wouldn't keep submitting
20 these proposals or being opposed to these proposals.

21
22 CHAIRMAN BROWER: Uh-huh.

23
24 DR. WHEELER: So we got a working group
25 together, the Federal Board, at the time said, okay,
26 we'll do a working group but Regional Advisory Council
27 membership -- there has to be Regional Advisory Council
28 membership so any Council that's interested in
29 participating in this has to participate. We had, I
30 believe, seven out of the 10 Councils that were
31 interested in participating in this workgroup.
32 Unfortunately we went to the Councils last winter, you
33 guys didn't meet, so you haven't had an opportunity at
34 this point to participate in the working group, but the
35 working group is still active and I would encourage
36 you, if you want to have a person that's part of this
37 working group, that you could name somebody now and
38 we'll get you all the background materials and then you
39 could be involved in the next teleconference or two and
40 the Regional Councils have been participating via
41 teleconference.

42
43 At this point I would say that there's
44 still some differences of opinion as to what the
45 problem actually is. But I think everybody can land on
46 the idea that this could be an opportunity to protect
47 subsistence hunters who are getting brown or black
48 bears for subsistence and then making handicrafts and
49 including the claws. If we had some sort of a tracking
50 mechanism, it may be a way to protect subsistence

1 hunters, but what we don't -- and crafts people, so
2 they have these bear claws that are included in
3 handicrafts, they can legitimately sell them. They can
4 do that under Federal regulations but we also don't
5 want them to get busted because somebody's questioning,
6 well, where did that claw come from.

7
8 So the key is to have everybody agree
9 on what the problem is and I'm not sure there's
10 agreement yet. But also if we do come up with some
11 mechanism for tracking these claws, to do it in a way
12 that's not burdensome to subsistence users, that's key
13 because you don't, you know, you don't want to be
14 having to carry a micro chip around with you or
15 something like that in order to track these claws. So
16 there's still discussions that are going on. If this
17 Council wants to have a member participate in this
18 working group, you can do so at this meeting, you can
19 name somebody, but either way we'll still keep you
20 posted as to what is going on with this working group.

21

22 MR. G. BROWER: Mr. Chairman.

23

24 CHAIRMAN BROWER: Yes, Gordon.

25

26 MR. G. BROWER: Just a question. I
27 often see local artisans, and I'm not going to name
28 names because it seems like there's a potential problem
29 here, selling, you know, handicrafts made from claws,
30 very well made and selling to anybody -- what you're
31 telling me is there's a potential problem because you
32 have to track of it. If that artisan had sold it to an
33 individual and that individual gets tired of it about
34 10, five years later and wants to sell it to another
35 individual, is that a problem?

36

37 DR. WHEELER: Mr. Chair.

38

39 CHAIRMAN BROWER: Yes.

40

41 DR. WHEELER: Thank you for the
42 question. If you look on Page 19 in your blue -- the
43 blue regulations book, not the purple Regional Advisory
44 Council book, but the blue regulations book, if you
45 look on Page 19 on the right-hand column, there's a
46 whole section on sales and handicrafts and at the
47 beginning, as with all good reg books it says what you
48 can't do and then below that it says for bears, and it
49 says you -- the second bullet down, you may sell
50 handicraft articles made from the skin, hide, pelt, or

1 fur of a brown bear, including claws taken from, and
2 then it lists a bunch of units, and then the units
3 under jurisdiction of this Council are 23, 24B (ph),
4 and 26 so that is allowed. See the right-hand side of
5 the page sort of the bottom part where that yellow
6 highlighting thing is. And the reason why that's
7 highlighted is because that was new this year, this
8 Council acted on that at their last wildlife cycle
9 meeting, so they were added to the current regulations,
10 which allow for that.

11
12 What this workgroup is looking at is a
13 mechanism to potentially track those claws, because
14 there has been a lot of concerns raised, particularly
15 by the State of Alaska, that there is this big demand
16 out there for brown bear claws and this Federal system
17 allowing for this practice could erupt into some
18 illegal harvesting of bears potentially and could feed
19 into this brown bear claw market. As I said when I
20 started, people aren't -- not everybody agrees that
21 this is a problem, and there's been a lot of resistance
22 on the part of a lot of Council members to the fact
23 that this has -- they don't see it as a problem, so
24 we're still in that -- we're still in that mode at this
25 point. It's legal under current Federal regulations to
26 use brown bear handicrafts and claws. This workgroup
27 is looking at potential ways of tracking those claws so
28 that we can protect subsistence users.

29
30 But before you can come up with a
31 solution you have to agree to the problem and that's
32 still under discussion.

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

35
36 CHAIRMAN BROWER: Gordon.

37
38 MR. G. BROWER: Yeah, I'm just a little
39 more mixed up on that a little bit.

40
41 MR. NAGEAK: Mr. Chairman.

42
43 CHAIRMAN BROWER: James.

44
45 MR. NAGEAK: I want to understand a
46 little bit more about only that portion of the Gates of
47 the Arctic, Gates of the Arctic National Wildlife.

48
49 CHAIRMAN BROWER: The one under the
50 yellow.....

1 DR. WHEELER: Right, the addition.
2
3 MR. NAGEAK: What does that mean, I
4 mean.
5
6 DR. WHEELER: It means the Federal
7 lands. So if you look at the map of 24B, there's -- in
8 a different color book, your regulations book, on Page
9 111 there's a map in the 24B portion, if you look at
10 that, there's the purple portion above the white
11 portion above 24B.....
12
13 MR. NAGEAK: Uh-huh.
14
15 DR. WHEELER:and that is Gates of
16 the Arctic National Park. And the reason why it's only
17 that portion that's included is the Western Interior
18 Regional Advisory Council has very strong tabus about
19 talking about bears, brown bears. They didn't even
20 want to deal with this whole proposal, they didn't want
21 it happening in their region, and so the compromise was
22 that this would -- including the Gates of the Arctic
23 National Park would sort of be in the territory of the
24 North Slope Regional Advisory Council but not in the
25 territory of the Western Interior Regional Advisory
26 Council. Because like I said the Western Interior
27 Regional Advisory Council has really strong tabus about
28 talking about brown bears, they didn't even want to
29 talk about the whole notion of including brown bear
30 claws in handicrafts because they just don't even want
31 to talk about that. But this Council supported it for
32 its area so including 24B, that portion within the
33 Gates of the Arctic, that's considered more the area
34 under the jurisdiction of this Council and excludes the
35 area under the jurisdiction of the Western Interior
36 Council.
37
38 CHAIRMAN BROWER: Does that help,
39 James.
40
41 MR. NAGEAK: Uh-huh.
42
43 MR. G. BROWER: Mr. Chairman.
44
45 CHAIRMAN BROWER: Yes, Gordon.
46
47 MR. G. BROWER: After looking at the
48 reg, it's already allowed?
49
50 DR. WHEELER: That's correct.

1 CHAIRMAN BROWER: Under the Federal
2 Management Program.

3
4 DR. WHEELER: Under the Federal
5 Management Program, not under State Management Program,
6 but under the Federal Subsistence Management Program.

7
8 MR. G. BROWER: Well, you know, I'm on
9 Federal land 95 percent of the time of my hunting but
10 -- so what are we talking about right now, is only the
11 tracking so that you can distinguish a State caught
12 animal versus a Federal caught animal, and that's about
13 it?

14
15 (Laughter)

16
17 MR. G. BROWER: I'm just a little tiny
18 bit lost.

19
20 DR. WHEELER: Well, and I appreciate
21 that, it's late in the afternoon, it's been a long day,
22 the -- there's been a number of these proposals over
23 the year to allow the inclusion of bear claws in
24 handicrafts to be sold. The State has consistently
25 opposed that practice. They've consistently opposed
26 the proposals. So at the last Federal Board meeting
27 they said, okay, look we'll give you guys an
28 opportunity to work this whole situation out through a
29 working group and see if we can come up with something
30 that's mutually acceptable to the State and the Federal
31 Programs, and then maybe even -- the State said well
32 maybe if we could come up with some sort of a tracking
33 mechanism we could go to the Board of Game and maybe
34 allow this practice to occur, you know, maybe allow the
35 sale of handicrafts with bear claws on State
36 regulations, now that's a big if.

37
38 But the State is convinced that there's
39 a problem. There's some enforcement people that think
40 that there's a problem. The Regional Advisory Council
41 members that are a part of this working group are still
42 saying where's the problem? Subsistence hunters are
43 getting these bears under subsistence regs and what's
44 the problem with them using the claws in a handicraft.

45
46 So like I said, it's tough to get to a
47 solution if you don't really have an understanding of
48 what the problem is.

49
50 So we're still in, I think the

1 workgroup is still in the mode of looking at what the
2 problem or if there's a problem, and if there is a
3 problem, what the problem is.

4

5 MR. G. BROWER: Mr. Chair.

6

7 CHAIRMAN BROWER: Yes, Gordon.

8

9 MR. G. BROWER: Yeah, it seems to me
10 this is to try to help the State to maybe come into
11 alignment with the Federal reg, and if there's any need
12 for representation from this group to -- earlier, I
13 think I heard there's going to be some sort of working
14 group, I think we should be allowed to make our own
15 stand and protect our subsistence rights and our
16 cultural activity. These are part of the cultural
17 activities that have been going on for eons. We can
18 make handicrafts out of claws and do different things
19 with them and I don't see any problem with that. In
20 fact it's been, at least, in our region, you know, we
21 don't go out just to hunt bears just to hunt them, you
22 know, I really don't like to hunt them but I do know
23 that they cause a lot of damage.

24

25 (Laughter)

26

27 MR. G. BROWER: And, you know,
28 basically you have to protect yourself. But those are
29 just my concerns. I don't think there is -- I
30 absolutely think there is no problem here whatsoever
31 with the subsistence take and being able to utilize the
32 animal to its fullest because we're that way. We're
33 that way. We use animals to the fullest.

34

35 Thank you.

36

37 CHAIRMAN BROWER: Thank you, Gordon.
38 Just to elaborate a bit more. I think we do have a
39 problem within the community, as you mentioned earlier,
40 we do have a lot of artisans in the community that
41 utilize these resources and make handicrafts to make
42 ends meet and they get approached by enforcement agents
43 about that and they're not supposed to be putting these
44 items up for sale, like in the store, our (In Inupiat).
45 There's been several complaints forwarded to me from
46 these artisans that they were approached not to sell
47 these items publicly in the stores and there is a
48 concern out there and there has been people out there
49 who have been approached who had made handicrafts and
50 make use of the claws and trying to sell them and

1 they've been asked to remove those items to be sold, so
2 there is a problem here, I mean it's interpretation of
3 the two regulations.

4

5 DR. WHEELER: Right.

6

7 CHAIRMAN BROWER: State versus the
8 Feds. It's accepted under the Federal but it's not
9 under the State Program.

10

11 DR. WHEELER: Right. And some people
12 feel if there was a way, if you had a paper trail or
13 something to show that these claws were legally -- you
14 know, were harvested by subsistence users then it would
15 protect people. But there is always the balance of
16 what's overly burdensome, too, for -- you know there's
17 protection and there's what's burdensome for
18 subsistence users.

19

20 So I mean as I said, it may be an
21 opportunity for this Council to get involved in the
22 discussion. Like I said they've met -- the Federal
23 Staff have met several times and they've met once with
24 the Regional Advisory Councils but I know there's going
25 to be another meeting with the Councils -- with
26 representatives of the Councils. So if this Council's
27 interested, we can add your name to the list, a
28 person's name.

29

30 MR. G. BROWER: Mr. Chair.

31

32 CHAIRMAN BROWER: Are you done Polly?

33

34 DR. WHEELER: Yes.

35

36 CHAIRMAN BROWER: Gordon.

37

38 MR. G. BROWER: It's just concerning.
39 It is just another way of making people, like our
40 illegal duck hunters, you know, what more do we need to
41 argue about when these are traditional and customary
42 activities. I don't know, things creep up on you
43 incrementally and you have to respond to these things
44 and I think they're worthy to respond to because we
45 have people out there that don't work and I often --
46 when I do catch something like that and I will have
47 nothing to -- no way of working a claw, I will just
48 give them as gifts to an artisan and say here, here you
49 go, you know, make something beautiful out of these,
50 maybe give me one piece when you're done, you know, I

1 mean that's -- that's what I see in the value of them
2 and in turn helps the individual.

3

4 Thank you.

5

6 CHAIRMAN BROWER: Thank you, Gordon.
7 I'm not sure if we're supposed to take action on any of
8 this, it doesn't indicate in the book.

9

10 DR. WHEELER: That was informational
11 but if you want to have -- we can keep you informed as
12 a Council as to what's going on but if you wanted to
13 name somebody to participate in these meetings then
14 that would be an opportunity for that person to express
15 the views of the Council.

16

17 CHAIRMAN BROWER: What's the wish of
18 the Council.

19

20 MR. NAGEAK: Clarification on the
21 definition of residency.

22

23 CHAIRMAN BROWER: James.

24

25 MR. NAGEAK: We're under the North
26 Slope Borough, which is the State, right, and the city
27 of Barrow, which is what, that's under the State too,
28 and then we have tribal councils which are, what,
29 Federally.....

30

31 CHAIRMAN BROWER: Recognized.

32

33 MR. NAGEAK:recognized, so if the
34 person is selling these things at (In Inupiat), could
35 they say that I'm in a Federally-recognized vicinity so
36 it's legal for me to barter with these claws?

37

38 DR. WHEELER: It would be where you
39 harvested the animal. So if you harvested the animal
40 on Federal lands, you were harvesting under Federal
41 subsistence regulations, that's the key.

42

43 MR. G. BROWER: I see.

44

45 CHAIRMAN BROWER: Yes, Gordon.

46

47 MR. G. BROWER: James, were you done?

48

49 MR. NAGEAK: Yeah.

50

1 MR. G. BROWER: It seems to me there's
2 no real big problem with this other than where you
3 harvested the animal. And being able to say -- it's
4 not the problem of selling it in the (In Inupiat) in
5 the lobby, it's a problem of where did you get it.

6
7 CHAIRMAN BROWER: Or the interpretation
8 of the law, that's what's.....

9
10 MR. NAGEAK: You know this problem is
11 going to be here forever between the -- the State
12 doesn't recognize this organization or this regulation
13 or the Federal government, you know, the dual
14 management system that we're under today of Federal
15 government and State government, it's going to continue
16 for a long time. I mean it was on the Board of Game
17 and little minutia, little things that pop up every now
18 and then at the Board of Game meetings and this is one
19 of them, and, you know, we used to talk about the sale
20 of -- it's still continuing -- this argument still
21 continues. If you have regulations, you have
22 management of any type of animals and they're in books
23 and they have CITES, you know, you'll have this
24 argument forever, it's not ever going to go away.

25
26 (Laughter)

27
28 MR. NAGEAK: Thank you, stay on your
29 toes.

30
31 CHAIRMAN BROWER: Thank you. In
32 regards to the Council members, if anybody is
33 interested to be part of this working group just let us
34 know and we'll forward your name.

35
36 (No comments)

37
38 CHAIRMAN BROWER: So if there's no
39 volunteer we'll wait to hear from one of you or we'll
40 appoint the new person coming in.

41
42 (Laughter)

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

45
46 CHAIRMAN BROWER: Yes, Gordon.

47
48 MR. G. BROWER: It'd be nice to know
49 when this particular working group will meet so that
50 maybe we can have a deadline to get a recommendation to

1 you as to maybe.....

2

3 MR. NAGEAK: Carry it to the group.

4

5 MR. G. BROWER: Yeah, maybe it would be
6 wise, you know, if they're going to meet without us and
7 make decisions and say things and we're not there to
8 speak up on our own Federal side, you know, because I
9 think our Federal side is in the right side, you know.

10

11 CHAIRMAN BROWER: Do you know when
12 there's going to be a next.....

13

14 DR. WHEELER: I don't know when the
15 next meeting is but here's what I'll promise you, when
16 I get back to the office I will find out and I will
17 contact -- we'll get back to you and let you know when
18 it is.

19

20 CHAIRMAN BROWER: Thank you.

21

22 DR. WHEELER: And one of the Councils,
23 the Seward Penn Council couldn't attend the meeting but
24 the person wrote a statement on behalf of the Regional
25 Advisory Council expressing his concerns about the
26 whole issue of being overly burdensome to subsistence
27 users so that -- you know, he just wrote a statement
28 expressing his views, so that would be another
29 possibility too.

30

31 CHAIRMAN BROWER: Okay. If we could
32 continue on to the next item.

33

34 DR. WHEELER: Moving right along, Mr.
35 Chair.

36

37 CHAIRMAN BROWER: Yes.

38

39 DR. WHEELER: Item No. 3, proposed
40 changes to regulations, there's a briefing document on
41 Page 66 and I would just encourage you to just take the
42 time to look at it. This is a very overly technical
43 aspect of our regulations where we take, you know,
44 things out of cycle. We have a wildlife cycle, we have
45 a fisheries cycle, but we also have a mechanism that if
46 something comes up that we couldn't expect we can deal
47 with that regulation change. So if people need a
48 change in season because of weather conditions or, you
49 know, there's any number of things that can come up for
50 what we call extenuating circumstances, or something

1 out of the ordinary, so you don't have to wait to the
2 regular wildlife cycle or the regular fisheries cycle
3 to deal with it, you can deal with it before if it's an
4 emergency.

5
6 We're changing those regulations, and
7 I'm not going to bore you with the specifics of it, but
8 the actual regulation, if you need to get to sleep at
9 night, is on pages -- it goes on and on and on between
10 Pages 72 to 76 and if you want to read through those
11 and you have any comments, the comment period is
12 through December 18th and we accept comments from
13 anybody. It's a very technical aspect of our
14 regulations and some of the reasons why we're changing
15 it is we have to make it more compliant with the
16 directive from Washington, D.C., that we start doing
17 everything electronically so it's those kinds of
18 changes and we're also defining, instead of extenuating
19 circumstances, we're putting in time sensitive now,
20 what's the difference, I would ask. But it's being
21 changed and part of the reason why it's being changed
22 is because we were actually directed to do that by a
23 judge because he read our regulations and found them
24 confusing, amazingly enough, so we were directed to
25 clarify and change.

26
27 So that's what that agenda item is
28 about. I can add more if you want but.....

29
30 CHAIRMAN BROWER: Just the term, I mean
31 it probably would come out of a request for
32 reconsideration that was used previously.

33
34 DR. WHEELER: This is actually special
35 action, not request for reconsideration, that's
36 different.

37
38 CHAIRMAN BROWER: Governing special
39 actions, okay.

40
41 DR. WHEELER: Yeah.

42
43 MR. G. BROWER: Does that include like
44 death in the family, in the community to be able to
45 request for a, you know, special moose harvest or
46 something?

47
48 DR. WHEELER: We do have some
49 regulatory mechanism to get through like a mortuary --
50 funerary, mortuary, potlatch or something like that, we

1 have special regulations for that but these are more a
2 change to existing seasons, methods, means, bag limits,
3 that sort of thing, we will do that.....

4
5 MR. G. BROWER: What's the deadline for
6 that?

7
8 DR. WHEELER: The deadline for
9 commenting on these regulations is December 18th.

10
11 CHAIRMAN BROWER: December.

12
13 DR. WHEELER: December.

14
15 CHAIRMAN BROWER: December.

16
17 DR. WHEELER: 12/18/09.

18
19 CHAIRMAN BROWER: Any further comments.

20
21 (No comments)

22
23 CHAIRMAN BROWER: Questions.

24
25 MR. NAGEAK: 12/18/09.

26
27 DR. WHEELER: Yep.

28
29 CHAIRMAN BROWER: Yes.

30
31 MR. NAGEAK: All right.

32
33 DR. WHEELER: And actually it has to be
34 published in the Federal Register and then we'll accept
35 comments but we can accept comments from you through
36 our program and we'll put them in to where they need to
37 go.

38
39 CHAIRMAN BROWER: Thank you. If there
40 are no further comments or questions we could continue
41 on to our next item.

42
43 (No comments)

44
45 CHAIRMAN BROWER: Go ahead.

46
47 DR. WHEELER: Okay. On Page 77 in your
48 books you'll see a Memorandum of Understanding, don't
49 confuse this memorandum of understanding with the
50 memorandum of understanding that you just talked about

1 half an hour ago.

2

3 MR. NAGEAK: Yeah.

4

5 DR. WHEELER: This is a Memorandum of
6 Understanding between the Federal Subsistence
7 Management Agencies and the State, it was signed in
8 December 2008 by the Chairs of the Alaska Board of
9 Fisheries and the Alaska Board of Game as well as the
10 Commissioner of Fish and Game, and also the six people
11 on the Federal Subsistence Board, the Chair as well as
12 the Regional State Directors of the Bureau of Land
13 Management, Bureau of Indian Affairs, National Park
14 Service, Fish and Wildlife Service and the Forest
15 Service.

16

17 The purpose of the MOU is to basically
18 coordinate, it's to provide a foundation and direction
19 for coordinated inter-agency fish and wildlife
20 management between the State and the Federal programs,
21 and this coordination or this need for coordination is
22 actually required in the Alaska National Interests
23 Lands Conservation Act, a number of different sections
24 in there. There was a lot of concern when the MOU was
25 first signed. People felt like there wasn't enough, or
26 any inclusion in the Regional Advisory Councils and
27 this whole process, people were also concerned that it
28 was undermining -- by the Federal agencies signing this
29 MOU, it was undermining ANILCA, which some people feel
30 offers better protections or more protections than
31 State law. The body of the MOU does contain a couple
32 of references to State law, which made a lot of people
33 concerned, thinking that the Board was undermining its
34 obligation to provide for a subsistence priority for
35 rural Alaskans.

36

37 And our response to that is that the
38 Board's authority, the Board's charge, and their
39 obligation to rural residents comes only from Title
40 VIII and they can't undermine their obligation under
41 Title VIII and the Board members, the Federal Board
42 members are well aware that they have no authority to
43 undermine or ignore their legal obligations that are
44 imposed upon them by ANILCA, and they agreed that no
45 memorandum of understanding can change Federal law or
46 impose State legal requirements on a Federal decision-
47 making body, they agreed that none of the parties to
48 the MOU intend or desire for it to have any impact on
49 the decision-making authority of the Federal Board or
50 its obligation.

1 So the Board is quite clear about what
2 the concerns are. They're also quite clear that in
3 signing this MOU it did not undermine their authority
4 or their obligation under ANILCA.

5
6 Having said all that, I will say that
7 the new administration is looking at this MOU because
8 they're hearing a lot from some people about it and it
9 looks like in November the State and the Federal
10 agencies are going to be meeting and looking at the
11 MOU. They're supposed to meet on a regular basis,
12 although regular isn't defined, but that will probably
13 be annual, to see if, you know, there can be some
14 language changes or anything that can make the MOU more
15 workable to people. But it's really to coordinate the
16 two programs. As Ben just mentioned the dual
17 management can be difficult at times, you have
18 different sets of regulations and this MOU could
19 provide a mechanism for maybe addressing some of these
20 issues.

21
22 So that's all that is.

23
24 CHAIRMAN BROWER: Okay.

25
26 DR. WHEELER: That's not all that is,
27 but that's what that is.

28
29 (Laughter)

30
31 DR. WHEELER: Mr. Chair. Sorry.

32
33 CHAIRMAN BROWER: It's a lot of
34 information in a short time.

35
36 DR. WHEELER: It is a lot of
37 information in a short time and I can talk pretty fast
38 too.

39
40 But the actual MOU is in your -- the
41 signed copy is in your books and that is -- it's small
42 type but it's not overly long, so if you want to look
43 through it and if you have questions later on you can
44 always give me a call.

45
46 CHAIRMAN BROWER: Questions, comments
47 Council.

48
49 MR. G. BROWER: Mr. Chair.

50

1 CHAIRMAN BROWER: Gordon.

2

3 MR. G. BROWER: Yeah, I always thought
4 maybe that -- it was a good idea and maybe the State
5 would start to align its regulations with the Feds and
6 switch it around.

7

8 (Laughter)

9

10 MR. G. BROWER: But I know we've done
11 some stuff to help align regulation too so it's not so
12 conflicting and I think that's a product of some of
13 that, but at the same time I'd just like to make sure
14 that we're reassured that we are not undermined, that
15 we do maintain a rural subsistence priority in the
16 harvest and the quotas and that when there is a
17 population that needs to be managed, that we do it in a
18 way that's -- that ANILCA allows us to do it.

19

20 CHAIRMAN BROWER: Thank you, Gordon.
21 Any other comments.

22

23 (No comments)

24

25 CHAIRMAN BROWER: Did you have any
26 other information to provide.

27

28 DR. WHEELER: Just a couple more short
29 briefings, Mr. Chair, and then I'll stop.

30

31 CHAIRMAN BROWER: Okay.

32

33 DR. WHEELER: And I appreciate your
34 patience here.

35

36 There's a -- on Page 84 in your books
37 there's a short briefing on compensation for Council
38 members, that's a topic that's come up for different
39 Councils over the years, it's a very short briefing.
40 The real short briefing is that nothing's really
41 changed. The Department of Interior is still taking
42 the position that the Regional Advisory Council's are
43 volunteers and by definition they're unpaid. And so
44 unless and until that changes or if it does change
45 we'll keep you apprised of that.

46

47 And then the only other comment that we
48 wanted to make is, you know, climate change is
49 obviously a topic of critical concern for this Council
50 as well as the other Councils and there's been a lot of

1 talk within our agency, I guess, now that we can
2 finally talk about climate change, there's been talk
3 within our agency of how we actually -- what can we do
4 about it, not what can we do about climate change but
5 how can we incorporate concerns about climate change
6 into the regulatory program and so we're going to be
7 looking at kind of ways -- we understand that climate
8 change is affecting everybody and our struggle as an
9 agency is to try and figure out what we can do about
10 it, the Federal Subsistence Program. We can change
11 seasons, we can shorten seasons, lengthen seasons,
12 start seasons later, start them -- close them earlier,
13 that kind of thing, we're just working through how we
14 can take the concerns that we hear on a regular basis
15 at these Regional Advisory Councils and actually do
16 something about them aside from being concerned.

17

18 So I just wanted to let you know that
19 we're going to be -- there may be these topics -- there
20 may be a topic on future Council agenda items where we
21 want to brainstorm with you about what we can do as a
22 program to address some of these concerns. I'm not
23 sure right now is the time or place since you're all
24 looking a little exhausted, but I just want to kind of
25 put that in your brains to think about for next
26 meeting. Is to think about, okay, well, we know
27 there's stuff going on there but what can we do as an
28 agency in our small little world, what can we do from a
29 regulatory standpoint or any other way to work through
30 some of these issues that you're all experiencing on
31 the ground.

32

33 So that's all.

34

35 CHAIRMAN BROWER: Questions, comments
36 from the Council.

37

38 MR. G. BROWER: Just a comment, Mr.
39 Chair.

40

41 CHAIRMAN BROWER: Yes, Gordon.

42

43 MR. G. BROWER: As climate change
44 becomes -- it is a bigger player and a lot more
45 concerns, I always had the same concern as industry and
46 stuff encroaches in these areas and now climate change
47 is one of those things that is also encroaching. You
48 look at some of the lakes in our climate change, the
49 depth of the permafrost changing, increased erosion and
50 some of the lakes that I've seen that are susceptible

1 to breaking through because of the permafrost getting
2 less and the depth of some of these lakes becomes an
3 issue, and what happens to these lakes, especially
4 those that are fish bearing.

5
6 Those are just some of my concern. I
7 try to express them when I do project reviews for the
8 North Slope Borough under their permitting about water
9 withdrawals and be cognizant of the changes that the
10 land is going through as -- changes in permafrost may
11 be affecting these landlocked fish, these lakes and
12 it's -- I've always expressed that we should catalog
13 these lakes and find out what the status of these
14 fisheries are in these lakes.

15
16 DR. WHEELER: And just -- and I'll stop
17 after this, but just something to think about, you
18 know, a year from now we'll be coming back to you and
19 talking to you about fisheries research projects, what
20 are your ideas, what are some issues and information
21 needs that you think we ought to include in our request
22 for proposals. Now, we've heard some today. But just
23 keep this in the back of your mind and think about,
24 okay, well, what could be a potential fisheries
25 research project, cataloging lakes, looking at affects
26 on subsistence users, thinking along those lines about
27 how we can incorporate that into our research program
28 might be a way to address some -- a few concerns that
29 were raised today.

30
31 But the Fisheries Resource Monitoring
32 Program is including climate change but it's got to be
33 looking at how it affects subsistence users and
34 practices.

35
36 So just think about it.

37
38 CHAIRMAN BROWER: Just to elaborate a
39 bit more on that, what climate change is presenting to
40 us in terms of new species coming into our region.

41
42 DR. WHEELER: There you go.

43
44 CHAIRMAN BROWER: I mean that's one are
45 of concern that needs to be addressed at some point in
46 time and how do we regulate these new species.

47
48 I mean we see an increase of these
49 salmon species coming in, learning of what is it
50 called, their spawning areas, identify where they're

1 spawning now, then when it was observed before. I mean
2 these are things that are -- that's being noticed
3 within our -- within the North Slope and in some of our
4 river systems. And the movement of marine mammals on
5 shore, polar bear, seals, into the river systems.

6
7 I see a lot more spotted seals in the
8 area where I go hunt to conduct fishing and caribou
9 hunting and then I start seeing seals, spotted seals,
10 ring seals up the river, five, six miles up the river,
11 man we're going to have some freshwater seals here
12 pretty soon, new species.

13
14 (Laughter)

15
16 CHAIRMAN BROWER: I mean these are some
17 things that I see when I go up the river, and I get
18 surprised seeing that. And I've seen some porpoises up
19 the river, seven miles up the river even, you know,
20 they must be following fish and get that far up.

21
22 I mean these are just some things that
23 I observe over my travel back and forth.

24
25 So that might be one area where new
26 species.....

27
28 MR. NAGEAK: There's tourists at
29 Anaktuvuk.

30
31 (Laughter)

32
33 CHAIRMAN BROWER: Or even I hear about
34 coyotes.

35
36 MR. NAGEAK: Yeah, they're everywhere.

37
38 CHAIRMAN BROWER: Coyote are coming in
39 further and further north and, you know, I can't wait
40 to see one so I can take it as a wolf.

41
42 (Laughter)

43
44 MR. NAGEAK: They're bad, they're bad.

45
46 CHAIRMAN BROWER: Any way any other
47 comments in regards to what you just heard on the
48 impacts of climate change and the affects of existing
49 regulations.

50

1 (No comments)
2
3 CHAIRMAN BROWER: If not, thank you,
4 Polly -- Dr. Wheeler.
5
6 Next on the agenda items, agency
7 reports, Office of Subsistence Management.
8
9 (No comments)
10
11 CHAIRMAN BROWER: There are no reports,
12 next item. Dr. Yokel.
13
14 MS. B. ARMSTRONG: Where are we --
15 excuse me, can we do 12B first please, appoint new
16 member to SRC, and I'll do that for National Park
17 Service and we'll get that out of the way, 12B1.
18
19 CHAIRMAN BROWER: 12.
20
21 MS. B. ARMSTRONG: Appoint new member
22 to SRC.
23
24 CHAIRMAN BROWER: I don't see it in
25 mine.
26
27 MS. B. ARMSTRONG: 12B.
28
29 MR. G. BROWER: Oh, I see it.
30
31 CHAIRMAN BROWER: Oh, no wonder I can't
32 see it, it's crossed off with a magic marker, okay.
33
34 MS. B. ARMSTRONG: Yeah, I just left
35 that one part there -- I stuck my name in there because
36 there is no one here from Park Service and then we.....
37
38 CHAIRMAN BROWER: Dave, if you don't
39 mind, we got a slight modification.
40
41 MS. B. ARMSTRONG: Okay.
42
43 CHAIRMAN BROWER: You got two minutes.
44
45 (Laughter)
46
47 MS. B. ARMSTRONG: That's all it takes
48 and I'm just going to ask you to take an action on
49 appointing since we have someone.
50

1 CHAIRMAN BROWER: Barbara, please,
2 James has a question.
3
4 MS. B. ARMSTRONG: I'm sorry.
5
6 CHAIRMAN BROWER: Yes, James has a
7 question.
8
9 MR. NAGEAK: What's an SRC?
10
11 MS. B. ARMSTRONG: It's the, let
12 me.....
13
14 CHAIRMAN BROWER: It's Subsistence
15 Resource Commission.
16
17 MS. B. ARMSTRONG: Yeah, Subsistence
18 Resource Commission with the Gates, that's who was
19 talking to you, James, before you came here.
20
21 MR. NAGEAK: Uh-huh.
22
23 MS. B. ARMSTRONG: And we've delayed
24 this forever, and we didn't have our winter meeting,
25 and now that we have someone from Anaktuvuk Pass to
26 consider to put on this position, you have that choice
27 now and could take an action on it if Mr. Nageak is
28 willing to be on the Gates SRC.
29
30 MR. G. BROWER: Mr. Chairman.
31
32 MS. B. ARMSTRONG: You need to take
33 action.
34
35 CHAIRMAN BROWER: Gordon.
36
37 MR. G. BROWER: Yeah, Mr. Chairman, I
38 know it's -- Barb's right, you know, we've had, I think
39 Paul Bodfish sat on it for a little while.....
40
41 CHAIRMAN BROWER: Uh-huh.
42
43 MR. G. BROWER:because he was the
44 one that was, at the time, because we didn't have an
45 Anaktuvuk representative who was capable of hunting in
46 that region and expressed that he was hunting in those
47 areas for awhile. But that was temporary and we've
48 been waiting awhile to get a representative again from
49 Anaktuvuk.
50

1 I'd like to nominate James Nageak if
2 he's willing, Mr. Chair.
3
4 CHAIRMAN BROWER: A motion on the floor
5 to have James Nageak as the representative for the
6 North Slope Regional Advisory Council to the
7 Subsistence Resource -- or wait a minute, National Park
8 Service Gates of the Arctic Subsistence Resource
9 Commission.
10
11 MR. NAGEAK: The longest title ever.
12
13 (Laughter)
14
15 MR. KOONUK: Second.
16
17 CHAIRMAN BROWER: Seconded by Ray.
18
19 MR. NAGEAK: And for discussion, I'd
20 been asked by the National Park Service themselves to
21 see if I could and I said, yeah.
22
23 CHAIRMAN BROWER: Okay. Nomination is
24 accepted.
25
26 MR. NAGEAK: Based on your approval.
27
28 MS. B. ARMSTRONG: Yeah, they came and
29 asked and talked to him and they said if you guys would
30 -- that they would have to talk to you to ask to see if
31 you wanted to attend but you have already priorities --
32 priority commitments to have that other stuff that is
33 going on.....
34
35 MR. NAGEAK: I missed my first meeting.
36
37 MS. B. ARMSTRONG: So, okay.
38
39 CHAIRMAN BROWER: I'm trying to think
40 of how we would alleviate all the action taking ,could
41 I ask for a unanimous consent?
42
43 MS. B. ARMSTRONG: There's a motion,
44 there's a seconder, question, vote, whatever.
45
46 CHAIRMAN BROWER: And I was asking.....
47
48 MS. B. ARMSTRONG: Yeah.
49
50 CHAIRMAN BROWER:just indicating

1 to ask for a unanimous consent.
2
3 MS. B. ARMSTRONG: Uh-huh.
4
5 CHAIRMAN BROWER: Any objections.
6
7 (No objections)
8
9 CHAIRMAN BROWER: No objections noted,
10 James is in.
11
12 (Applause)
13
14 MR. NAGEAK: Thank you.
15
16 CHAIRMAN BROWER: And make sure you get
17 your title, the longest title in the world.
18
19 (Laughter)
20
21 CHAIRMAN BROWER: Okay, Barb, is that
22 it?
23
24 MS. B. ARMSTRONG: Yep, that's it,
25 thank you.
26
27 CHAIRMAN BROWER: Dr. Yokel. Sorry for
28 the short delay.
29
30 DR. YOKEL: Thank you, Mr. Chairman.
31 Very quickly I just wanted to report to you some
32 actions that the BLM has permitted over the last winter
33 that have the potential to influence subsistence
34 harvest in the NPR-A. If you'll look at the side of
35 the handout that I gave you that is by Anadarko, I'll
36 start on that one, this last winter, Anadarko drilled
37 the Wolf Creek No. 4 well. To orient yourself to this
38 map, if you look towards the right side you can see
39 where Umiat is on the Colville River.
40
41 MR. G. BROWER: Which map is that one?
42
43 DR. YOKEL: It's on the other side.
44
45 CHAIRMAN BROWER: It's on the back.
46
47 MR. G. BROWER: Oh, on the back side.
48
49 CHAIRMAN BROWER: Uh-huh.
50

1 MR. NAGEAK: Yeah, I was on the wrong
2 side, too.

3
4 DR. YOKEL: I'm sorry, I like to save
5 paper.

6
7 So Anadarko began building a snow road
8 from Umiat out to the Wolf Creek No. 4 site in early
9 December and they moved a drill rig out there in
10 January of 2009 and they began drilling the first week
11 of February, completed the well in the third week of
12 February and then they plugged it and moved out of
13 there in late March. And I was going to show you a
14 photograph of the site where the ice pad was, but I had
15 planned on doing a PowerPoint presentation, I didn't
16 plan well enough, I didn't know there wouldn't be a
17 projector here for it. So that's all I want to say so
18 far about Anadarko. That was their exploration program
19 within the NPR-A this last winter.

20
21 Now, if you'll turn your map over.....

22
23 CHAIRMAN BROWER: 2009.

24
25 DR. YOKEL: Pardon me?

26
27 CHAIRMAN BROWER: That's for 2009?

28
29 DR. YOKEL: That was for the winter
30 2008/2009. The one that is past.

31
32 CHAIRMAN BROWER: 2008.

33
34 DR. YOKEL: Well, all of the actions
35 were in 2009 except they started the ice road in
36 December of 2008, the snow road.

37
38 ConocoPhillips drilled two wells in the
39 NPR-A this past winter. They began mobilizing the NPR-
40 A at the very end of December. On December 29th they
41 crossed the Colville River at Ocean Point, which is
42 where that orange line crosses the Colville River on
43 your map, you can see where Nuiqsut is on the map to
44 orient yourself. Then the ice road construction began
45 in early January. They started from a point near the
46 Pioneer well site and began constructing ice road west
47 towards the Grandview site and then after that they
48 worked east back towards Nuiqsut. They finished the
49 ice road to the Grandview site on February 7th and then
50 began immediately moving a drill rig out there to

1 Grandview and they completed that move on February
2 16th, they drilled the well but they did not test it,
3 and then they immediately moved the rig to the Pioneer
4 Drill pad, ice pad on March 9th. They plugged the
5 Grandview well on March 14th -- I think I mean the
6 Pioneer well, and the rig left for the park. And they
7 did the test Pioneer well and then plugged it and then
8 closed that second ice pad on April 23rd and moved out
9 of the NPR-A.

10

11 So really quickly I'll finish my whole
12 thing and then stop for questions if you'd like.

13

14 CHAIRMAN BROWER: Uh-huh.

15

16 DR. YOKEL: Neither of these companies
17 has plans to drill in the NPR-A this coming winter of
18 '09 and '10. We do have perhaps one plan for seismic
19 operations, it was by PGS, they started talking about
20 it last winter and never got their plan to us and we
21 don't know if they will come to us yet this winter, but
22 it may be a very slow winter in the NPR-A.

23

24 And finally I just wanted to say that
25 the BLM continues to work cooperatively with the North
26 Slope Borough and the State Department of Fish and Game
27 on a monitoring program for the Teshekpuk Caribou Herd.
28 From my perspective this has been a very successful
29 cooperative effort over the years, we're starting to
30 build a really good strong database of the movements
31 and distribution of this caribou herd. The kind of
32 database that we can use to test hypothesis about it
33 and also to use as baseline for how these caribou act
34 when there is no oilfield development in their range
35 and we can use this as a comparison if we do develop
36 and probably will develop, at least in part of their
37 range, and see if anything changes in that time. So I
38 just wanted to put in a plug for that.

39

40 And with that I'll take any questions
41 if you have any.

42

43 CHAIRMAN BROWER: Any questions or
44 comments to Dr. Yokel from the Council members.

45

46 MR. G. BROWER: Mr. Chairman.

47

48 CHAIRMAN BROWER: Gordon.

49

50 MR. G. BROWER: Yeah, I appreciate your

1 report, Dr. Yokel, and just putting on my Borough hat
2 for a second, we've been -- I've been trying to have
3 our inspectors work more closely on NPR--A stuff since
4 we've got NPR-A grants and NPR-A inspectors and we'd
5 like to work more closely with you all, with BLM land
6 management. I've asked some of our group, and I'm
7 sorry if I'm just putting on another hat folks, but
8 it's a good opportunity to talk with some of the other
9 land managers that we've purchased these thermistor
10 units and wanting to install them within NPR-A, some
11 like in Cape Simpson where Borough has land there and
12 we'd like to access other areas to make a routine check
13 on frost rates and stuff and be more consistent with
14 the State and BLM in determining tundra rate of thaw
15 and the freeze-up cycle, and we'd like to work with you
16 on coordinating more with that. I think it's to
17 everybody's benefit. In the past we've used our
18 slidehammer tools, which we just basically put a peg
19 down in the ground and determined the rate of frost as
20 it occurs and we're trying to get modernized like
21 everybody else.

22

23 That's the only thing I had.

24

25 CHAIRMAN BROWER: Thank you, Gordon.

26

27 Any other comments from the Council
28 members.

29

30 (No comments)

31

32 CHAIRMAN BROWER: I'm trying to think
33 of what else on BLM.

34

35 (No comments)

36

37 CHAIRMAN BROWER: Thanks for keeping
38 Ben busy.

39

40 (Laughter)

41

42 MR. NAGEAK: I'd like to talk to you
43 about a meeting with you and Dan Forester about some of
44 these things that they wanted to do, I just wanted to
45 meet the guy.

46

47 CHAIRMAN BROWER: Head's up. Thank
48 you, Dr. Yokel. Thank you, Ben.

49

50 DR. YOKEL: Thank you.

1 CHAIRMAN BROWER: Any other agency
2 report.

3
4 MS. B. ARMSTRONG: Her. Bonnie Borba,
5 Fish and Game.

6
7 CHAIRMAN BROWER: Okay, Alaska
8 Department of Fish and Game, North Slope Fisheries
9 Research, Bonnie Borba, you have the floor.

10
11 MS. BORBA: Yes, Mr. Chairman, my name
12 is Bonnie Borba. I work with the Alaska Department of
13 Fish and Game, Commercial Fisheries, out of Fairbanks.

14
15 I was going to give you just an update
16 overview on the project that I talked to you about last
17 year at your fall meeting. This is a PowerPoint on
18 paper that I just had passed around. We've given this
19 talk also with our collaborators, Sverre Pedersen did
20 the AC meeting last week in Point Hope, so if anybody
21 was there at that meeting, they -- it's a similar
22 presentation.

23
24 We have this project going on, it's an
25 assessment of Pacific salmon resources up in the Arctic
26 region. We have the Divisions of Commercial Fisheries,
27 Habitat and Subsistence who are working together with
28 the North Slope Borough looking at salmon resources
29 moving into the area. So the first part of the
30 presentation is just the introduction and map of the
31 area which you all are familiar with.

32
33 I put the objectives on slide three,
34 which we talked about last year.

35
36 And mainly we're documenting species
37 across the range of rivers and to provide information
38 on distribution and abundance of salmon, determine
39 which rivers could be used as index areas for future
40 monitoring. We're estimating subsistence harvest
41 levels of salmon in Point Hope, Point Lay and
42 Wainwright. And want to determine if the populations
43 are sustaining themselves with juveniles surviving the
44 Arctic winters up here.

45
46 The project also includes biological
47 sampling of stocks and harvest characterization, local
48 and traditional ecological knowledge will be an
49 important component in this project, and TEK will be
50 used to determine if salmon are becoming more prevalent

1 in the face of global warming.

2

3 The next slide, slide four, which is on
4 Page 2, is some of the study design talking about what
5 the subsistence portion of the project for the TEK that
6 was completed in 2008.

7

8 Sverre has been working in the
9 communities, primarily Point Lay and Point Hope and
10 Wainwright talking with the individuals to find out
11 which salmon species are harvested, the timing of the
12 salmon migrations and harvests, when they actually take
13 the fish, the gear they're using to harvest the salmon,
14 estimates of the harvest levels, which will come a
15 little bit later, distribution and location of spawning
16 areas, relative abundance of the salmon in the areas
17 and information on changes in salmon usage. So it
18 lists some of the items that he was looking at.

19

20 Continuing on, the study design on Page
21 3, we're collecting biological samples.

22

23 The species of interest include the
24 more common pink and chum salmon, which have life
25 cycles that do not include the freshwater juvenile
26 stage, and the chinook, sockeye and coho salmon which
27 remain in the freshwater for one to two years as
28 juveniles before heading to the sea and, therefore,
29 they're expected to take longer to become established
30 up in this area. Increasing occurrences of these
31 species could be related to climate change as they
32 stray farther north looking for cooler waters.

33

34 Just some examples of the biological
35 sampling that we do. We're looking at the gender of
36 the fish, we're measuring the length of the fish. We
37 use these structures in the pictures for aging the
38 salmon such as scales, otoliths. In chum salmon we've
39 also used finrays and vertebra, they have rings like
40 trees, just like the scales, you can see the little
41 vertebra thing there, it's hard to see in this picture
42 but there's similar rings. And then also there's a
43 picture of the axillary fin that we take for genetics
44 off the salmon. And then people that do catch chinook
45 salmon, there is a coded wire tag program that's in the
46 ocean and hatcheries that put out fish, put out salmon,
47 they put a little wire in their nose that's coded and
48 if they find a salmon they clip off the adipose fin, so
49 if we find any fish in the subsistence harvest with the
50 adipose fin cut off, we would collect the heads of

1 those fish or the nose part and send it to the lab and
2 they can cut it open and find out where that fish was
3 actually tagged.

4
5 On Page 4 of your handout, the next
6 portion of the study is looking at the index streams.
7 We try to find streams that would represent the runs in
8 the areas. Due to the vastness of the North Slope, we
9 use aerial surveys as the most effective way to cover
10 the large area. We have trained observers that can
11 estimate salmon abundance by species in the streams.
12 The surveys are conducted during the peak spawning
13 events to provide the best estimate of abundance. We
14 use pilots that have the skills to follow the sinuous
15 rivers while placing the observer in good viewing
16 positions. We typically use slower aircraft such as
17 SuperCubs or helicopters; those are preferred, but
18 because of the distances here and the fuel stops are
19 farther apart in this area, we sometimes use the larger
20 planes of 180s and 206s.

21
22 The preliminary work is to see if the
23 species are using which rivers consistently over a
24 number of years and which ones could be used for these
25 indexes to represent the area that we would monitor
26 annually to develop trends in abundance.

27
28 So the next slide eight, on Page 4, the
29 2008 field progress, season progress, work that we've
30 already done, we did collect ASL and genetic samples
31 with the North Slope Borough at Elson Lagoon when they
32 had some studies going on here last year with Bill
33 Morris from the Division of Habitat, who helped set up
34 with the Borough and they took some samples.

35
36 We've made contacts this winter, Sverre
37 Pedersen from the Division of Subsistence, doing the
38 TEK work that I mentioned in those three communities.
39 And then we did these preliminary looks at the spawning
40 grounds with aerial surveys with the Division of
41 Commercial Fisheries last fall.

42
43 On Page 5 there's a couple charts, this
44 is the data that came from the Elson Lagoon samples
45 that they took. It's just when they took their pink
46 samples, this is the length over time, when they took
47 the samples, it's just an example of some of the data,
48 these were from pink salmon. And then the next chart
49 at the bottom is the length frequency. And then
50 there's some data on there about the mesh sizes that

1 they used, 94 percent of the fish they caught were
2 males, and a lot of that's typical when they get hung
3 up in the net with their teeth more often than the
4 females do. And that most of the fish, 72 percent of
5 them are captured in a five inch mesh net so we have to
6 keep track of the meshes that we use to catch the
7 different types of fish.

8
9 Next page, a little of the -- the
10 bigger picture of what the salmon genetics is for.
11 This is an example, the top chart, with all the little
12 circles around it, genetic baselines, this is an
13 example of chum salmon genetic baselines in the world.
14 This is for the Northern Pacific Ocean. The baseline
15 contains known samples from individual populations such
16 as the -- well, here we're looking for samples if we
17 get in the -- like in the Meade or the Chip or Kugrua
18 and Ikillik and any rivers that we can get to or that
19 already has projects on, and over the next few years
20 we're trying to get these baseline samples. The sample
21 is taken -- we're also getting them from some of the
22 harvest that are taking place in the communities,
23 working with the North Slope Borough agents that are
24 out there. Just, for example, if somebody takes a fish
25 on the high seas out there and you take that fin clip
26 and get it ran in genetics, you can look to see against
27 the baseline which one of these stocks that population
28 maybe came from. And most of the stuff I've heard from
29 the North Slope, and some of the stuff from the
30 Canadians that I've been working with looking at
31 genetics over a chum population, the stocks up here may
32 be Western Alaska chum salmon stocks, they also have
33 some Russian fish in there, even all the way over to
34 Canada, so once we get those clips and get them ran
35 we'll report back to you where they fall out. It's
36 going to take a few years to get enough samples,
37 especially of the species that are more rare like
38 chinook and sockeye and coho.

39
40 The picture on slide 12 on the bottom
41 of the page, that's just an example of what it looks
42 like from the air when you're counting pink salmon. It
43 says salmon abundance 2008. It's hard to see in the
44 picture, but you can tell the pink salmon apart from
45 the chum, they're a different color, they have the
46 white belly and the black sides and they show up pretty
47 good. The most problems we have up in this area is the
48 char also are in some of these rivers.

49
50 So right now the pink salmon, they

1 typically come back on a two year cycle, even/odd, in
2 the even years usually bigger, and so in 2008 we had a
3 really good run of pink salmon and there was lots of
4 pink salmon up through your area even. And the chum
5 salmon typically come back as four and five years old
6 and they have an odd numbered cycle. This year
7 typically chum are high numbers, but from what we're
8 finding on the Yukon this last year, it's turning out
9 to be a really poor chum salmon run so I'm not sure how
10 much we'll find of that up there this fall.

11
12 The next page, Page 7, these are maps
13 of the areas that we flew and the streams that we
14 surveyed and some of them indicate some of the places
15 where we saw fish. And I'm not going to go through
16 each one individually, unless if you guys -- there's a
17 summary at the end of what we saw. Basically we're
18 mapping these so that they can be entered into the
19 anadromous waters catalogs, which is on Page.....

20
21 CHAIRMAN BROWER: Eight.

22
23 MS. BORBA:8. So there's three
24 maps. I had to break out the area so large I put them
25 into three different maps and most of the red and blue
26 lines are where we flew last year.

27
28 So the anadromous catalog is important
29 to document the spawning -- the local rivers that have
30 the fish in them. The biggest question right now is
31 whether the eggs are actually surviving the winter and
32 we haven't done the juvenile work yet. The catalog is
33 important because it provides protection for salmon and
34 whitefish species based on the level of determined
35 usage of the area. So if they migrate through the area
36 or they spawn in the area or they're actually rearing
37 in the area it affords different levels of protection
38 for the stocks.

39
40 And this is important for like if work
41 that crosses water bodies could possibly cause -- you
42 could mitigate based on the timing that the fish are
43 actually there to protect each life stage, but first we
44 have to determine which life stages are present and
45 that's part of that cataloging, like one of the
46 individuals mentioned earlier. Cataloging what's in
47 the rivers and what's in the streams to figure out what
48 that timing is.

49
50 On Page 9 there's a table of some of

1 the surveys that we did and how many of these different
2 species we saw in the different rivers. There was a
3 total of 15 nominations made to the anadromous water
4 catalog. Some of them were to add new species. Some
5 of them were to extend the range because we document
6 how far up a stream we see the fish spawning. And
7 those -- we'll continue to do that in the future.

8

9 Part of Sverre's work, when he talked
10 to the individuals this winter, he was having the
11 locals map out where they see salmon up the rivers,
12 where the open water areas are that we would go look
13 for the salmon and the juveniles next spring.

14

15 So the last -- the bottom slide on
16 there is what we're doing now in 2009. Right now
17 Division of Subsistence and Commercial Fisheries, along
18 with the North Slope Borough Division of Wildlife
19 Management have their technicians in Point Hope, Point
20 Lay and Wainwright. We already met with them and have
21 trained them how to collect the ASL samples and work
22 with Sverre and another technician that we have, that's
23 lining out these -- these guys out on how we collect
24 the samples so that we can send them to the lab and
25 build up this baseline data of the timing of the
26 harvest and things to characterize the run.

27

28 So we've also done -- so he's going to
29 continue doing a little bit more TEK follow up after we
30 do the sampling this season in the communities. Sverre
31 will go back. We're also working with Habitat Division
32 and stuff like over in the Killik (ph) off the
33 Colville, on that side of the drainage, trying to get
34 -- there's a spawning population of chum over there,
35 we're trying to actually collect the genetic samples
36 from them this year. And it might -- same thing, if
37 it's not a good run it's going to take us more than one
38 year to get it. Bill Morris is over there now netting
39 and radio -- doing some radiotelemetry on them and
40 we're going to get those clips at the same time.

41

42 And then later this fall we're going to
43 start looking again, we'll do another set of aerial
44 surveys. Some of the rivers we looked at last year
45 have been dried up because the water's pretty low this
46 year in this area, it was a pretty dry summer I hear,
47 and so this year we'll have to go back in and look
48 again and see, as part of that building, which rivers
49 we want to look at to develop trends in the future,
50 which salmon are using the individual streams.

1 Then the last slide I just have, the
2 contact information for the Department personnel. In
3 Point Hope we're working with Chester Frankson, I
4 believe. I haven't met the person in Wainwright or
5 Point Lay, Sverre would know who the contacts are there
6 if you had questions about what's going on there.

7
8 But if you have any other questions
9 about this particular project feel free to ask now,
10 thank you.

11
12 REPORTER: Okay, Harry, could I have
13 one second to change the tape.

14
15 CHAIRMAN BROWER: Yes.

16
17 REPORTER: One second.

18
19 CHAIRMAN BROWER: Okay.

20
21 REPORTER: Okay, maybe five, what's
22 with the one second, I don't know why I said that.

23
24 (Laughter)

25
26 REPORTER: It'll take longer than that.

27
28 (Pause)

29
30 REPORTER: Go ahead.

31
32 CHAIRMAN BROWER: Okay, thank you,
33 Tina.

34
35 Questions or comments.

36
37 MR. G. BROWER: Mr. Chairman.

38
39 CHAIRMAN BROWER: Gordon.

40
41 MR. G. BROWER: It sounds like this
42 work is very important. I always wondered if the
43 salmons that are in the Chip River, if they're actually
44 spawning there. They come back just about every July
45 -- in July somewhere around there, you get a lot of
46 the, what do you call them, the humpy kind, I think.

47
48 MS. BORBA: Uh-huh.

49
50 MR. G. BROWER: I think, are those the

1 pinks?

2

3

MS. BORBA: Uh-huh.

4

5

MR. G. BROWER: Yeah. And we get
6 hundreds of those going through and I am always
7 wondering if they actually spawn there or if they're
8 just visiting and, you know, mistaking the river for a
9 spawning place or something.

10

11 But I always wondered because it's so
12 cold, you know, during the wintertime and if actually
13 they're -- maybe the upper parts of the Chip River, in
14 the Ikpikpuk where it's more rocky and stuff, but I
15 would think that those places freezed down solid,
16 though, unless it was deeper, more than six feet or
17 something.

18

19

Those were just my questions,
20 observations, I saw that there was a red line on Chip
21 River.

22

23

MS. BORBA: Yeah, they surveyed Chip
24 River and with Habitat Division, Bill's been over that
25 way and, you know, there is pink salmon over there and
26 most likely they're spawning. Whether they're
27 surviving or not is the question and we hope that
28 working with the individuals up here, if we can get out
29 to some of these areas or, it's usually with these
30 springs upwelling water areas at the upper heads of the
31 rivers that can have the eggs survive, it doesn't take
32 much water, they just got to be wet, and then in the
33 spring when the snow melts the water rises and they go
34 out with it. So we're probably going to start, you
35 know, some of that work, you know, down Point Lay or
36 Point Hope next spring if we can get out, depending on
37 how break up goes and try to at least maybe try to trap
38 some of the juveniles in the lagoons and stuff out
39 there to get a better idea as they're coming out to
40 figure out if any of them survived at all and then
41 farther up river if we have the access with ski planes
42 or something to get to those open water areas in the
43 winter and we could -- if we saw a fish there, when we
44 do the aerial surveys in the fall and the locals say
45 that noticed there was fish there when they were
46 hunting in the fall then we could maybe fly out there
47 and look at some of the areas more up close on the
48 grounds and see if they're surviving.

49

50

MR. G. BROWER: Mr. Chair.

1 CHAIRMAN BROWER: Gordon -- continue
2 Gordon.
3
4 MR. G. BROWER: Yeah, I just like to
5 make observations too, you know, because we do get -- I
6 think there are kings up there too because sometimes
7 they're about that tall and they're stuck in the next
8 along with some of the whitefish when we're trying to
9 get them, when they're spawning, the whitefish and you
10 once in awhile get a rogue king in there. But that's
11 when all the other salmon are gone though, that we
12 don't get -- we don't see those too much in the
13 October, late September timeframe.
14
15 So I was wondering what they're doing
16 up there.
17
18 MS. BORBA: Yeah, most.....
19
20 MR. G. BROWER: You don't see that much
21 you just see them once in awhile.
22
23 MS. BORBA: Yeah, there's a lot of --
24 they'll stray from down river, that's how they populate
25 new areas and this might be part of it and with people
26 catching kings and we've got samples already at Point
27 Hope a month ago, he was catching kings, Chester did,
28 we got samples off of those and quite a few chums and
29 pinks and then the weather went bad and they haven't
30 been able to fish lately so depending -- it's going to
31 take a few years to get enough samples, we need 200 to
32 actually run it statistically. So we get plenty with
33 pinks, you got lots of pinks around here, we got 200
34 samples from Elson last year and we'll get 200 in some
35 other places, but those chum and the kings are going to
36 be harder to get but we're going to keep trying.
37
38 CHAIRMAN BROWER: Any other questions
39 or comments.
40
41 MR. NAGEAK: We're in the pink.
42
43 (Laughter)
44
45 CHAIRMAN BROWER: In regards to the
46 assessment. Once the assessment is complete, then what
47 decisions are going to be made?
48
49 MS. BORBA: It's just baseline data
50 we're just collecting.....

1 CHAIRMAN BROWER: It's just baseline
2 data for now?

3
4 MS. BORBA: Uh-huh.

5
6 CHAIRMAN BROWER: As you were going
7 through your presentation I was just jotting notes on
8 the side here. Page 4, you said you hired experienced
9 trained observers to conduct this research and I wasn't
10 sure, what it is you considered trained and experienced
11 observers to conduct this aerial survey especially in
12 the rivers and streams for the fish.

13
14 MS. BORBA: Yeah, for the aerial
15 surveys we have to have -- there's pilots that are
16 already used to like doing your caribou surveys and
17 that kind of stuff and there's some that are
18 experienced in how you have to fly the plane to do
19 fish, same thing.

20
21 CHAIRMAN BROWER: Uh-huh.

22
23 MS. BORBA: And the experienced person
24 in this case, we're using Department Staff because we
25 do all kinds of aerial surveys on the Yukon River so
26 I'm bringing those guys up here because they know more
27 what they're looking for right now and do it.

28
29 We would like to work out a way to have
30 some of the technicians go up and look too but we have
31 to work out issues on who can be in what airplane
32 because of our.....

33
34 CHAIRMAN BROWER: So is there special
35 equipment that you're utilizing or is it just that
36 they're using visual observations to make their
37 assessments?

38
39 MS. BORBA: It's visual observations
40 and then they do land and confirm things when they need
41 to, yes.

42
43 CHAIRMAN BROWER: Uh-huh. And then on
44 that same page, on Page 4, clarification on the last
45 sentence, salmon abundance was conducted using aerial
46 surveys by ADF&G, Division of Commercial Fisheries.

47
48 MS. BORBA: That's just the Staff was
49 from Commercial Fisheries that flew and they looked at
50 the fish and counted how many and there's a table in

1 the back that shows how many fish that he saw in each
2 of the systems.

3

4 CHAIRMAN BROWER: So it's a person that
5 works for a different division within your Department
6 of Fish and Game under Commercial Fisheries that's
7 helping you in the surveys is what you're saying?

8

9 MS. BORBA: Yeah. We have three
10 different divisions working in here.

11

12 CHAIRMAN BROWER: Okay.

13

14 MS. BORBA: We've got Sverre from
15 Habitat -- or Bill Morris is from Habitat, Sverre
16 Pedersen is from Subsistence, and then a Commercial
17 Fisheries person and then the North Slope technicians
18 that are helping in the communities and been working
19 with Sverre collecting the TEK information.

20

21 CHAIRMAN BROWER: Yeah, okay, when
22 you're talking about the North Slope Borough agents I
23 was trying to figure out what are you looking -- who
24 you were referring to when you were talking about the
25 use of North Slope Borough agents, you said something
26 to that effect on Page 5 of your.....

27

28 MS. BORBA: Those are the individuals
29 that Sverre's been working with.

30

31 CHAIRMAN BROWER: Because I'm not sure
32 what agents we have under the North Slope Borough.

33

34 (Laughter)

35

36 MS. BORBA: No, it's the Wildlife
37 Management.

38

39 CHAIRMAN BROWER: Thank you. Okay, let
40 me see, okay, the question is whether or not the
41 overwinter survivability of juvenile salmon and how --
42 what is the process of going to understand that
43 question? Are you going out to the wintering site to
44 catch fish to see if they're surviving or are you
45 waiting at a later period of time like when you
46 mentioned earlier, when the flood stage occurs and
47 trying to learn to see if the fish survived over that
48 wintering area?

49

50 MS. BORBA: That's part of -- it's

1 going to be developed. I mean part of it is once we
2 find out -- when Sverre went through the TEK to find
3 out where you guys see the fish spawn and where the
4 open water areas are, one idea is to go up there and
5 you can do red digs, they're called, and you can aerate
6 the soil and get the eggs to come up and see if they're
7 eyed and if they're still alive.....

8

9 CHAIRMAN BROWER: Uh-huh.

10

11 MS. BORBA:to look, if the egg
12 stage is still there and how long they survive, and the
13 second one is to look for the juveniles when they come
14 out and they hatch like in April in Fairbanks so it
15 will be a little bit later here, May and June before
16 your snow melts, so we could still get up here when
17 things are cool enough and get to those areas that have
18 the open water first and see if we can catch some of
19 the juveniles, they're really small, an inch long for
20 the pinks, they're really tiny, so it takes a real
21 special -- we have these fry traps, but we'll probably
22 have to put something like window screen, that small of
23 mesh in there to actually catch them, and then if that
24 doesn't work we're looking at, you know, looking at
25 operating some fyke type nets and stuff in the lagoons
26 or something, right, because that's a better place to
27 work from and not get flooded to try to catch some of
28 them.

29

30 CHAIRMAN BROWER: All right, thank you.

31

32 MR. G. BROWER: Mr. Chairman.

33

34 CHAIRMAN BROWER: Yes, Gordon.

35

36 MR. G. BROWER: Have you captured smolt
37 type ones in the North Slope rivers already?

38

39 MS. BORBA: I've heard that an
40 individual did, I don't remember his name at the
41 moment, he's caught a sockeye actually is what he
42 reported, years ago, he works with the North Slope
43 Borough a lot, but he's a researcher from out of state.
44 And they don't see too many but we hear of all -- I
45 mean you guys had a large run of chum up the, either
46 the Chip or the Ikpikpuk last year and we've got this
47 sustaining stock, it seems sustained, for the amount of
48 fish that are actually going up there in the Killik
49 River and stuff, so we need to get to those areas on a
50 year that we know that a lot of chum went up there and

1 test it to see, but it hasn't been done yet.
2
3 MR. G. BROWER: Yeah, I just wanted to
4 see because when the whitefish spawn, you know,
5 whitefish, you know, they spawn on the Chip, Ikpikpuk
6 all the time and it's a primary spawning area.
7
8 MS. BORBA: Uh-huh.
9
10 MR. G. BROWER: It seems to me that big
11 fish like salmon would have the same type of
12 opportunity or if the fish, the whitefish or the salmon
13 require different types of sands or.....
14
15 MS. BORBA: Uh-huh, a little different,
16 yeah.
17
18 MR. G. BROWER: Uh-huh.
19
20 MS. BORBA: The salmon, like you said,
21 we might have to go farther up to where the gravels are
22 better.....
23
24 MR. G. BROWER: Uh-huh.
25
26 MS. BORBA:because they have to
27 bury their eggs and the whitefish are a little
28 different.
29
30 CHAIRMAN BROWER: Any other questions
31 or comments.
32
33 MR. NAGEAK: Are they compatible, the
34 kings and whitefish, I mean, you know, can they live
35 together.....
36
37 MS. BORBA: Yeah.
38
39 MR. NAGEAK:or spawn together?
40
41 MS. BORBA: They got totally different
42 life cycles, so they don't spawn together, no.
43
44 (Laughter)
45
46 MS. BORBA: You can get chum and pink
47 mixed and stuff like that but.....
48
49 MR. NAGEAK: I thought maybe they'd be
50 like the polar bear and the brown bear, you know.

1 MS. BORBA: Well, yeah, you do with
2 like chum and pink, they call them chumpies for.....
3
4 CHAIRMAN BROWER: We're going to start
5 hearing about a whitesalmon.
6
7 (Laughter)
8
9 MS. BORBA: Yeah, yeah, but not between
10 whitefish.
11
12 CHAIRMAN BROWER: Any other comments or
13 questions.
14
15 (No comments)
16
17 CHAIRMAN BROWER: If not, thank you
18 very much, Bonnie, for your presentation.
19
20 MS. BORBA: Okay.
21
22 CHAIRMAN BROWER: Okay, Agenda Item 13,
23 develop Draft 2009 Annual Report. We've identified
24 muskox, brown bear, moose, sheep, something about
25 Arctic region.
26
27 MS. B. ARMSTRONG: Meeting, the joint
28 request to meet with the Arctic region Council member.
29
30 CHAIRMAN BROWER: Ray's concern.
31
32 MS. B. ARMSTRONG: Yeah.
33
34 CHAIRMAN BROWER: Okay. That's going
35 to be included in the.....
36
37 MS. B. ARMSTRONG: In the annual
38 report.
39
40 CHAIRMAN BROWER:annual report
41 request or joint meeting.
42
43 MS. B. ARMSTRONG: And also I talked to
44 Fred and Doug as they were leaving and your concerns
45 will be put on the annual report -- in your 2009 annual
46 report under migratory birds, those questions you guys
47 have, I talked with them and if you put them in your
48 annual report for 2009, they will answer to them, if
49 that is okay with you. I will pull them out of the
50 transcript.

1 CHAIRMAN BROWER: You'll pull them out
2 of the transcript to share with the regulations
3 committee and the Migratory Bird Treaty Co-Management
4 Council.
5
6 MS. B. ARMSTRONG: They will answer
7 your concerns, but before I do that I'll put it out to
8 you and you guys will see it.....
9
10 MR. NAGEAK: And when is the deadline?
11
12 MR. G. BROWER: And take out all the
13 harsh language?
14
15 (Laughter)
16
17 MS. B. ARMSTRONG: Yeah.
18
19 CHAIRMAN BROWER: Oh, no, don't do
20 that.
21
22 (Laughter)
23
24 MS. B. ARMSTRONG: The draft will be
25 before you by your fall meeting.
26
27 CHAIRMAN BROWER: Migratory Bird Co-
28 Management.....
29
30 MS. B. ARMSTRONG: Winter 2010.
31
32 CHAIRMAN BROWER: AMBCC. Okay.
33
34 MS. B. ARMSTRONG: And then the final
35 will be.....
36
37 MR. NAGEAK: For the 2009 annual
38 report.
39
40 MS. B. ARMSTRONG: Yeah. It will be
41 before you at your winter 2010 meeting, and then the
42 answers will come to you at the fall 2010.
43
44 CHAIRMAN BROWER: So I've identified
45 six issues.....
46
47 MS. B. ARMSTRONG: Yep.
48
49 CHAIRMAN BROWER:that are going
50 to be under the development of the draft 2009 Annual

1 Report, muskox, brown bear, moose, sheep, the Arctic
2 region's joint meeting and the Migratory Bird Co-
3 Management Council update issues.
4
5 MS. B. ARMSTRONG: Yes.
6
7 CHAIRMAN BROWER: Anything else under
8 the development of the annual report.
9
10 (No comments)
11
12 CHAIRMAN BROWER: Questions.
13
14 (No comments)
15
16 CHAIRMAN BROWER: Concerns.
17
18 (No comments)
19
20 CHAIRMAN BROWER: Comments.
21
22 (No comments)
23
24 CHAIRMAN BROWER: Hearing none, next.
25 Next meeting.
26
27 MR. G. BROWER: New business.
28
29 MS. B. ARMSTRONG: There's no new
30 business.
31
32 CHAIRMAN BROWER: Unidentified.
33
34 (Laughter)
35
36 MR. G. BROWER: Mr. Chair.
37
38 CHAIRMAN BROWER: Gordon.
39
40 MR. G. BROWER: Since Ray was here, if
41 there was a concern that Point Hope has if the
42 Northwest Region was meeting concerning Unit 23 it
43 might be beneficial for Point Hope to attend.....
44
45 MS. B. ARMSTRONG: Oh, Northwest Arctic
46 meeting?
47
48 MR. G. BROWER: yes.
49
50 MS. B. ARMSTRONG: Well, that's another

1 request. That, I'm going to do.....

2

3 CHAIRMAN BROWER: Under new business.

4

5 MS. B. ARMSTRONG:before your
6 annual report.

7

8 CHAIRMAN BROWER: Should we put it
9 under new business?

10

11 MS. B. ARMSTRONG: No. That I'm going
12 to do already before without the annual report. That
13 I'm going to do in person to the AARD and ARD to see if
14 he can go and attend the winter meeting, the 2010
15 meeting, see if we can pick that back up again.

16

17 CHAIRMAN BROWER: Okay. And we've
18 basically done that for Unit 24 on the moose issue for
19 Anaktuvuk too so I think we could serve the same
20 purpose for Unit 23 and 26.

21

22 MS. B. ARMSTRONG: Yeah.

23

24 CHAIRMAN BROWER: Ray.

25

26 MR. KOONUK: Yeah, there was another
27 issue, the caribou issue that's been on the news for --
28 that's another issue I want to look at, try and talk
29 with Northwest and see where that stands, because
30 there's been all kinds of allegations and reports
31 coming out and they've been charged with wanton waste
32 without even going to court and they were already
33 charged, you know.

34

35 MR. G. BROWER: It sounds like our
36 steller's eiders around here.

37

38 MR. KOONUK: Yeah. And the pictures
39 that were taken were, I don't know, and the North Slope
40 Borough had done an aerial survey with a helicopter and
41 they'd fly over for miles and miles and never see much,
42 just old caribous.

43

44 CHAIRMAN BROWER: Uh-huh.

45

46 MR. KOONUK: But I'm willing to get
47 into it more, these guys are going through a lot but
48 it's going to take a little while I guess to
49 investigate and go to court and all that stuff and so
50 that's what I'm going to be looking at too for the

1 hunters out there.
2
3 CHAIRMAN BROWER: Okay.
4
5 MR. NAGEAK: When is the meeting going
6 to be?
7
8 CHAIRMAN BROWER: Who's?
9
10 MR. NAGEAK: The fall -- or the winter?
11
12 MS. B. ARMSTRONG: Wait, we're not
13 there yet.
14
15 CHAIRMAN BROWER: You're getting ahead
16 of us.
17
18 MR. NAGEAK: Oh, I thought there was no
19 new business.
20
21 MS. B. ARMSTRONG: No, we're not there
22 yet.
23
24 CHAIRMAN BROWER: We're just under
25 discussion of that development of draft report.
26
27 MS. B. ARMSTRONG: Yeah. Yeah. And I
28 think Ray will be attending the Northwest Arctic
29 meeting for winter 2010.
30
31 CHAIRMAN BROWER: Okay.
32
33 MS. B. ARMSTRONG: So Ray.....
34
35 CHAIRMAN BROWER: If we're done with
36 that subject.
37
38 MS. B. ARMSTRONG: I'm talking to Ray.
39
40 CHAIRMAN BROWER: Ray.
41
42 MS. B. ARMSTRONG: Ray, can you hear
43 me?
44
45 (Laughter)
46
47 MS. B. ARMSTRONG: I just wanted to
48 make sure you heard me, okay, next item then.
49
50 CHAIRMAN BROWER: Okay. Next Item is

1 Agenda Item No. 15 -- we're skipping 14 unless anybody
2 wanted to bring up new business.

3

4 (No comments)

5

6 CHAIRMAN BROWER: None noted.

7

8 Next meeting, establish date and place
9 of winter 2010 meeting.

10

11 MS. B. ARMSTRONG: You have.....

12

13 CHAIRMAN BROWER: Someplace warm.

14

15 (Laughter)

16

17 MR. G. BROWER: Hawaii.

18

19 MR. NAGEAK: Fairbanks.

20

21 CHAIRMAN BROWER: Establish date and
22 place.

23

24 MR. NAGEAK: What's our window,
25 February 15th through March 26th?

26

27 MS. B. ARMSTRONG: Yes. Except for the
28 week of the 22nd, that's already booked right there
29 with those two Councils, those two Councils are having
30 a joint meeting.

31

32 CHAIRMAN BROWER: Where do you see the
33 calendar?

34

35 MR. NAGEAK: It's in the back.

36

37 MR. G. BROWER: It's in the back.

38

39 MS. B. ARMSTRONG: It's in the back.

40

41 CHAIRMAN BROWER: Okay. Okay, February
42 16th, Tuesday.

43

44 MR. NAGEAK: Too early?

45

46 CHAIRMAN BROWER: No, just right.

47

48 MR. NAGEAK: Too dark.

49

50 (Laughter)

1 CHAIRMAN BROWER: Just right.
2
3 MS. B. ARMSTRONG: Okay, February 16th.
4
5 MR. NAGEAK: Okay.
6
7 CHAIRMAN BROWER: One day, two days.
8
9 MR. G. BROWER: Maybe two days, we --
10 so we don't have to work late.
11
12 CHAIRMAN BROWER: February 16th, 17th,
13 2010.
14
15 MS. B. ARMSTRONG: Okay.
16
17 CHAIRMAN BROWER: How's that James.
18
19 MS. B. ARMSTRONG: It's better to set
20 up two days in case then we'll look at your agenda
21 and.....
22
23 CHAIRMAN BROWER: We always have
24 storms, too, and then.....
25
26 MR. G. BROWER: You never know we might
27 have a storm and only have actually a day to cover
28 everything.
29
30 MR. NAGEAK: I was here and there was
31 no meeting last time, in the winter.
32
33 CHAIRMAN BROWER: Just me and you,
34 right, James.
35
36 MR. NAGEAK: Yeah, just you and I.
37
38 MS. B. ARMSTRONG: Okay, here at
39 Barrow.
40
41 CHAIRMAN BROWER: Okay.
42
43 MS. B. ARMSTRONG: And your fall.....
44
45 MR. NAGEAK: My son's birthday is on
46 the 17th but.....
47
48 CHAIRMAN BROWER: Establish date and
49 place for fall 2010 -- what is today?
50

1 MR. NAGEAK: 25.
2
3 CHAIRMAN BROWER: How come we're
4 getting later on this one, it says August 30?
5
6 DR. WHEELER: If you want to meet the
7 25th or earlier, that's fine, not too much earlier but
8 if you want to meet the week earlier, that's fine.
9
10 CHAIRMAN BROWER: The end of the month
11 is our Labor Day weekend and we have extended stay
12 sometimes out when we're out camping, maybe before
13 that, if we could get back into this 25, 23 it would be
14 better for me.
15
16 MR. NAGEAK: September what?
17
18 MS. B. ARMSTRONG: August.
19
20 CHAIRMAN BROWER: No, August. We don't
21 want September meetings.
22
23 MR. NAGEAK: August 25, do you know
24 what day of the week that is, 25?
25
26 MS. B. ARMSTRONG: I'm trying to find a
27 calendar. I need a calendar.
28
29 MR. NAGEAK: Window opens on August
30 30th here.
31
32 CHAIRMAN BROWER: That's what it says
33 but we could go backwards.
34
35 MR. NAGEAK: Can we go backwards?
36
37 MS. B. ARMSTRONG: Yeah, because she's
38 the boss.
39
40 MR. NAGEAK: One more week back.
41
42 CHAIRMAN BROWER: August 25, 2010.
43
44 MS. B. ARMSTRONG: Okay, the 24th --
45 August 24th or 25th would be Tuesday and Wednesday.
46
47 MR. NAGEAK: Okay, sounds good.
48
49 CHAIRMAN BROWER: 24, 25, August 2010.
50

1 MS. B. ARMSTRONG: Okay.
2
3 CHAIRMAN BROWER: Same time next year.
4
5 MR. NAGEAK: Same time next year, okay,
6 that's good for me.
7
8 CHAIRMAN BROWER: Good.
9
10 MS. B. ARMSTRONG: Okay.
11
12 CHAIRMAN BROWER: Now that that's
13 accomplished, Item 16, adjournment.
14
15 MR. G. BROWER: So moved, Mr. Chairman.
16
17 CHAIRMAN BROWER: Motion on the floor
18 to adjourn, all in favor signify by saying thank you.
19
20 IN UNISON: Thank you.
21
22 CHAIRMAN BROWER: Thank you all for
23 taking the time to come to the North Slope Regional
24 Advisory Council, see you in winter 2010.
25
26 (Off record)
27
28 (END OF PROCEEDINGS)

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C E R T I F I C A T E

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

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

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THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

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

DATED at Anchorage, Alaska, this 3rd day of September 2009.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/10